

Subgroup 3 – Law Enforcement Needs

Work Statement & Work Plan

Work Force Identification	
Members	<ul style="list-style-type: none">• Cathrin Bauer-Bulst• Chris Disspain• Thomas Walden
Rapporteur	<ul style="list-style-type: none">• Thomas Walden
Scope Objectives	<p>Consistent with ICANN’s mission and Bylaws, Section 4.6(e)(ii), the review team will assess the extent to which the implementation of today’s WHOIS (the current gTLD RDS) meets legitimate needs of law enforcement for swiftly accessible, accurate and complete data by (a) establishing a working definition of “law enforcement” used in this review, (b) identifying an approach used to determine the extent to which these law enforcement needs are met by today’s WHOIS policies and procedures, (c) identifying high-priority gaps (if any) in meeting those needs, and (d) recommending specific measureable steps (if any) the team believes are important to fill gaps. Note that determining which law enforcement requests are in fact valid will not be addressed by this review.</p>
Comments on Scope, further details	
Questions we will need to answer in assessing whether the objective has been reached	<p>The subgroup needs to assess whether the RT address the needs required for Law Enforcement to successfully meet its mission. Taking into account current and emerging technology. To include:</p> <ol style="list-style-type: none">1) Cybercrime investigations and enforcement2) Data protection laws and enforcement3) The matter of retention data, what’s required of the Registrar to retain under the data requirements of the RAA.4) A clear direction from Law Enforcement of what is needed.5) A better understanding of procedures and requirements by both Law Enforcement and the Registrars
Estimate of comparative complexity of assessment (1=low, 5=high)	3-4

Estimate of comparative work load (1=low, 5=high)	4-5
Estimate of ideal sub-team size (1-5 persons)	3
Work Space URL:	https://community.icann.org/pages/viewpage.action?pagelId=71604734
Mailing List:	rds-whois2-lawenforcement@icann.org
Important Background Links:	<p>It may be helpful to start from the list provided on your dedicated Work Space under “Background documents”: https://community.icann.org/pages/viewpage.action?pagelId=71604734</p> <ul style="list-style-type: none"> • WHOIS Review Implementation Reports, including <ul style="list-style-type: none"> ○ Executive Summary of Implementation Report ○ Detailed implementation Report • WHOIS Review Team Final Report (2012) • WHOIS Task Force Final Report (2007) [HTML] and [PDF] • WHOIS Task Force Final Report (2003) • WHOIS1 Implementation Briefings on Recommendations 4, 12, 13, 14 • WHOIS1 Implementation Briefings on Recommendations 5, 8, 10, 11 • WHOIS1 Implementation Briefings on Recommendations 1, 2, 3, 6, 7, 9, 15, 16

Work Force Timeline

Refer to the RDS-WHOIS2 [work plan](#) for deadlines

Resources	
Requests for ICANN briefings	<ul style="list-style-type: none"> •
Requests for ICANN materials	<ul style="list-style-type: none"> •
Interviews to be conducted	<ul style="list-style-type: none"> •
Need for Independent Expert	<ul style="list-style-type: none"> • [Evaluate if independent expert is needed • If independent expert is needed, subject to budget availability, develop and document <ul style="list-style-type: none"> ○ Scope of work ○ Skills and experience needed ○ Timeline & milestones ○ Deliverables]
Other resources (existing outside studies, articles)	<ul style="list-style-type: none"> •