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BRENDA BREWER: The recording has started, I would like to welcome you all to the RDS WHOIS 2 call number 27, I believe we are today, on May 14th 2018 at 14:00 UTC. Attending the call today is Susan, Thomas, Carlton, Cathrin, Dmitry, Lili, and from ICANN Org we have Jean-Baptiste, Alice, Amy, Lisa, Steve, and myself Brenda. We do have apologies from Ali. I would like to remind you that today's call is being recorded, please state your name before speaking and I'll turn the call over to Susan. Thank you.

SUSAN KAWAGUCHI: Thank you Brenda, does anybody have any changes to SOI? Doesn't look like it, so, bear with me as I didn't know I was going to chair, I didn't see Alan's email. Hopefully everything is going fine for him. I am really glad to see Thomas, you are on the call. I am glad things are working out, you were able to make it. Do we have apologies from Stephanie or [inaudible]?

CATHRIN BAUER-BULST: Hi Susan, I think [inaudible] said he was trying to join this meeting, sorry this is Cathrin. But might be a little late due to his internal meeting.

SUSAN KAWAGUCHI: OK. Thanks Cathrin. Hopefully, they will also join us at some point. Let's go to the sub group status update, can we... I don't know if I have control of the slides at all, I don't think so. OK, simply, it's been several weeks since we were all together in [inaudible], and it would be good to hear what's going on. I know it's been a busy time for everybody with

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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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GDPR, but hopefully we've had some movement, so Cathrin, strategic priority, do you have anything to report?

CATHRIN BAUER-BULST: Yes, thank you Susan. Just to say that we tried to hold a sub group call, but nobody other than me was able to attend so it was a very short sub group call, and the basic conclusion that I proposed and still need to share on email with the participants that we take responses from the subject matters that we got in response to the detailed briefing request as the final output and then build on the very helpful discussion at the Brussels face-to-face meeting, and basically draft the strategic priority conclusions report on that basis. That would be very much along the lines of what our conclusion was in Brussels, in fact that we cannot conclude that this has been made a strategic priority in any... in the sense that was intended by the original review team, in a nutshell, and hoping to get a draft report out sometime this week with that update.

SUSAN KAWAGUCHI: That's good to hear. Thank you very much Cathrin, especially knowing all of what's going on right now in Europe. Carlton, single WHOIS policy, do you have anything to report?

CARLTON SAMUELS: This is Carlton, Susan, morning everybody. Are you hearing me?

SUSAN KAWAGUCHI: I do, loud and clear.

CARLTON SAMUELS: Great. I am actually in the middle of writing the final report, as you all know in Brussels we pretty much done with this. We thought that we might have a conversation with others who have been in the previous group but I'm not sure that it will add anything that we have determined to be the case. I am actually in the middle of writing the final report and I should be done by the end of the week.

SUSAN KAWAGUCHI: Perfect. Thank you very much. Alan is not on the phone, so we will skip outreach, unless there is somebody else on that sub group that would like to report, and off the top of my head I don't know who else is on outreach.

CARLTON SAMUELS: I am on outreach Susan.

SUSAN KAWAGUCHI: OK.

CARLTON SAMUELS: Basically, I think we are done there. We really thrashed out all of the issues that we saw at Brussels, and Alan I know is just waiting to make the first draft and when I was in touch with him last week, he told me that he has started writing the draft.

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SUSAN KAWAGUCHI: OK, that's good to know too. Alan's draft [inaudible]. I am having trouble with the chat function on Zoom, so I can tell there's messages going on but I cannot bring it up for some reason. I am...

LISA PHIFER: Susan, this is Lisa Phifer. It was my message in chat and it was a question to Carlton. Carlton, for recommendation 2 there was an open action item to review the members of the first review team regarding recommendation 2, shall we close that action item out, if you no longer plan to do that?

CARLTON SAMUELS: Yes Lisa, I responded on the chat, you can do that.

LISA PHIFER: Thank you.

SUSAN KAWAGUCHI: OK, I had chat open, closed it, and now I cannot get down to my toolbar, and that could be because I am sharing the... I guess I can control the screen now. So, you're going to have to help me, someone else has to help me on the chat and what's going on.

JEAN-BAPTISTE DEROULEZ: Susan, I have removed your control [inaudible].

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SUSAN KAWAGUCHI: Ah, that works. Thank you. I am really, can't wait for Adobe Connect to come back. OK, so we are onto compliance, unfortunately I have very little or nothing to report. I have read the, which I think I said on the last meeting, the responses from the additional questions we drafted at the Brussels meeting but have not had time to actually do much work on that. I promise to do that this week, hopefully we'll have a draft report out to the sub group before, probably by the end of the week and then we can work on any other issues. If I come up with questions in that time, hopefully we can get those out to compliance and, but I have been lax in doing this bit of additional work that I promised to do. I don't know if anybody else on the compliance team wants to add anything?

UNKNOWN SPEAKER: Hi Susan, I just wanted to mention that Lisa has her hand raised.

SUSAN KAWAGUCHI: Lisa, where do I see that? I am really bad at this chairing thing, I can't... OK, there we go, Lisa, please go ahead.

LISA PHIFER: Thank you Susan, Lisa for the record. I wondered whether or not you would like a sub group meeting scheduled for this, for compliance, since you had some substantive work, what to do, we don't have a whole lot of time before the deadline, if we want to get something on the books for the group meet.

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SUSAN KAWAGUCHI: Yeah, my problem is timing is going to be hard. That is a really good idea and I meant to get that scheduled last week and didn't, unfortunately, I am on airplanes this week, so can we do a doodle poll for Wednesday, I will follow up by email and provide some time for doodle poll. It's a possibility to do that on Wednesday morning for me, unfortunately I am on a plane on Tuesday and Thursday. But yeah, that's a good idea. OK. Let's go to the next sub group. Lili, did accuracy.

LILI SUN: Hello, this is Lili for the record. I am sorry, I didn't do any work about [inaudible] after the face-to-face meeting in Brussels, we did receive the answers for the additional questions, [inaudible], but I have a big training event last week, just finished so I am setting out to finalize this sub groups report by this weekend. Based on the answers for the additional questions, I believe nothing significant change for the data accuracy. I may come up some recommendations, which will be relating to the compliance team sub group to follow up, just for your information Susan.

SUSAN KAWAGUCHI: OK. It is good that we can get to the point of drafting recommendations. Thank you very much Lili. So recommendation 15 through 16, plan an annual report. Is that?

LILI SUN: Yeah, and for the, we did have an action item for the last face-to-face meeting for the [inaudible] report to check in with the strategic priority

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sub group for their findings. I am going to check with Cathrin about the draft report, of the strategic priority sub group to check their findings, to see if we can make recommendations for the annual report.

SUSAN KAWAGUCHI: OK, that's a good idea. Cathrin, do you have anything to report back on that too?

CATHRIN BAUER-BULST: On the annual report, not specifically. We have seen that it has been included, but as Lili already highlighted in the Brussels meeting, the way in which it is being reported on is not always particularly helpful, in that sense the two recommendations in that report, on that dovetail, and I think it makes sense for us to link up on that.

SUSAN KAWAGUCHI: OK, that sounds great. Than onto sub group 2, anything new, is Stephanie on the...

LISA PHIFER: Susan, this is Lisa. We actually jumped over the recommendations 10, 11, 12, 13, 14, which didn't have [inaudible].

SUSAN KAWAGUCHI: OK. Sorry about that, I was just all seen as sub groups, can we push the slide back? OK, if we leave it there. I was thinking we got through that too quickly. OK, privacy proxy services, has [inaudible] joined us? I don't

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see [inaudible]. So, we're still waiting on input from [inaudible], I think we got a lot of the work done on the privacy proxy in Brussels, and but [inaudible] had some concerns with the pricing of the accreditation, and there's also I think Ellie needs to report back to the privacy proxy services. For the most part, I think the pricing will be resolved in the next few months before our final report, hopefully at least, at the very longest. His concerns may not still exist once we've worked on, we've actually drafted. I am hoping that [inaudible] will have the time to give his input and then we can get towards drafting the, hitting our May 24th date for the draft. I've reached out to [inaudible] a couple of times and I have not heard back from him. Directly to me, unless I missed an email. I know others have been in contact with [inaudible]. Hopefully he will be able to focus on this once GDPR hits, but that is going to be after our deadline. Then common interface, I think we have a few more questions that we wanted to talk about, but I absolutely cannot remember exactly where we are. Lisa, do you remember from Brussels?

LISA PHIFER:

Yes, sure. This is Lisa again. There were a few agreements that were made regarding this one, common interface. They just need to be reflected in the sub group report, there were no open action items or anything flagged as needing further discussion. It is just a matter of incorporating those agreements into the sub groups report and redistributing that update. That has not happened.



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SUSAN KAWAGUCHI: OK, great. I will add privacy proxy services and common interface to my list of to do's, I am going to work on the compliance first, the draft report for that and try to get that meeting set, and then move onto privacy proxy's and common interface to see if that will help [inaudible] out in just having something to edit. I can't promise I will have that before next Monday. Alright, then rec's 12 through 14, internationalized domain names, Dmitry.

DMITRY BELYAVSKY: Do you hear me?

SUSAN KAWAGUCHI: I can hear you.

DMITRY BELYAVSKY: I provided an update at the report about, with the conclusions we made in face-to-face meeting, so our sub group list should send it to the whole list.

SUSAN KAWAGUCHI: Good so you have drafted the report then?

DMITRY BELYAVSKI: OK.

SUSAN KAWAGUCHI: Perfect.

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DMITRY BELYAVSKI: I should clean up some [inaudible] from template, but I think it's more or less complete.

SUSAN KAWAGUCHI: OK. Thank you very much, so we can almost check that one off our list, that would be great. OK then, I had skipped to Lili in the annual report. I think it is now Stephanie in anything new, don't think Stephanie has joined yet and I'm on that team also, most of that was done in, we reviewed all of the reports as reported in the Brussels meeting and I guess Stephanie is supposed to draft the report and formulate text describing the lack of strategic plan, thank you for those notes. So, I will check on that too, but I am going to prioritize that for myself as number 4 in the list of sub groups, so hopefully I will get to it. If I don't for a draft report, then we're going to have to rely on Stephanie to do that. That is Stephanie, I, and Alan on that group. Lisa, please go ahead.

LISA PHIFER: Thank you Susan. Just to point out that this is the only subgroup where we don't have a draft report. We had slides that we reviewed in Brussels, and came up with a number of agreements that are to be documented in the draft report, but we don't actually have a draft report, we have a shell that first draft template that was provided to every subgroup that asked, but without the actual content. If you need any help from staff in actually just moving those agreements that were made in Brussels into that template document, let us know, we can help move that forward.

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SUSAN KAWAGUCHI: Why don't we go ahead and do that if staff, and I hate to burden staff, but it's going to be challenging for me to get that done, but if you move those agreements into that draft template, then I think that we could... that would really help me move that forward. If that's possible then I would really appreciate that help.

LISA PHIFER: Sure, we'll take an action to do that.

SUSAN KAWAGUCHI: OK. I had forgotten that we didn't have an actual draft. OK, anything else on that. Consumer trust. No, law enforcement needs. It looks like we have Thomas and Cathrin, and Lili, so do we have an update on that one?

CATHRIN BAUER-BULST: I can take a first stab if you want and then maybe Thomas and Lili want to compliment. So, we had a very helpful sub group call after the Brussels meeting where we discussed the way forward on the survey, you may remember that in Brussels we discussed that it would be helpful to do a survey before and after GDPR implementation, to gather data on what would be useful to compare in particular, in the before and after. I provided an updated document to which Lili and Stephanie provided comments and Thomas sent a message saying he's reviewing, Thomas apologies if I missed your comments in the meantime. In the meantime, Alice also put this into a test survey template, so that you

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can see it as an online survey, and I tested it with a couple colleagues from the PSWG leadership, in the form that it had after Lili's comments on my review, and got some further helpful comments on how it could be improved, and now my main objective would be to get this out as quickly as possible, so I am going to try to take some time today, it's my first day back in office to update the draft survey with the further input we got from the colleagues on the public safety working group and run it through the sub group again so we can launch this with users before May 25th, knowing that, of course, some companies have taken the information offline already. The plan is to run this again late June, or mid to late June, to see what impact the GDPR implementation has had and whether we can compare data. Then on that basis we would provide an update, but that will of course, also have an impact on how much we can say in the law enforcement report as of now, and as of the deadline that we set for the finalized report. This would be one sub group, or at least part of the information will only be available after the sub group report deadline. I don't know whether Stephanie, Thomas, or Lili want to compliment.

THOMAS WALDEN:

This is Thomas. I took that sample survey and discussed it with some of our [inaudible] intel, our intelligence analysts, they are the folks who utilize WHOIS the most, and they were wholeheartedly supported the survey in the way that it was worded and the questions it was asked. Congrats to the people who put this together, you hit all the points that they wanted to hit. Thank you very much.

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SUSAN KAWAGUCHI: Lili did you have comments? Go ahead please.

LILI SUN: Yes, this is Lili for the record. Thank you Cathrin for pick up all the questionnaires, and Alice helps to put it like a visualization of the questionnaire. So, since we have the intention to compare the questionnaire without, before and after the GDPR, so I would suggest we disseminate this questionnaire as soon as possible, since it is already mid May, and the GDPR is on the horizon. If we, although it takes time to collect all the feedbacks from the potential participants for the questionnaire. If we disseminate at a late stage, it will be confusing, what we are checking about before or after GDPR, that is my only suggestion. That's all.

CATHRIN BAUER-BULST: This is Cathrin, I fully agree with you. There's four basic comments that I got from other people and [inaudible] working groups, we should also cover issuing formula requests for information before WHOIS access is inadequate, whether there are delays in the investigation or legal action because of the need to make formal requests and wait for the response. Whether there is an uptake in [inaudible] abuse activities, and an uptake in conveyance in the public for requests for assistance, and I guess the two last comments, we could address actually in the second survey, we do after GDPR has been implemented, because of course now we would not yet expect to see any change there. I am going to try to get that integrated today and then Alice if I could prevail upon you again to update the survey on the survey tool and then we can try to

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disseminate it as soon as possible, once the sub group has [inaudible], of course.

LISA PHIFER: Cathrin, this is Lisa. I know you can't see my hand.

CATHRIN BAUER-BULST: Yes, please go ahead.

LISA PHIFER: I had a couple of questions. One is whether you would like to see some sample results from the staged survey so you can make sure the results from those of you just testing it are in fact the kind of results you are hoping for out of the survey. That is one question. Another question that I would have is, have you given thought to who you'll invite to take the survey? If you distribute a link to the survey, how you would ensure that those responding to the survey are in fact in your target audience.

CATHRIN BAUER-BULST: Yes, to your first question I think it would be very useful to see some sample responses, possibly from Thomas's colleagues that have taken it. To the second question, my intention was to use the public safety working group list, which has been growing rapidly, given recent developments and concerns that they have on this, which is only open to persons who have been nominated by their GAC representative, and who represent a public agency with the exception of two individuals who represent child safety organizations, that are non state agencies.

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There we have pre-vetted group of participants, and the second channel that I wanted to use was our list of the 28 member states, the official law enforcement contacts on the WHOIS, for the European Union member states, and then Lili had kindly also offered to disseminate the list to her Interpol contacts. While that will not give us hundreds of responses, it might provide a very helpful audience that could provide informed responses to this questionnaire. The question that we then still would have, is A, whether we should include further agencies or actors such as consumer protection or other agencies. Then B, whether we should instruct the agencies that we do send it to, to keep the survey to themselves or to forward, in any case it might be helpful to have a first line that asks them to identify roughly, which state they are from and which agency they represent. What do you think of that approach? Lisa, I would be grateful for your comments.

LISA PHIFER:

I think that approach is a great start to providing a broad sample, it sounds like you'll need something in your survey... a set of survey questions that identifies the respondent in some way so that you know if you're getting responses from parties other than your targeted law enforcement or you know, if you expand it beyond that to agencies that are related to law enforcement. You may just address that in your updated draft of the survey questions and see how you feel about the... you know, share it with a couple of people and see how they feel about responding to those questions as well.

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CATHRIN BAUER-BULST: Yeah, thank you Lisa.

SUSAN KAWAGUCHI: I have a quick question. Did you agree, Lisa, that she should allow, that LE sub group should allow forwarding, or... because those questions would then identify them, whoever it was forwarded to? I think there is some value there, but there is also some risk too.

LISA PHIFER: Yeah exactly Susan, you are right. If it's a generic link that anyone who receives the link could take the survey then you may need to filter your results in some way, and that was why I suggested you will need some additional information that you collect through the survey questions, that will allow you to do that filtering, because as Susan points out, you get a but of a diluted pool depending on who chooses to respond. The [inaudible], of that, of course is that some parties may be uncomfortable in identifying themselves when they take the survey. Yeah, that can be true to.

CATHRIN BAUER-BULST: Actually, I've made good experience with allowing people to forward, because especially when there is somebody part of a network in a given jurisdiction or region, they will often, in particular on these issues, they will often will send it to who else is relevant who might provide good responses on substance. I share your concern about identifying individuals, but what could be done is to say which country you are responding from and then to have a drop down on what type of agency



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it is, whether it is criminal law enforcement, or civil law enforcement, or something that doesn't go too far in terms of identifying the precise area or sub part of the agency. Then we could have an optional field that asks for the name of the agency that doesn't have to be completed. That might be a way of circumventing the name link, versus field in the survey type of approach.

SUSAN KAWAGUCHI:

That makes sense to me, this is Susan for the record. That makes sense to me and if you have a concise list of email addresses where you know who exactly it is going out to, but let's say for some reason you got thousands of responses, you could then say OK, we got... say you got 1000 responses that were outside of the known participants, the ones that you actually sent it to, and they were strange responses, you could also pull back the results just the original targeted people. My fear with forwarding is that it gets to the wrong people, but, I think it's also, or to characterize that better, not wrong people, but not law enforcement and we do, interestingly on the internet people love to respond when it is not really appropriate sometimes. I think there is a control there, I don't know Lisa, what do you think?

LISA PHIFER:

I was worried about the same thing. This is Lisa for the record. We have had the experience in the past, not necessarily with review teams, that we have launched a poll and then flooded with a couple of hundred responses which were identical and not really provided by the target of the survey. That is why it is good to think about it in the structure of

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your questions, to be able to flag those kind of responses and then if you wish, analyze a subset based on your analysis of the responses and whether they came from parties that your survey intended for. In this case, because we're doing this in a fully transparent manner, the link would be pretty much be available to anyone unless you take steps otherwise. You might get responses, not at all from law enforcement and dilute what you are actually trying to find out, which is how law enforcement uses WHOIS and the ways in which they use it and the importance of it.

CATHRIN BAUER-BULST:

Lisa, if I may ask a question on that. It's just to see whether there is, the challenge will be if we send out an email, officially on behalf of this review team, I assume it will be public from the review team database of registered emails, correct? Because otherwise I would not plan to advertise this on any website or anywhere, it would literally go to a named list of participants, or intended participants and not be publically available anywhere. I guess, any such email that we send would be publically available through the review team website.

LISA PHIFER:

Exactly, if you posted as an email into the review team list, of course, it is then public. I don't think, maybe Alice or Jean-Baptiste can comment, but I don't think there is any reason that you can't send targeted email not on list to parties that you are inviting to participate, but you probably do have to be transparent about who you invited in that case.

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SUSAN KAWAGUCHI: Lili has had her hand up to. Did we want Alice or Jean-Baptiste to respond to that, to your question and then we can move onto Lili?

JEAN-BAPTISTE DEROULEZ: If you could just maybe clarify the question, but what I know from the sub group, we used to produce a draft survey, I think it's possible to send it if you wish, to send it [inaudible], it's possible to send it directly from [inaudible] and send it to the list of law enforcement that you have preselected. This is a possibility, does that answer your question?

LISA PHIFER: Jean-Baptiste, I think part of my question was that using that kind of feature is not a conflict of transparency requirements for a review team?

JEAN-BAPTISTE DEROULEZ: I mean... Alice, do you have any input on that, from my side it depends if your goal is to prevent the wrong or not the appropriate people answering your survey, I guess, it would be a logical approach, but I guess maybe Alice has some input on that.

ALICE JANSEN: This is Alice, are you asking if there is a way to collate all the answers so they are available for anyone to view as part of the process?

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LISA PHIFER: No, I am just making sure that selecting subset of participants to respond to the survey, without identifying that publically, whether that is in any way a conflict with the full transparency requirements for a review team?

ALICE JANSEN: Sending the survey to a targeted audience for their input, I don't think that it's a transparency concern per se, but we will make sure to review all the survey parameters so that it's clear and possible able will provide any [inaudible] at this stage.

LISA PHIFER: Thanks, I just wanted to make sure that I wasn't suggesting they had done a path that they would then be in conflict with transparency requirements.

CATHRIN BAUER-BULST: Alice, just to clarify this is Cathrin. Yes we also want the survey to be secure, but the question that Lisa has raised is whether for us it is permissible to contact the potential survey respondents without making the list of respondents or the link itself to the survey publically available on the review team website as part of the email archive, for example, because as Susan and Lisa have shared, in the past they have made negative experiences with unwanted survey responses. That somebody takes the link from such a publically available source and then provides tons of bogus responses, or provides responses from the perspective from one skewed perspective, or just otherwise provides entries that

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would falsify the output of the survey, and so what we want to do is send the survey to a list of defined recipients and we don't want to publish the list, and we don't want to publish the link. The question is, is that compatible with our review team transparency policy? If you could link into that, I think there is good justification for why it should happen this way, but indeed it would be grateful to make sure that we don't collect evidence and then we're not able to use it as we violated some part of review team policy.

ALICE JANSEN:

Thanks for clarifying Cathrin, we will get back to you on this.

SUSAN KAWAGUCHI:

OK, let's go to Lili.

LILI SUN:

Lili for the record, thank you Susan. Actually, I agree with Cathrin. Since we are planning to disseminate the questionnaire to the [inaudible] team mailing list, also the European Union [inaudible] and from my side I am planning to just disseminate this questionnaire I have knowledge that they have work or experience of WHOIS [inaudible]. I may ask them to reach out to their own agencies to speak on behalf there, like home country. I believe still it's a questionnaire, the [inaudible] of the questionnaire is still restrictive. I don't think we will receive a [inaudible] responses. To keep it transparency, I do suggest we advise participants, at least the agency, what's his name, his unit, department, or agency. Also the country or state they are speaking on behalf of. Besides the

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two, these two element or information, I don't think we can keep checking on [inaudible] the person names, and we can keep the questionnaire response as anonymous, just identify the agency and country, that's enough. I have one further comments, I had a comment in the [inaudible] questionnaire, and from my experience, some security agencies, [inaudible] like Search, they have a close collaboration with law enforcement agencies. They may be in the first place to conduct the WHOIS lookup. I would suggest that we do not exclude the cyber security entities to take part in the questionnaire. That is all.

SUSAN KAWAGUCHI:

Thank you Lili, I would agree with you too. I am not on the sub team, but there's a lot of cyber security groups out there that are on the front lines of this and so it would be interesting to get their input too, as long as we can substantiate who they are too. It sounds like the law enforcement sub group has made a lot of headway, and I really appreciate all the hard work and Lisa, a question to you on the report, they are not going to have the survey result for this first round of draft reports, can we just leave a placeholder for that in the report? Would that be sufficient?

LISA PHIFER:

This is Lisa. I think what we could do, and I encourage Jean-Baptiste or Alice to amplify this if they like, what we could do is describe the objective, the methodology being used and possible even a preview of the survey questions, but then of course, not have the analysis of

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findings and recommendations, as that would be available in a subsequent update.

CARLTON SAMUELS: This is Carlton, can I ask?

SUSAN KAWAGUCHI: Sure, go ahead Carlton.

CARLTON SAMUELS: Carlton for the record. I am listening to the conversation and still not quite sure what is the objective of the survey. Is it to establish whether or not the security, whether or not the data that is held, WHOIS data, is held in areas or angles with standard security procedures or is there heightened security for it, what?

CATHRIN BAUER-BULST: This is Cathrin, if I may?

SUSAN KAWAGUCHI: Yes please.

CATHRIN BAUER-BULST: The idea of the survey is to establish whether WHOIS implementation meets the needs of law enforcement as stipulated in the bylaws. We are asking how often they use it and whether they get the data they request, how many percent of the cases, if they encounter obstacles,

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and how they deal with them. Whether... Stephanie made some very helpful suggestions about whether there is other ways to get the data if WHOIS is not responsive. That is basically to assess whether it meets the needs, and then we want to run the survey twice to make sure that it meets the needs that we record any changes in terms of meeting the needs before and after GDPR implementation, so that we as the review team can make sort of an assessment of what impact the GDPR has had on the WHOIS availability, and whether that has had an impact in turn for law enforcement activity. That is the idea behind the survey and running it twice, because, of course, Lili and I, and Thomas, and Carlton, and you, can write lots about what the needs are but cannot really second guess properly what law enforcement might in fact say themselves. That's why we want to pick up the survey again, just like the 2012 WHOIS review team did. Sorry Carlton, go ahead.

CARLTON SAMUELS: It is specific to law enforcement, and it is specific to asking them whether or not it is meeting their needs as they see them? Not as we have defined in our records, correct?

CATHRIN BAUER-BULST: Yes.

CARLTON SAMUELS: Wonderful, thank you. I am better informed now, thanks.



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CATHRIN BAUER-BULST: Thanks Carlton, and this is Cathrin again. Just to add one point on the cyber security agencies, I fully agree with you Lili and also with Susan who both highlighted this as important. I just want to make sure that we somehow distinguish because our mission as a subgroup, whether it meets the needs of law enforcement, and that's pretty specific. If we include cyber security agencies, I would prefer that we do two versions of the survey so we can separate out the responses, because I do think it makes perfect sense. I just think for the sake of transparency and for the sake of sticking to our mission, we should make sure that we can directly distinguish between the two groups of users that is.

SUSAN KAWAGUCHI: This is Susan for the record. Cathrin, that is a really good point that I had not thought of. I'll leave that decision up to the sub team obviously, but what I also don't want to do is burden all of you with a lot more work, unless you think we are going to get a substantial input from that. So, it makes sense to definitely move forward with the law enforcement participants, but how you decide to move forward on the cyber security. Obviously you are all doing a really good job on the subgroup so that's your decision. Anything else? Anyone else have any comments or questions on this topic?

CATHRIN BAUER-BULST: This is Cathrin again, just to say that it will be really useful to include cybersecurity and I think this would actually be an added value of this whole review team exercise, as I think we've been questioning what value we can add, and there's a lot of debate going on at ICANN right

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now about what the function of the WHOIS is, and whether it is used by anyone and whether it is useful in its current form, or just useless anyway, and whether all the time it is not being invested in trying to fix it, or save it, regarding, depending on your perspective is worth the effort. If we as the review team can say we've done the survey, I am sure people will attack us on whatever [inaudible], but if we have some bits of data that show OK, this is how the users are using it, and there are so many users, and it is this important to them. Maybe that can help also form the policy development process later.

SUSAN KAWAGUCHI:

I would agree, and Lisa... it looks like Lisa has put in a suggestion that is if you ask the same question, asking if the respondent is law enforcement or cyber sec, or other, might be able to help you segregate that data, so you can look at all the data from law enforcement, see what their responses are and then look at the cyber security. Then, if it makes sense, lump all the data together for a third view. Lisa, did you have comments on that too?

LISA PHIFER:

No, I think we've pretty much talked through the concerns and the subgroup just needs to take a second look at the questions, include some demographic questions that will allow proper filtering of the responses and then you can move forward.

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SUSAN KAWAGUCHI: Yeah, I would agree. Really good work and thank you all, I know it's a hard time to get things done. If there's nothing else on law enforcement, we are going to move onto consumer trust and I think Erika has joined us.

ERIKA MANN: Hi everyone, I joined too, yeah, a while ago. Thank you for being so patient. I have nothing to say to be... I have started working on the biggest piece, I believe, which my to do list, which is understanding the reseller trust issue, the transparency issue not trust issue, and indirectly related to potentially to difficulty in relation to consumer trust. Which is quite a complicated task, so I'm reviewing the information which is available about resellers which is, they are not so transparent in publishing all the policies, but some do, so I am reviewing their policy and just see how we can actually approach this topic. That is all I have done, I have reserved for this week two afternoons where I will have the time, hopefully, be able to send something to the small subgroup team, so on Thursday and Friday I do have some time reserved for this work and then hopefully I can finalize this by the end of the week and send to the subgroup team. Apologies for this, but just too much traveling at the moment and too much work with clients.

SUSAN KAWAGUCHI: OK. Thank you very much. This is Susan for the record. Thanks very much Erika, and I do understand the workload right now.

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ERIKA MANN: Too much at the moment, yeah. It will get better soon, another two weeks to go and then it will lighten up. Thank you everybody for understanding.

SUSAN KAWAGUCHI: OK. Who's our next, Jean-Baptiste, who's our next... what is our next subgroup. Oh, safeguarding registrant data. So, I don't think we have Alan or Stephanie, Lisa do you have any idea where they are with this? Any input?

LISA PHIFER: Susan, this is safeguarding registrant data, correct?

SUSAN KAWAGUCHI: Correct.

LISA PHIFER: I don't believe there has been an update to this or a subgroup meeting since our Brussels meeting. I know that Alan had taken away the action from our Brussels meeting to refine the questions that he wanted to ask with regard to secure storage of Escrow data, but to my knowledge, and he hasn't sent anything out to the subgroup with that update.

SUSAN KAWAGUCHI: OK, so we'll have to wait for Alan to return and hopefully Stephanie before we can get. Maybe we can ask them to send something to the whole group, just a quick update. Right, and our next, our last

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subgroup? [inaudible]. Thank you, especially with LE, we really had some substantial work done, so I appreciate that all of you working on these. What's the next thing on the agenda, and I apologise for stumbling through this but I wasn't prepared to chair. OK, ICANN 62, we do... Jean-Baptiste, why don't you tell us about ICANN 62, I think you have a better handle on them.

JEAN-BAPTISTE DEROULEZ: Yes, thank you Susan. This was to provide an update on the engagement session that is scheduled for [inaudible] at ICANN 62, security [inaudible], this includes a 90 minute engagement session on Monday 25th June 2018, and so for this we will need from the review team a session description, and we have also reported on this slide a suggested structure for this presentation. So this will be divided in two, so a 40 minute presentation on the review team and [inaudible] recommendation, the methodology input on the work plan and which input [inaudible] and followed by a 50 minute Q and A, and feedback. Also what would be needed, if you have an agreement on the date for sending out the engagement session materials.

SUSAN KAWAGUCHI: What would you recommend as the date to have the materials drafted?

JEAN-BAPTISTE DEROULEZ: I mean, this will, of course, depend on the progress of the review team, but the sooner the better, but I would say, Alice correct me if you have

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any other view on that, but at least if we can have this 2 weeks prior to the meeting, that would be ideal.

SUSAN KAWAGUCHI: OK. Just to look at my calendar quickly here, so we're talking around June 10th?

JEAN-BAPTISTE DEROULEZ: Something like that, yes.

SUSAN KAWAGUCHI: If we have sub team reports due on the 24th, I think that's doable, shall we set it for, let's actually set the date for June 8th as the deadline for the draft of the engagement material. Is anyone oppose that date? Any other reason? I will just take silence as agreement. Obviously, all of this will depend on GDPR again and how people are, the community, how well attended it is, the session is. But I do think we could fill 50 minutes in Q and A, and if we can get feedback from people, from the community at the meeting, that will be very valuable to us. Alright, is there anything else we need for ICANN 62, Jean Baptiste.

JEAN-BAPTISTE DEROULEZ: Just as I mentioned before, what would be needed from the review team is an engagement session description, so something we could use to socialize this session with the community and also with on the schedule.

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SUSAN KAWAGUCHI: How soon do you need that?

JEAN-BAPTISTE DEROULEZ: This I will need to look into, but I think, let me look into that and I will contact you.

SUSAN KAWAGUCHI: This you are just talking about the description that goes in the calendar?

JEAN-BAPTISTE DEROULEZ: That's correct and also something we will use on the Wiki and just to socialize this session with the community their session, to show with other communication report for ICANN 62.

SUSAN KAWAGUCHI: OK, would you have examples of what other review teams have done?

JEAN-BAPTISTE DEROULEZ: Sure. I will look into that.

SUSAN KAWAGUCHI: If you could just provide those to the leadership team, I think that would be helpful and we can send a draft from there. OK. We'll try to get that to you soon, even if you don't have a date yet for needing that but we will try to get that done to take it off the list of to do's. OK. What is our

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next agenda item here? AOB. I have a question, and I know I keep asking this question, but do we have anymore headway on figuring out dates for the meeting in Brussels in July?

JEAN-BAPTISTE DEROULEZ: Yes, I can reply to you on that Susan. We are in fact expecting the meeting [inaudible] today, and as soon as we have it, we send out the [inaudible] which I hope to send out at the latest tomorrow.

SUSAN KAWAGUCHI: OK. Has the SSR2 picked their date?

ALICE JANSEN: Hi Susan, this is Alice. I can answer this question. SSR2 will not be meeting in Brussels in July. They are looking into other windows in time. Hope this helps.

SUSAN KAWAGUCHI: I personally have a date I am trying to figure out in July. Sorry to keep harping on this but I am sure other people are in the same situation with summer vacations, at least in the same hemisphere. Alright, does anybody else have any other business?

LISA PHIFER: Susan, actually this is Lisa, sorry to jump in. I wondered, I know that Jean-Baptiste and Alan had been collecting information about the next two plenary dates and whether people who live in a location where it



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might be a public holiday might have difficulty attending the plenary. Jean-Baptiste, do you have all the answers that you need or is there anyone on this call who didn't reply?

JEAN-BAPTISTE DEROULEZ: The only two replies I did not receive were from Carlton, Lili, and Susan. But correct me if I am wrong, public holidays do not apply for Carlton and Lili?

CARLTON SAMUELS: I haven't seen it yet, but I will have a look at it. Quite frankly, every single time we were one of these meetings were a public holiday in Jamaica, so I am used to giving up my public holidays.

SUSAN KAWAGUCHI: How many holidays do you have in Jamaica?

CARLTON SAMUELS: About 14 and they always seem, as a matter of fact, today's a public holiday. Labor day.

SUSAN KAWAGUCHI: OK. You shouldn't be laboring on labor day I guess. For myself, sorry I didn't respond, I am available both of those days, so it is no problem for me.

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JEAN-BAPTISTE DEROULEZ: Lili, you had your hand raised.

LILI SUN: Yes, this is Lili for the record. Yes, I am available. It is not public holiday for me, so my assumption is that if I have any conflicts I need to apply, so sorry for my not responding to your email.

JEAN-BAPTISTE DEROULEZ: No no Lili, don't worry, as I said I knew for you it was not applying, thanks anyway for the update.

SUSAN KAWAGUCHI: OK. Last call, anything else that we need to discuss? Did you want to, Jean-Baptiste, would you mind going through this decisions reached and action items from today's meeting for me?

JEAN-BAPTISTE DEROULEZ: Yes, thank you Susan. In terms of decisions reached. I identified one, which is June 8th, which is the deadline to submit the engagement session materials. On action items, I have the following. So for recommendation 4 compliance subgroup, Susan you will [inaudible] to the subgroup. On recommendation 10, Susan you will [inaudible] try making some progress on the subgroup draft report. On subgroup 2, anything new, ICANN Org will move forward and reflect the agreements from the Brussels [inaudible] report shell. On the law enforcement [inaudible], we will update the draft survey with the comments received from subgroup members, and from today's input on the plenary call.

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ICANN Org will investigate on transparency requirements regarding the survey as the subgroup would like the survey not to appear on the public list. For ICANN 62, the review team will agree on... we need to agree on a session description, but in the meantime ICANN Org will send examples to leadership from other review team engagement session descriptions, and identify the deadline to submit this session description. Is there anything that I missed in terms of action items or decisions reached?

LISA PHIFER:

This is Lisa. In the law enforcement subgroup, I believe ICANN Org has an action to provide a sample of the output from the survey to the subgroup.

JEAN-BAPTISTE DEROULEZ:

OK, this. Anything else? Thank you Susan.

SUSAN KAWAGUCHI:

Sorry, I was on mute. Just wanted you and Alice to note that not for this meeting, but I have a conflict on Wednesday's leadership meeting call. So I will not be able to make that.

JEAN-BAPTISTE DEROULEZ:

This Wednesday, OK.

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SUSAN KAWAGUCHI: Yeah this Wednesday. Alright. Anything else that we need to discuss? If not, I will give you back about 15 minutes of your time. So everybody go and draft your report for 15 minutes, at least, right. Yeah, alright. Thanks all for all the hard work. Bye.

[END OF TRANSCRIPTION]