BRENDA BREWER:	Thank you, Alan. Good day, and welcome, everyone, to the RDS WHOIS 2 review team, plenary call number 11, on October 19th, 2017, at 12:30 UTC. In attendance today, we have Alan, Dmitry, Lili, Thomas, Stephanie, Susan, Cathrin. In the observer room today, we have David and Vignesh. From ICANN organization, we have Jean-Baptiste, Brenda, Amy, Steve, Lisa, and Alice. And I'd like to remind everyone to please speak your name before speaking for the transcript. Today's call is being recorded. And I'll turn the meeting over to you, Alan. Thanks.
ALAN GREENBERG:	Thank you very much. We have a new attendee with a phone number, 626. Do we have any idea who that is?
TRANG NGUYEN:	Alan, that's Trang from ICANN org on audio only at this time.
ALAN GREENBERG:	OK, thank you. All right, the first issue is to remind people about SOIs. I am now told that the optimal way of doing it, if you have not submitted your SOI and your conflict of interest statement, is to print them, sign them, scan them, and send them by email by return. So, if anyone has not done that, and I am guilty of being one of those, please, it should be done before the—essentially by the beginning of next week, so well before people get on planes, if you're getting on planes, and let's try to get those all in. And if I could ask staff for any that have not been

received by, let us say, start of business on Tuesday, if you could please send out personalized reminders.

And with that, we will go to the first agenda item, and this is on the effectiveness framework, which Susan has put together, and she's going to talk us through that at this point. Susan?

SUSAN KAWAGUCHI: Thanks, Alan. Can we get the document up on the screen for everyone to see? So, just a little bit of background—really just hunches around to find something that made sense, and I borrowed this from the CDC website, of all places. So, I thought it was important, and I was asked to provide some sort of definition of effectiveness and a structure or process that we might follow. So, this is all a work in progress, but I thought it was good to provide a definition of effectiveness, which is what I've done there at the top of the document, and some thoughts on it, which is—once a policy has been implemented, it's necessary to monitor and evaluate the effectiveness of the policy. And I apologize, but it's 5:30 in the morning here—better than 4:00 in the morning, though.

And so, there's some steps to determine effectiveness, so you need to identify the issue, to frame the issue, and I think framing an issue is probably harder, for me at least, than identifying it, and then audit the outcomes and impact, find measurable results, and there's a variety of ways of going at that, and I think a big one, number four, is to determine whether the changes in outcomes are a result of the policy. Sometimes, we implement a policy, but actually just other either market

forces or other impacts can actually shape how different—cause different outcomes, and it really was not the policy implemented. And then develop recommendations and good practices.

And I don't know that I have scroll capability. So, those are some of the basic steps—thank you—and I framed the next—top of the first page and the second page, really "How does this relate to the WHOIS?" so to identify the issue that you've created, which is WHOIS objectives identified by stakeholders have been achieved and the extent to which problems targeted by the first review team have been solved. And then, to frame the issue, we could focus on the goals of the first review team's recommendation—that's a decision—what problems they were trying to address, ability to implement the policy, and actual results of the policy. So, it goes on. I'm sure everybody's read this.

But this was really a starting point, in my opinion, for what we might be able to do. I know a few people commented in Brussels on it, and so, that's about—if you read the document, you'll see what I'm recommending that we do. Not every issue that we look at would we go through and do a sampling or review metrics or monitoring or trend analysis or even determine information. So, we would want to be selective in how in-depth we go on some of the issues, but I think, on the compliance issue, for example, we would definitely need to do quite a few of these steps, and really look at the metrics, and monitor what's going on, and do an in-depth dive into compliance. That would be my opinion.

So, does anybody have any questions and concerns? Do you feel like this is way off base? Do you think we could use this to help frame some of our work? And Alan—

ALAN GREENBERG: Thank you, Susan. I think this is—I won't—I was going to say a good start, but I don't think that's the right word. If you look at the range of types of things we're going to be considering, the first recommendation, I believe, was WHOIS should be a strategic issue within ICANN. I'm not sure that much of this applies in that case, because we're almost going to look at, "Is ICANN taking this seriously?" And you can answer that in a number of ways, based on the reporting structure and how often it's being discussed, or you could look at the most recent response to the GDPR analysis and say, "No, it's taken completely as a non-strategic issue." Otherwise, we wouldn't have not done anything in the last couple of years on the issues associated with that. But it's not going to be analyzed analytically, I think. So, I think what we have here is a really good—what becomes a checklist of things that each of the groups responsible for doing some piece of our work, be it reviewing other old recommendations or new pieces of work, have a checklist to say, "If this is applicable at all, these are the things I want to make sure to do as we're going through the process." So, from that perspective, I think it's a really useful document and framework, which we can use, both as a sanity check and as a means of making sure that we're doing a thorough review as we go forward. So, I think it's a great start. I think each of the groups is going to have to look at it. And to the extent that we leave out any of the steps, I think we have to be able to justify it, not necessary paragraphs in the report, but understand why it is we think it's not

applicable. But I think it's a great start to make sure that we are doing a thorough and responsible job as we go forward, so thank you. Anyone else? Anyone want to disagree with me? Stephanie, please go ahead. Stephanie, go ahead, please.

STEPHANIE PERRIN: Can you hear me now?

ALAN GREENBERG: We can.

STEPHANIE PERRIN: Yes? No?

ALAN GREENBERG: Yes.

STEPHANIE PERRIN: I think it's actually a very good framing tool, as well, not just a checklist, because potentially raising the issue of effectiveness—I was actively pointing at the need to identify issues as part of that definition of whether we're effective or not. If you sidestep something, you may be able to checklist what you actually focus on, but the actual sidestepping is being ineffective.   So, I think it's flexibly broader as you have described, and may help us deal with the lack of a strategic focus. Thanks.

ALAN GREENBERG: Thank you. I'm not sure we're disagreeing. I was calling it a checklist, but to the extent that you now decide you are doing some of it, it becomes the framework under which you're doing it and measuring the effectiveness, so I think we're not that particularly far apart. Anyone else? No comments now mean we are accepting it as one of the tools we will be using in our repertoire to go forward with this program, so—Stephanie, your hand is still up. I don't know. I think it's an old one, though. If no one else has any comments, then I think we thank Susan for her efforts, and we are not asking her to refine it any more at this point, but we will be using it, going forward. And I again pause—sometimes it takes people a bit of time to get off of mute—and we don't seem to have anyone, so we will go on to the next item and thank you very much, Susan.

Next is the subgroups matrix, if we could put it up, and Lisa, do you have anything you want to say about changes or what you have done? And then, we can talk a little bit about how we actually move forward and start doing some work.

LISA PHIFER: Sure, Alan. The matrix that you see in front of you is the same matrix that was displayed during our last plenary call. The two changes that were made here, other than recoloring, are to reflect the two additional volunteers that we had in last week's call. Lili, you've been added to the IDN's activity. If that was not what you intended, you can raise that concern here today. And Carlton had volunteered during last week's

call to join the outreach activity, bringing that group to three. So, with those two changes, we have at least three people on every item, and four people on some of the new items. In the leadership team's opinion, that should be enough for this first steps planning exercise, and our next step then would be to actually go forward and begin first step planning with these groups of people. Back to you, Alan.

ALAN GREENBERG: OK, thank you very much. We have, if I've counted properly, fourteen groups. We need to talk just a little bit about work methods. Do we want to set up an additional fourteen mailing lists? Do we want to simply use our review team mailing list and be diligent about tagging each message to say which section it's in, and we'll need to come up with some short little identifier, so that people can choose to ignore them if they're not part of that subgroup? Are we going to want at least a kickoff teleconference for each of them that somehow we have to schedule? I'd like input on how people think they would like to work and what's going to be effective for you. Anyone have any thoughts on this? Just having the matrix sitting there with no one doing any work is not going to help a lot. Cathrin, please go ahead.

CATHRIN BAUER-BULST: Thank you, Alan. Hi, everyone. On how we structure the work, we will talk shortly about this possible framework that we can use for this first pass, so that will help us structure it. But in terms of the administrative issues of how we work as subteams, I was wondering whether it would not be, to take Susan's expression that I really liked, boiling an ocean, if

we set up separate leaders for each of the subgroups now for this first pass. I would think that maybe the subgroups could just organize themselves by normal email, and then we can see how we archive that, if necessary. And if they are in agreement themselves on whether they want to do their work via email, or want to have a call every once in a while, in theory, this first pass shouldn't be that much work, so we should probably make sure that the administrative burden is proportionate to the work that is being done. Thank you.

ALAN GREENBERG: Thank you very much, Cathrin. An in-between task, instead of setting up fourteen mailing lists, would be to set up one or two, perhaps one for the review of recommendations and one for all the other issues, and then use some sort of flagging. That keeps the administrative overhead of fourteen new mailing lists down, and at the same time segregates it from the regular email traffic associated with the working group. I tend to be a little bit worried if we set up fourteen new mailing lists. Lisa, you've played this game with a number of different working groups over a number of years. Any thoughts on how we go forward?

LISA PHIFER: Thank you, Alan. It is not actually that difficult, from the back end, to set up the mailing lists for you. I think the question that you all wrestle with, probably, is whether you want to pay attention to seven separate lists or one big list. In my experience, smaller lists do tend to help people focus on the task at hand. We do also probably need to keep a significant amount of traffic on-list, given that this is a review team, and

there are some transparency obligations for the team. I hope that helps.

ALAN GREENBERG: Thank you. That does mean we need—in your mind, would we need to set up shadow lists for observers, or just leave them open and let them actively go read the traffic as they wish to? I would assume the latter is sufficient.

LISA PHIFER: All of the lists are publicly archived, and so observers can watch what's actually on the archive list, yes.

ALAN GREENBERG: OK, any objection, going forward, then? That means we are talking about, if I counted right—I think there are nine groups reviewing recommendations and another five that are looking at new issues, so we're talking about fourteen groups, at this point. Then I will ask for an action item for staff to set them all up, trying to use as concise tags as possible, so that we make it clear that they are subgroups of this review team, but don't use up the whole subject line in the tag. And I would ask if I could be placed on all of the lists, just so I can keep an eye on things. Anyone else who wants to be on all of them can also ask. And we will not explicitly set up any conference calls, but if we start getting the need for that, we can either decide that one of these meetings, post-Abu Dhabi, is used for one or two specific groups, or we can try to find times that are acceptable to the members of the group. Anything

further on this item? Then I will ask us to go on. We'll go on to item number four. We may actually finish this meeting early, for once—item number four, on scope and objectives.

We are getting very close, I think, on this. And Lisa, could you take us through whatever we need to know about this? What has effectively changed, and what should people pay attention to? I think we are getting very close to the point where everyone on the review team needs to do a full read-through, and we need to sign off on this, but if you could take us to where we are right now, and see if we're at that stage, or we still need one more pass—Lisa, over to you.

LISA PHIFER: Thanks. The changes that were applied to this document were the ones discussed during our last plenary call, so there was some refinement to the bottom two rows of the first page, the two items on consumer trust and safeguarding registrants' data. There was a request to remove the clause about legitimate need for, in both of those, and so that change was applied. The most significant change to the table is actually on the second page, and I believe you all have scroll control, but on the second page, there are two changes you see red-lined here, and that is to do with the objective regarding the OECD, as well as the objective regarding—a potential new objective regarding reviewing ICANN's bylaw section related to this particular review.

The new text that you see there red-lined came from the result of the action items found in our last plenary call. The first item on OECD is text provided by Alan, and Alan, I probably should let you speak to your own

suggested text. The additional text on the bylaws at the bottom of this page, again, was a new objective, and for that, I provided some framing to Alan, with respect to where in the bylaws the mandate is for review teams to actually look at the bylaw section pertaining to their review and either recommend elision or amendment of that section. And again, Alan, I'll let you speak to the substance of that objective.

ALAN GREENBERG: OK, thank you very much. On the OECD one, the discussion last time focused around the fact that there are ongoing activities, both the PDP and the ICANN reaction, I guess, is the best word, to GDPR issues, and that it would be inappropriate for us to try to figure out what the relevance of OECD is, in light of the fact that, number one, the world has changed around us since those guidelines were published. And it's something that is in motion, and since, as a review team, we may well comment in the report—the world is changing quickly, and by the time we issue a report, there may well be something to comment about ICANN's actions or lack of actions associated with privacy and trans-border border flow, but it's certainly not a detailed review of the situation in relation to it. So, I tried to capture that here, that there are ongoing activities, and it is therefore not something that we choose to spend time and effort on, since it is very much a moving target, as we're going forward.

On the part that we may well recommend changes to the bylaws with relation to this review, I think it just captures it. Susan, I think there's one minor error in B. You said, "Include any recommendation, amendments recommended"—amendments should be additions,

because amendments is already caught in A, so I think you just typed the wrong word there. So, A is covering amendment or removal, and B is covering any new additions that we believe are needed.

Other than that, I don't think there's a lot to be said. I think we're at the point, given that one change, where we want a sign-off from the review team, so I would ask people, given that we're not reading them out to you today, but if everyone can take a little bit of time, so by the time we get to—let's say, get to Abu Dhabi, or the end of next week—that we are in a position to say, "Yes, our scope is now effectively frozen, barring any major changes going forward that we feel we have to reopen it," and we can close off that section of the terms of reference, which is one of our major to-dos. And I see Lisa. Is that a new hand or an old hand?

LISA PHIFER: It is a new hand. Thank you, Alan. Alan, you're actually reading the bylaws objectives slightly differently than I had intended. Item A was to identify amendments or removals, and item B was to include those changes in the review report, along with rationale.

ALAN GREENBERG: Ah. Well, shouldn't it be anything that needs to be amended or removed or added?

LISA PHIFER: Probably. I can try to be a little more distinct?

ALAN GREENBERG: OK, I should learn to not doubt you, Lisa. Yes, I did not note the subtle difference between A and B. I was reading it as A talking about changes, and B new additions, so thank you. Yes, I think we need to spell out additions, but in a different place, or some other wording that you feel covers it. Anything else? I see we have Chris, who has joined us. Thank you very much. And any further comments on this scope? We have spent a lot of time on this. I think it's in pretty good shape. It is also a pretty daunting workload that we're giving ourselves, so this is one last chance to make sure that not only do we feel we're covering everything, but we can actually do everything. And Chris, I will ask you—I'll put you on the spot. Is there anything in here which waves red flags, or which you think might cause the board to wave red flags? Given our experience with SSR, we now know the board actually reads this.

CHRIS DISSPAIN: Yeah, bizarre, huh?

ALAN GREENBERG: It is.

CHRIS DISSPAIN: Look, no, not that immediately springs to mind, Alan, no, but that said, it's the board, so you know. Others may have a different view. I can't— everything seems to be pretty well laid-out, and there's nothing that I would go into the board and think, "There's a problem."

ALAN GREENBERG: Obviously, we can't ask for a guarantee. It's just you're here to share your wisdom, as it were.

CHRIS DISSPAIN: Correct.

ALAN GREENBERG: And the real issue is, of the items we are choosing not to look at, does that wave any red flags? Or are we being overly ambitious on any of the other ones?

CHRIS DISSPAIN: Yeah, I think we're being a bit over-ambitious. I think we're being massively over-ambitious, but that's not the point. The board's not going to come back to you and say, "Gosh, you're being ambitious." We'll keep that to ourselves and snicker quietly behind our hands as we watch you try and deal with it all, except I won't, of course, because I'll be dealing with it all with you. But no, I don't think so. I think it is ambitious, but I don't think—the way everything's cast is OK. The real proof of the pudding, in essence, is how we actually come to deal with it. There's a lot of stuff in that scope where we have said, "Look, we're putting it in because we need to, but we're not going to spend a lot of time on it," and I will be interested to see whether we stick with that.

ALAN GREENBERG: I think we actually removed most of those phrases. Those we all transformed into, "We're not going to do them," I think.

CHRIS DISSPAIN: Yeah, I thought there were a still a few left, but anyway—

ALAN GREENBERG: There may well be. All right, so you don't feel uncomfortable at this point?

CHRIS DISSPAIN: No, not at this point, no.

ALAN GREENBERG: Thank you. Are we getting you to volunteer for any of the issues, though?

CHRIS DISSPAIN: I don't know. No one's asked me.

ALAN GREENBERG: I see your name on three of them. Good.

CHRIS DISSPAIN: Well, then, I haven't actually read it properly. I shall re-read it.

ALAN GREENBERG: You want to look at that matrix where there are bright yellow A's listed under your name.

CHRIS DISSPAIN: I missed that bit of it.

ALAN GREENBERG: Cathrin? Unless that was an old hand, you are muted.

CATHRIN BAUER-BULST: There we go. I hit *6. Can you hear me now?

ALAN GREENBERG: We can hear you now.

CATHRIN BAUER-BULST: I hit *6, and instead of putting me on speaker, it gave me a break from you all for twenty seconds, so sorry about that, but now I can talk. I just wanted to say, in view of the leader advice that ICANN has published yesterday, it would just be interesting to see whether there will be any immediate steps taken now, after Abu Dhabi, and I think that's one thing we should keep in mind as we finalize the scope, that especially if we're part of any new things happening, if WHOIS does, in fact, turn out to be a moving target between now and May, then that might change things a bit.

ALAN GREENBERG: Yeah, thank you. The analysis is quite interesting, and the blog entry is also interesting. There's a comment about three-quarters of the way through it, which says, and I won't quote verbatim, but it effectively says it is now clear that WHOIS as we know it today will have to have some changes in it, and I thought that was a rather gentle statement to describe where we are right now. The analysis—

CHRIS DISSPAIN: Alan, just let me—

ALAN GREENBERG: Yes, go ahead.

CHRIS DISSPAIN: When you've got a second. Sorry, I put my hand up in the room. I apologize.

ALAN GREENBERG: OK, anyway, one could say this has been a rude awakening. The part that is not clear is the legal analysis implies we have to make changes. It does not at all acknowledge that we don't have the tools with which to make the changes, that is, allow access to some people and not others, other than telling the registrars or ICANN or whoever is going to be custodian of the data that you are going to have to handle these requests manually. So, it frames the question in a way that none of us are surprised at, or a way to fix this in a way that none of us are

surprised at, but actually how we do that is something altogether, so it's going to be interesting to watch it unfold.

LISA PHIFER: Alan, I think I actually was surprised in a different direction when I saw the blog post, because when you look at the legal opinion, it makes three main conclusions, right? It says that there is a probability that public interest will not be sufficiently demonstrated to keep it as-is. There is a probability that necessity for the performance of a contract is not there. And then, it says that, to preserve the existing system as it is, a number of changes will need to be put in place in the policy that are unlikely to materialize. But the conclusion that everything has to change, in terms of the functionality, is actually a pretty strong one to draw on the basis of that legal advice. I agree with you, Alan, that it's been raised before, but if you look at this legal analysis that they've done, it actually does not support the conclusion of the blog post, in my view. But that's for others to spar over, I guess. But I find it quite interesting. Sorry.

ALAN GREENBERG: Yeah, I was going to say the blog post puts a slightly more positive spin on it than I would, but I think the expression "rude awakening" is perhaps apt. Chris, please go ahead.

CHRIS DISSPAIN: Yeah, I just—your comment earlier that—there are folks on the WHOIS RDS PDP who have been, up until now, of the view that nothing needs

to change, or if anything does need to change, it's merely implementation, or minor. So, I think what this advice does is scotch that, in my view. That's the first point. I think the second point I would make is that I would—I do draw a similar conclusion to the blog, in the sense that the way I read the advice is then, "Let's be clear. There's more coming. This is the first of a series of memoranda." But the way I read it is, it says consent, even if you have it, leaving aside how complicated and difficult it would be to get, even if you have it, may not be enough. And so, the changes that need to be made, that would need to be made, are not simple. It wouldn't be as straightforward as simply saying, "Please all do this. It will work." And of course, what the advice doesn't do is solve the issue of, "You'll never know, anyway, until somebody says you're doing it wrong." But that said, I think that's an important step along the way, and I think it's an important message to deliver, in that we believe that things do need to change.

ALAN GREENBERG: Thank you. Your last phrase was what I used the term "rude awakening" for, because there certainly are some parts within ICANN who have believed we could ignore it, and the social redeeming characteristics of WHOIS will be sufficient to justify what we're doing, and this document—and I'll note it's called an analysis, not advice— makes it quite clear that it is unlikely that we will be allowed to proceed with making no changes whatsoever, and the whole concept of the level of agreement that we need from each of the 150 million users, or whatever the right number is, is such—which can be withdrawn at any point—is such that how we're going to implement that, given that we

have not finished the RDS PDP, is going to be a challenge. But I'm glad it's not up to the team. I'm glad it's not our—

CHRIS DISSPAIN: Correct, so let's try and remember that. That would be good. There are plenty of people running around trying to fix it. Let's not do that.

ALAN GREENBERG: Very good. Cathrin, is that a new hand or the old one? OK, we morphed into a discussion of GDPR, and I think worthwhile, given the timing of this new document that was just made available, but I don't think it alters anything in our scope, so I will ask, as an action item, for all team members to thoroughly review these scope and objectives and confirm—I would like positive acknowledgement from everybody that you're comfortable with this and we go forward with it. So, essentially, I'm asking for a consensus call, that you agree, or that you can identify what it is that you believe needs to change, so that we can lock it in and go forward with our real work. And with that, I will go on to the next item of work place, and I would presume Alice will talk about that briefly. I will, before Alice has a chance, point out that I have several times said I am not comfortable with this document, because the level of granularity in it with the dates, some of which are, I think, perhaps unrealistic, makes me feel uncomfortable, and I don't think I have the ability of going in and pointing to which dates I would want to change by how many days. It's just a level of planning that I don't think we're really in a position to commit to. I'm told we're supposed to be doing this, but I would like to find out from other people to what extent

everyone else is comfortable with this. Or is my unrest a characteristic of the group in general? I'm willing to not act on it if everyone else feels comfortable and believes these are reasonable deliverables, but I would like some input on it. And I'll turn it over to Alice.

ALICE JANSEN: Hi, Alan, thank you very much. So, related to work plan, what we would like to do today is go through this first template. It might ring a bell for some of you, but in Brussels, Cathrin made an excellent suggestion that we work on the template that helps you map out the work, especially since you now have different workforces, and you are going to identify what the next step will be to get the ball rolling on the work. So, maybe I should just ask Cathrin to present that document to you guys. This is the fruit of Cathrin's mind. Cathrin?

ALAN GREENBERG: Thank you. Apparently I got the meaning of this agenda item incorrect. I would like to go back, after we finish it, and go back to the actual detailed work plan.

ALICE JANSEN: Yes, of course.

ALAN GREENBERG: And complete that direction that I thought we were going to have now. But I am corrected, and we'll go to Cathrin.

CATHRIN BAUER-BULST: OK, thank you very much, Alan, and thank you, Alice, for all the preparation. While this might have been my idea, you did most of the implementation, so thanks again. So, the idea, just to repeat back from our discussion in Brussels, was that when we now go off and do our little subteams, to make a first estimate of what is needed for the individual items we've now listed, in terms of the work we need to do as a team. It seemed to make sense that there is some overarching structure that we all work with, so that we come back with comparable results that can then be slotted into a larger piece of work, both now for this first pass, and then later on for the report. And for this, Alice and colleagues have come up with a very solid framework, I believe, that we wanted to submit to you for discussion, and that basically sets out a couple of basic points that would need to be tackled in this first half. Some are quite formal, and include groupings listing the members or the specific objective that is being dealt with for the workspace URL, and then we've also added a couple that are supposed to basically give an indication of the level of effort that will be needed to work on this particular part of the report, on this particular aspect, and on the type of further planning and analysis that will be needed, including the supporting materials for that. So, for example, what I suggested here is that we put the objective, as we have just seen it again in the work plan, in the scope of objectives, and then we may add further comments on what we take that to mean precisely and then what questions we would need to answer in assessing whether that specific objective has been reached.

Then, I proposed that we provide a rough estimate of the comparative context of the assignment, knowing that we have some assignments, for example, the question of whether annual reporting has been done or not, that should be quite simple to answer, where I would suppose the complexity would be something like a 1, and then we have other issues that might be much more difficult to assess, such as, for example, our compliance topic, which might be closer to a 5. And then, in relation to that complexity, there might also be a definite variance in workload that's associated with a particular point, so that might also be useful to assess. And then, based on that, we might already make a recommendation of how many people should be working on a given topic, so that we can distribute workload more or less in a balanced manner.

And then, on the second page of this, you will see, below the timeline, that there's a box for resources, and that basically invites the subteam members to identify where they would get the information necessary for the actual analysis of that point. So, would we request further briefings? Would we request further materials? Are there, for example, interviews to be conducted with members of the former group? With other experts? With ICANN staff on specific issues? Or do we even need to commission an independent study or ask independent experts a number of questions? And then, there's also a box of other resources that we might draw upon. For example, for compliance, we could look at existing seeds and see how those relate to compliance action and that type of thing, so not necessarily ICANN's own documents, but rather documents that might come from elsewhere and help illuminate the issue at hand without the need to commission a specific analysis,

just for the purpose of our team. So, that was the first rough idea that we wanted to put before you for your review and feedback, and the idea is really to provide a first framework that will help us all achieve comparable results when we go off to do this first pass assessment of the different topics, and so it really, for you, is a tool to help us all provide useful input to one another.

So, I would be really grateful for your critical review and for suggestions for improvement, especially to those of you who have done this type of work before, because I think our output will be all the better if we have a good matrix to work with. Thank you.

ALAN GREENBERG: Thank you, Cathrin. I've put my hand up, but if anyone else would like to speak first, then please—while we're waiting for other hands, a couple of things. I am, again—it's something similar to what I said for the discussion on effectiveness. I think we have such a wide range of things we're looking at that all of these points may be applicable to some and not to others, and I'm hoping, but this may be wishful dreaming, that although this is a first pass for at least some of these items, it's going to be close enough to the whole work that we can try to come close to tying the job up and reduce the overall number of items somewhat as we go forward. So, as we're doing it, to the extent that we rate this as not one of the more complex tasks—and that's one of the questions that we're asking on the first page—that it may well be possible that the group doing this first pass feels that we can tie it up and not have to revisit it to a great extent, other than perhaps wordsmithing of the report sections. And that will likely apply to ones

that don't have follow-on recommendations. So, as people are doing the work, I think we have to keep an eye out for, "Is this one of the ones that we can do a fast pass towards the end point?" Other than that, again, I think it's a great framework on which we can work, and as we go through it, we'll no doubt find that maybe it needs some tweaking, or decide how to decide whether each section is applicable.

The only other issue I'll raise is—there's a question on the second page on the need for an independent expert, and I'll point out that, although we do have a budget, which is designed to factor in independent work, we're not in a position to commission five different studies, so we are going to have to be selective once we start gathering all of these analyses together and decide, "Is there anything that needs expert help or commissioning an expert study?" but understand that we will not be able to do one for each of six tasks, and therefore, we're going to have to decide where to put our resources for most effective use.

CATHRIN BAUER-BULST: Indeed, and Alan, if I can just come back, on the easier tasks, indeed, and that's why it's really excellent that we already have a structure for the subgroup reports, but I think we're going to discuss it in a minute, as well, because for those items that are fairly straightforward, where it's actually quicker to do the subgroup report than to fill in this first-pass estimate of what needs to be done still, that would be a really helpful tool, because then you can just go to that and say, "OK, we did the work. The annual report was published," or there is one single website summarizing this policy, and "these are the remaining issues," and that could already be some items that are checked off, indeed.

ALAN GREENBERG: Yeah, thank you, correct. I think some of these will end up being interesting, in that there may not be a lot of work to be done, but there does need to be discussion of the review team. And one of the ones you mentioned, the single website, or the single policy document—the recommendations that create a single policy document—ICANN chose to do it in a different way. The question is, is that acceptable or not? Or do we need a follow-on recommendation? I noticed ICANN, just yesterday, published a report saying all the recommendations for the WHOIS review have now been fully implemented. Well, we're here to pass judgment on that and say whether we agree or not. But some of those, I think, are going to be very subjective, and I think we're going to need, not just the subgroup weighing in, but the whole review team weighing in, on, "Was what was done sufficient, or do we indeed need to follow on to it?" Anyone else have any more comments on this?

CATHRIN BAUER-BULST: Just on this last one, my understanding all along was that, once we have a subgroup report, that that is a sort of recommendation to the group as a whole, and that any of those would then still be subject to discussion with the group as a whole, including review of the recommendation that the subgroup may have put forward, because I fully agree with you, Alan. I think there does need to be a substantive discussion on a number of these points, even if they may seem straightforward at the outset.

ALAN GREENBERG: Yeah, we seem to be straining to get substantive discussion in this group, and I'm not quite sure if the only way to do it is with a face-to-face meeting, to make sure we can go around the table and actually get people to speak. I'm a little bit worried about everyone passively agreeing, which means we're not a hundred percent sure if they're really even at their computer right now, or simply logged on and walked away to have breakfast or lunch.

CATHRIN BAUER-BULST: Could we do—if people think they need to take some more time to comment on this document, which was just sent around a very short while ago, and I'm sorry, that's partially because I was not in a position to write comments earlier—maybe people could just briefly signal if they want to have a couple more days to look at this, and then we take a vote on this template next time around, or whether everybody is happy as is, and was fine reviewing it for this short period of time.

ALAN GREENBERG: I'll note in the chat various people are saying they're actually here listening, so thank you for that. Stephanie has reminded us that we can count on her to be difficult if, indeed, she disagrees with something. I hope we can count on everyone to be difficult if they disagree with something, so thank you. I'll take this as a confirmation that you're all actually on the meeting and don't have little robots signing on on your behalf, or if you do, at least you have ones that know how to type into the chat. Anything further on this document? Can we talk a little bit about the detailed work plan with the timing on it? If it's possible to put

that in Adobe Connect, I would appreciate that. Just for clarity, this new document is called work statement and work plan. I think the other one is just called the work plan. Alice, go ahead. Sorry.

ALICE JANSEN: Yes, Alan, sorry, I was going to ask you—do you want to run through the subgroup report templates really quick before we move on to the work plan?

ALAN GREENBERG: All right, sure.

ALICE JANSEN: Cathrin touched on it. Yeah, all right, great. Jean-Baptiste, could you project the subgroup report templates? Thank you so much. All right, so this is one of the templates we flagged in Brussels as a resource to help you shape your work, if you will. And now that you've established several workforces, we figured the point is here to set a road map, as well as guidelines of what is expected, in terms of desired outcome, and as Cathrin indicated, this is somewhat married to the first pass templates and the planning templates, as it's followed the footsteps of the planning stage. If you scroll through the document, you'll see, additionally, it includes a number of questions that seek to frame the substance needed, and also, it establishes the sequence of events leading up to a recommendation. So, the questions also are useful checklists to ensure the recommendations that you will produce comply with the SMART objectives, the SMART goals, SMART being Specific,

Measurable, Achievable, Relevant, and Time-bound, and also to make sure that the recommendations are on the paper with a solid brush now.

So, in addition, this template will also help ensure you have some consistency across your different workforces, and you're working towards common goals. So, this, obviously, is a draft, as a recommendation for your continuation. We're happy to edit or comment it as needed, based on your input, and look forward to any thoughts you may have on how we can improve this. Thanks.

ALAN GREENBERG: Comment? Input? Everyone's happy with it, or we haven't looked at it yet. All right, I'm gathering we have no input of this, again. The default action item—I don't think we need to record an action item, but please, as these documents come out, if you have a problem on them, then please make it clear. Otherwise, we're going to presume they are accepted as items that we will be using as part of our methodology.

All right, I think the next item, finally, is the one that I thought we were starting with.

ALICE JANSEN: All right, thanks, Alan, so no changes to the work plan since last week. We still have November 24th as the anticipated completion date for the delivery of this work plan, in terms of reference to the ICANN board, and I know there was an action item of some sort for the team to read the work plan in detail, to see if there is any concern with what is being

suggested, so I'll turn it over to the review team here and flag any concerns and objections they may have.

ALAN GREENBERG: And I'm not—is it possible to display it, just to make sure everyone knows which document we're talking about? I don't want to review it line by line, but—

ALICE JANSEN: I think Jean-Baptiste can make that happen.

ALAN GREENBERG: OK, we'll give him thirty seconds. And there we are. Thank you very much. This is the document that I expressed some level of concern that we are effectively making a commitment to follow the schedule, at least as a first pass. Now, if I understand it correctly, this is not part of the terms of reference, but it is the document that is essentially trying to guide us, and either we feel comfortable with it, as a group, we feel uncomfortable but don't care if it's accurate or not, or we need to do something about it, and I guess I'd like some input. I don't feel comfortable saying we're just going to ignore it, and at the same time, I don't have a high degree of confidence that we, as a group, have put a lot of thought into these dates and have a high level of comfort. So, is it just me, or is there a general feeling? If it's just me, I'm willing to put my discomfort to the side and not worry about it, but I'm assuming, if other people are comfortable, they have looked at this and feel comfortable that these are realistic dates. And hearing nothing, and

you've all demonstrated that you are here today, I'm assuming that is a level of comfort, that I'm the only one, and I will not mention it again. Is that accurate? Hearing complete silence—

CHRIS DISSPAIN: Alan, it's Chris.

ALAN GREENBERG: Oh, good, a voice!

CHRIS DISSPAIN: Yes, a voice, rather than typing. I'm sorry to be boring, but can you— what actually is your issue? Is it just that you think it's too much? What—

ALAN GREENBERG: I think that the detailed planning thing, "We'll do this by October 3rd and this by November," aside from the fact that some of these things are perhaps out of date already—I just don't feel comfortable that we've really thought about this. Alice has obviously put a huge amount of effort into creating this, and I'm sure she has done her best effort. I'm not convinced that the review team has put that level of effort and comfort into it, and therefore, as the chair, do I feel comfortable saying we're actually going to do this or not? Or is it just a figment of Alice's imagination? That's my level of discomfort.

CHRIS DISSPAIN: Is it the actual dates? Is it the concept of dates at all? Or is it the layout?   What is it?   Do you think that the dates themselves are problematic, or that any dates would be problematic, or just that these dates are problematic?

ALAN GREENBERG: I think they're problematic, in that we haven't actually thought through them, and are just accepting the document with the majority of people not actually having looked at the details and say, "Yeah, I think that is reasonable."

CHRIS DISSPAIN: So, given your choice, what would you have us do?

ALAN GREENBERG: I guess I would like everyone to acknowledge, or at least some people, that they have gone through it, and they do have a level of comfort, and I haven't heard that. Maybe it's just silence that presumes agreement. OK, I've given people, at least the ones on this call, plenty of opportunity to speak up. No one has spoken up, so I'm going to assume that it is just a level of discomfort I have about this level of detailed planning without discussion, and assume it's my problem, and I'll live with it. If everyone else feels comfortable, then so be it.

CHRIS DISSPAIN: Well, Stephanie's just posted in the chat, "I would say that some of the dates are heroic," and doubt we'll make—the real question is, are we

going to—I suppose my question to you, Alan, would be this. I view this as a set of loose targets, goals, what have you, that if we don't meet them, I'm not going to get particularly fussed about, unless we are systemically not meeting anything, and therefore might not meet our end goal. The one argument for that, if you take my view—one argument is that, "Well, then, what's the point of having it in the first place?" And I think that the answer is that some of us, and I hold myself as one of these, are completely crap at doing anything unless we've got a deadline. So, deadlines themselves are useful. But if your concern is that these are going to be seen to be real, hard, or semi-hard, anyway, deadlines, and that it's not going to work for that reason, then that's the issue, rather than the dates, isn't it?

ALAN GREENBERG: I guess you're close. The level of discomfort is not that the sky will fall because we don't meet a deadline. It's that I'm not convinced that the overall time flow is something we're going to meet, and I would like to have earlier warnings than later. But at this point, I have not heard a lot of comments of other people who have a level of discomfort. It is not something that we are committing to give away our firstborn if we don't meet it, so I'm willing to live with it, and if we start seeing dates that are slipping as we're going forward, we will revise it. So, I think I've had my piece.

ALICE JANSEN: And Alan, if I may, this is not a document that is set in stone. We kind of dated as you progress through work, and our duty here as well is just to

find any—if you're reaching a stated completion date, and you're nowhere near there, obviously we're going to flag any concerns with the work plan and so on. So, you can rely on us to flag any issues.

ALAN GREENBERG: Thank you. I have no further items on this one, and that is the last significant item, substantive item, on our agenda, other than "confirm action items and decisions," so if we can go to that, please? All right, I assume Jean-Baptiste is—

JEAN-BAPTISTE DEROULEZ: Yeah, sorry, Alan, I was trying to share my screen, and I couldn't see the actual thing, so that was not really helpful. So, on the action items that were identified today, we have the statement of interest that all members who have not sent it yet need to return by Monday, 23rd of October. ICANN org team will send reminders to return these forms by Tuesday, 24th of October. And then, on the subgroups matrix, ICANN org will make a mailing list for each subgroup and add you, Alan, on each mailing list. On the scope and objectives documents, review team members will review these items and confirm by the end of next week that the scope discussion can be considered frozen and set up. In terms of decisions reached, the effectiveness framework presented by Susan today is adopted, and will be used, moving forward.

ALAN GREENBERG: Thank you very much. Does anyone have any other business?

ALICE JANSEN: Hi, Alan, if we have time on the call, would it be helpful to have discussion on what you'd like to discuss in Abu Dhabi in the informal sessions that we have planned?

ALAN GREENBERG: Given that they are informal sessions, and there will not be remote participation, I don't think we want to discuss anything that results in decisions, but I would like to have people prepared, at that point, to discuss how they feel this is going, and whether we need to make changes in our overall work methodology, including things like weekly meetings, length of meetings—I'm suspecting, by the fact that we have a number of people not showing up and not even giving apologies, that the weekly meeting of an hour and a half may be becoming onerous on some people, and we may want to rethink doing perhaps longer meetings, but every two weeks, or something like that. So, I think just an overall discussion of how things are going and how we move forward with this, as opposed to formal decisions. Lisa, please go ahead.

LISA PHIFER: Thank you, Alan. Just a suggestion—as Cathrin presented a tool for the first-phase planning earlier in today's call, and we have a little over a week before the informal session in Abu Dhabi, one thing that might be useful is for those who will be present at the informal session to actually try to use the tool, looking at maybe just one of the tasks that they volunteered to join, and see if there are any adjustments or changes that they'd recommend, based on trying to use it. The informal session might be a good time to brainstorm about any shortfalls or questions

about how to fill out the framework that Cathrin presented, and that will move us towards the next phase of our work.

ALAN GREENBERG: OK, thank you, Lisa. That's a fine suggestion. We can ask anyone who will be there to do that, and of course, anyone who won't be there, but chooses to do it and send us something electronically. We can easily put that on the table, as well. Hearing nothing else, I will call this meeting to a close. Thank you all for your participation, and we'll see some of you in Abu Dhabi, and otherwise, we'll meet again in—when is our first meeting after Abu Dhabi? I am guessing it will be on the 9th of November. Is that correct?

BRENDA BREWER: That is correct.

ALAN GREENBERG: OK, we have not set the formal time of that, but I or staff will send out something suggesting which time—we have a little bit more flexibility moving forward, and we will perhaps suggest one or two suggestions and do a poll for which people feel more comfortable with, because with the time zone changes, the window of convenient meetings opens up just a little bit. Any further words before we adjourn? Then thank you all for your participation, and we'll see you here and there as we go forward. Thank you.

[END OF TRANSCRIPTION]