

Source	Reference	Issue	RDS-WHOIS2 Possible?	Decision
Bylaws	4.6(e)(iv)	Prior WHOIS-RT Recommendations <i>(iv) The Directory Service Review Team shall assess the extent to which prior Directory Service Review recommendations have been implemented and the extent to which implementation of such recommendations has resulted in the intended effect.</i>	AG: Yes	Call #5: Team agreed in-scope
Bylaws	4.6(e)(ii)	Current Implementation "effectiveness" <i>(ii) The Board shall cause a periodic review to assess the effectiveness of the then current gTLD registry directory service...</i>	AG: Yes, but effectiveness in what way? Last RDS-RT Recommendations? Call #5: Some said RDS PDP is determining purpose(s) of and requirements for WHOIS; this duplication should be avoided.	Call #5: Team agreed in-scope but did not converge on criteria for determining "effectiveness." Action: Stephanie to suggest language on effectiveness component
Bylaws	4.6(e)(ii)	Current Implementation & legitimate needs <i>(ii) ...and whether its implementation meets the legitimate needs of law enforcement, promoting consumer trust and safeguarding registrant data</i>	Call #5: Some said RT should assess effectiveness for three purposes listed in bylaws: <i>law enforcement, promoting consumer trust and safeguarding registrant data.</i>	Call #5: May be covered by Action under GNSO Scope Pg2 below
Bylaws	4.6(e)(iii)	OECD Privacy/Transborder Data Flow <i>(iii) The review team for the Directory Service Review will consider the Organisation for Economic Co-operation and Development ("OECD") Guidelines on the Protection of Privacy and Transborder Flows of Personal Data as defined by the OECD in 1980 and amended in 2013 and as may be amended from time to time</i>	AG: Yes (as per my message)	Call #5: Team agreed in-scope; may state simply that today's WHOIS is in conflict with some related laws (e.g., GDPR) Action: ICANN org to produce draft text for leadership to refine reflecting OECD component of bylaws mandate
GNSO	Scope Msgs Page 2	Assess whether RDS efforts meet "legitimate needs of law enforcement, promoting consumer trust and safeguarding registrant data."	AG: RDS PDP: No. Other: ?	Call #5: See discussion under Bylaws 4.6.(e)(ii) above Action: Cathrin to produce draft text reflecting RT's discussion on law enforcement objectives, including possible methodology to obtain targeted community input on objectives, for RT to formulate recommendations w/r/t WHOIS meeting them.
GNSO	Scope Msgs Page 2	Assess how RDS current & future recommendations might be improved and better coordinated	AG: No Call #5: Several stated this would unnecessarily overlap RDS PDP.	

GNSO	Scope Msgs Page 3	Assess Compliance enforcement actions, structure, and processes; Availability of transparent enforcement of contractual obligations data	AG: Yes	
GNSO	Scope Msgs Page 3	Assess the value and timing of RDAP as a replacement protocol	AG: No	Call #5: Team agreed in-scope; may state simply that RDAP meets current purposes in ways that today's WHOIS protocol cannot (e.g., IDN support)
Carlton	Scope Msgs Page 3	Assess current protocol for current purposes	AG: Yes (effort minimal)	Reflected above
Carlton, others	Scope Msgs Page 1	IDN	AG:Yes	

Principles

- Work should be focused on efforts likely to produce real results
- Work should have a reasonable expectation of leading to implementable recommendations

AG: 17 Aug 2017, including draft updates to reflect 17 August Plenary call discussion provided by ICANN org for leadership consideration, updated 24 August