

---

RECORDED VOICE: This meeting is now being recorded.

BRENDA BREWER: Hello everyone, this is Brenda speaking. Welcome to RDS-WHOIS 2 Subgroup, WHOIS1 Rec #15-16, Plan & Annual Reports, this is call number 1. The call is taking place on 19 July, 2018 at 13:00 UTC.

Attending the call today is Lili Sun, Alan Greenberg, and from ICANN Org is Lisa Phifer, Brenda Brewer, Steve Conte, Jean-Baptiste Deroulez, and Alice Jansen. We have no observers at this time and today's call is being recorded. May I please remind you to state your name before speaking and I'll turn the call over to you, Lili. Thank you.

LILI SUN: Thank you, Brenda. And actually, after the second phase of phase-making in April, so I updated the draft report according to the briefings to the whole routine and looking into the draft reports, I received comments from Chris and even now I still didn't understand them quite clearly about his concerns. It's shown in the ICANN-62 [inaudible] slides, that his concerns is related to the recommendation and we got the clarifications regarding the planning and the reports this Tuesday, yeah. It is on Tuesday from ICANN Org regarding the end of the report.

Since I put the event in the draft report that we're still missing the new report from 2017, and according to the clarification, since the annual report for 2016 ICANN Org WHOIS1's recommendations has been all implemented. So, all the activities planned have been completed. So, there will be no annual report from ICANN Org, anymore. So, I just

---

incorporated the clarification into the draft report and shared the new draft to the subgroup mailing list.

So, Alan said that he has not reviewed the draft report, so according to our infraction in the second phase of phase-making, do we have any, like, further comments or suggestions?

ALAN GREENBERG:

I'm just trying to -- it's Alan -- I'm just trying to see the wording in the recommendation that requested annual reports and I'm having trouble seeing it. Let's see -- okay. ICANN should provide at least annual reports based on the progress toward implementing the recommendations, so I think if in their mind they are all completed, I think it is reasonable to say that they don't need to do annual reports anymore. So, I think that's a reasonable statement.

LILI SUN:

Actually, compared to other subgroups this is a simple doctored report so, the conclusion assessment I already presented during the second phase to phase-making and I am making up recommendation regarding the planned reporting. So, I believe for even this routine, I'm not sure how many recommendations we've come up -- there is still a need for ICANN to rule out a plan on how to implement the new recommendations and a proper rate report template for the implementation progress.

So this recommendation is actually regarding how to plan and report the implementation on new recommendations. If that's the only

---

concern for Chris, so if we can look at the text of the recommendation, we can go through it quickly.

ALAN GREENBERG: Sure, go ahead.

LILI SUN: Yeah, Lisa, please go ahead. Sorry.

LISA PHIFER: Yeah, thank you, Lili. I'm making sure I'm off mute. Okay, the clarification that you received from ICANN Org related to Chris' question was around the operating plan and the statements regarding the operating plan and I believe that, the question that Chris had is that there was an implementation in the way that the operating plan is described -- that the operating plan itself should include a detailed plan of WHOIS improvements and the concern he had is that the operating plan is not typically expected to go to that level of detail.

The concern is that you don't have a detailed plan for implementation of WHOIS improvements. That could be stated, I guess, a little bit more clearly that what you're looking for is actually that plan, not necessarily for the operating plan itself to provide that level of detail. I hope that makes sense.

LILI SUN: Do you want to comment, Alan?

---

ALAN GREENBERG:

Yeah, two comments. Number one, I agree with Lisa. I don't think the operating plan is a plan at that level. So, I don't think it's reasonable to expect that plan to talk about the implementation at the level we're talking about. However, a note in it saying, you know there is a -- you know, work is in progress is reasonable. Laying out the plan within the operating plan -- I don't think it's a reasonable explanation. But, it strikes me that one shouldn't have to have made this recommendation at all in WHOIS1 and I question how we can address that.

I would expect if ICANN cannot understand that if they are embarking on a major implementation, they should be doing a plan and being doing regular reports, then I think there's something problematic about this, but if I look at the WHOIS -- the ATRT-2 implementation, which was done after WHOIS, and they have on a regular basis reported using the same sort of scorecards that they used for WHOIS, I question whether we need to make this recommendation at all because it seems to be business as usual.

I'll certainly question whether ICANN is being, you know, self-inward looking enough to do it accurately because we clearly have found things in the WHOIS implementation which are not up to our spec, up to our speed that they said they completed, but I think annual reports and keeping a scorecard and doing a plan is part of effectively business as usual. I don't think they have done the planning plan as well as the scorecards, however -- or at least publishing the plan as well as the scorecard.

---

So, I would think that going forward that the annual report -- the regular reporting is done and that's business as usual. Doing the plan and keeping it up to date, which is more than just laying out some things at the very beginning, I think is something they are not doing as well. So, that one I think warrants further recommendation. I'm not sure the reporting does.

LILI SUN:

Thank you, Alan. A quick response to Lisa, talking from Chris' comments. If you can refer to the page four of the draft report, so actually I put a paragraph in the analysis and findings. Actually, I understand that the approaching plan is an overaction document for ICANN Organization as a whole and cannot come into so much detail about the WHOIS1 recommendation implementation that you know, between the action plan adopted by the ICANN board and the operating plan, there should be some inquiring document about what's about it, all this allocation for the WHOIS1 recommendation implementation, but unfortunately I couldn't find any background that showed up in this regard.

ALAN GREENBERG:

Yeah, if I may--

LILI SUN:

Between ICANN Org there is no document regarding the planning of this, that includes WHOIS1 and the recommendation implementation

---

and also the milestones, deliverables, or timeline. This kind of stuff I couldn't find anywhere, I can locate. Lisa, please go ahead.

ALAN GREENBERG: Let me ask a question to Lisa before she starts.

LILI SUN: Okay.

ALAN GREENBERG: When the board approved -- sort of approved WHOIS1, and we went go into the ugly part about how it was nominally approved -- there was a huge matrix about what they planned to do about each of the items. Was there ever anything issued after that as an ongoing basis of exactly how they planned to be implemented.

I know there was some strategic changes made among other things -- at least one of the recommendations they said, 'sorry, we don't think it can be done' and then they figured out how to do it and that was the accuracy reporting I think. So, when you answer do you know of any interim documents after that first one that could be considered a plan?

LISA PHIFER: This is Lisa for the transcript. There were of course a quarterly implementation reports which described both activities that had been undertaken, as well as activities that were in progress or not yet started. So, the quarterly implementation reports are not a project plan per say

---

but that was the follow-up in my understanding to the action plan was, you know, the detailing of activities undertaken plan and, in some cases, not yet started. I've also put in the chat a link to the latest WHOIS roadmap, which actually does show milestones and progress toward completion.

There have been a few roadmaps published since the original action plan and they are -- I would not call them a plan before the fact, but more of a statement of where each of the WHOIS related projects are in their -- in each of their individual plans. So, not one comprehensive, overall, you know, here's how we're going to tackle WHOIS, but rather for each of the projects that are part of tackling WHOIS -- their individual plans.

ALAN GREENBERG:

Let me look at that.

LILI SUN:

Okay. I'll look into the costly implementation report and also the link you provided for the roadmap to check if it has the necessary information I'm looking for and the second response is to Alan's comments. So, actually the essence for the recommendation is not regarding the triple plan and the reports on the implementation of recommendations. So, the essence of this recommendation is about ICANN should design the guidelines for the plan report. So, it's not just a list of activities need to be done to implement the recommendation. It should be -- include some like added assessments of those risk management.

---

I noticed, for example, of the recommendations there are a huge challenges before going to the practical implementation, like the ARS project the identity validation. It still not feasible at the moment and also for the proxy and privacy settings. So, it takes like more than six years. So, we are still in the RT stage -- it's not still practical. So, this recommendation is to introduce the more risk management at the beginning of the planning stage so that we make everything as manageable in the implementation stage.

ALAN GREENBERG:

I guess I have a little bit of a problem telling ICANN how to do this, that they need to do a risk management -- I think that's a management assessment for, on each project piece by piece and I'm a little bit worried about being too prescriptive. I agree that, from a management perspective, they should be issuing a plan including what can and cannot be done.

The link that you put in, Lisa, essentially says that this is what we're doing, and this is the timeline of it, but it doesn't really relate back to the WHOIS report and it doesn't necessarily say the items that were not being done for whatever reason -- either because they can't be don't or because they haven't gotten to them yet.

So, I'm sympathetic that we need more of a living planning document with regard to the WHOIS implementation, but I'm not convinced that we want to be too prescriptive as to exactly what that should contain. You know, we're living in a world right now where all ICANN ever does is find ways to make processes more complex and more expensive. You

---

know, and if you look at the accountability measures, they're marvelous examples of things that are all good but are they worth the effort?

And I think we have to be somewhat practical going forward and not be too prescriptive, but I do agree that I think you want to go forward, have a clear idea of where are we on the implementation and how are we going to get the end, or have we declared that certain parts are not going to be implemented and that has to be reported. Lisa, please. I see Lisa's hand is up.

LISA PHIFER:

Yeah. I think Alan what you just articulated is really what would be helpful in the problem and issue section of this report. Trying to identify -- currently the problem and issue section just refers to results of other groups which really should be in the other groups reports and not here, but what I think you just did Alan was articulate what some of the problems with the planning documents themselves and the tracking against the plan.

And if those problems were more, you know, more broken down and strongly articulated in problems and issues, then that would flow, for me that would flow to the recommendation and help give ICANN some guidance on how to implement that recommendation. You know, identifying that the plan was weak is not giving enough guidance to tell them how to -- not in a prescriptive way, but to tell them the problems they are trying to fix with the clearer, more frequently updated plan for all WHOIS activities.

---

ALAN GREENBERG: Yeah, I think this is actually an ATRT recommendation not -- we shouldn't need to put this in. WHOIS1 shouldn't have needed to say this and nor should we, but since apparently it is not being done at a sufficient level of granularity and the number of problems we found in the implementation in other areas, I think, also point to that -- that I think it's warranted to have something here, but I think it needs to be at a higher level than detailed, you know, you're missing a section on risk management. You know, that may or may not be appropriate for each of the recommendations. Lili does that make any sense to you?

LILI SUN: Yes, I understand both you and Lisa's point. Now, I'm thinking about the wording for this recommendation.

ALAN GREENBERG: Thinking is always good.

LILI SUN: Yeah, even though this recommendation is not easy to come up with the text. So, yeah. The way is to make the WHOIS2 recommendation implementation easier is my intention.

ALAN GREENBERG: Okay.

---

LILI SUN:

So, not only for this subgroup but even in the other subgroups I have the impression that there's not regular major issue, that there is not regular review or assessment about the work that has been done. So, for this work and the plan report, there is no linkage between plan and report.

In the annual report, the previous annual report could have a regular assessment about what has been planned and what has been done, something in the plan, maybe, is not chromatic or is not feasible so we can identify alternative ways or solutions in an earlier stage, we'd want to leave the privacy and proxy since it's still underway, and also for the identity check and validation, is still not -- there's solution for this validation yet.

ALAN GREENBERG:

And there may never be, you know. That may be a fact of life. Let me ask a question, and I'm not quite sure who I'm asking it to. Maybe Lisa, because she's been watching a lot of this. I get the feeling from what I've seen and what we're discussing here that when the initial work was done it was essentially divided into pieces and handed out over to different groups and each of them report on a semi-regular basis as to how far they are along but there's nobody really looking at the consolidated set of things and saying, how are we doing, and do we need to change a direction along the way.

It's really sub-allocated job and then presumed that each of them is going to be doing their properly. Is that a reasonable statement, that no one's actually going back and looking at the whole set of

---

recommendations and saying, this is where we are -- that the status reports are really just the composite of the updates that each of the subgroups who have been given responsibility are doing?

LISA PHIFER:

Alan, I think -- this is Lisa again for the transcript. I think that's an excellent question to actually to directly ask. ICANN Org there are of course activities, like the board working group, that have broader oversight and should be regularly briefed on these discreet activities as you describe them. I think it's a good question to ask, who is providing that broader oversight, then formulate your conclusions based on that.

ALAN GREENBERG:

We know the board WHOIS group effectively disappeared for a while in between, because we were told it's being reformed and I think this probably goes along with the recommendation to make WHOIS a strategic priority. That there has been no WHOIS-R who has responsibility for all things WHOIS as there would be if we said make it a strategic priority and it's someone's job or at least part of someone's job to make sure this is all the bits and pieces are being done. So, I think this goes along with that recommendation.

The question is how do we finesse this particular part of the report, because we have to clean this up. But, I think in the problem issue, if we identify -- I think there does not seem to have been anyone looking at it from an overall point of view. You're right, we could -- Lisa are expecting the answer to be anything, but no, there isn't or hasn't been

---

anyone or do you have some indication that the answer is yes, there has been someone looking at it as an overall unit -- an overall piece?

LISA PHIFER: I don't think I'm in a position to answer that. I think ICANN has to answer for themselves.

ALAN GREENBERG: Okay. I guess I'm trying to say is it worth asking the question or should we just make the recommendation? I guess as a courtesy we should ask. Alright, maybe -- can I try to formulate Lisa -- not Lisa, Lili, the question for ICANN Org is, has there over the period of implementation for the WHOIS1 review team recommendations, has there been anyone overseeing the entire package and if so, were there reports and ongoing plans issued by that entity?

LISA PHIFER: And by ongoing plans, Alan, you mean a workplan that's updated with the progress?

ALAN GREENBERG: That's correct.

LILI SUN: So, Alan, what you suggest is to reach an additional question to ask of ICANN, is that right?

---

ALAN GREENBERG: I think so. I mean Lisa's implying that we should do them the courtesy of asking before accusing them of not doing it. And then based on what the answer is, we can do a critique. I think the end result is going to be close to the same thing.

LILI SUN: Okay. And I have a question. Do you think we need to ask like the recommendation to the whole review team, like that's not relating to this subgroup, actually for, you know, for like others like the data accuracy, their project has regular report and also like review or assessment of the impact is missing from the regular reports, so it's like a common ground for other subgroups?

ALAN GREENBERG: It is, but it is their recommendation that was covering all of the other ones, so I don't think it needs to be dealt with individually within each of those. So, I think where we are is okay. Clearly it was a recommendation that crossed all of the other recommendations because it said give us a plan and tell us how you're doing on all of the recommendations. So, I don't think it needs to be discussed separately within those.

LILI SUN: Please, go ahead.

---

LISA PHIFER:

Thanks, Lili. I wanted to in addition to the conversation we just had about the kinds of things that would be helpful in the problem and issues section -- I wanted to point out that there's a final section in problems and issues that says there's been no effectiveness review and as a result the extent to which WHOIS improved over the years is not clear.

I just wanted to clarify that actually this review team is that effectiveness review. That the way that the responsibilities fall is that ICANN is tasked with implementing the recommendations of the prior review and then the following review team -- so that would be us, is tasked with assessing the effectiveness of that implementation. You might want to keep that in mind as you're revising that section.

ALAN GREENBERG:

Yeah, it's Alan. That's true at some level, but you would think part of any implementation is what we did working. You know we're the sanity check to verify that indeed they're correct and --

LILI SUN:

So, my understanding is that -- yes, Alan?

ALAN GREENBERG:

Yeah, I guess I would say that assessing the effectiveness should be a part of the internal process of saying we have done it. But, the follow-up review team also, obviously has a responsibility to look at effectiveness, that's one of our -- you know, that's one of the keywords in what we're doing, you know.

---

So, I think it would be reasonable to say that the regular reporting should to the extent practical, possible and practical look at whether the implementations had been practical at addressing the original problem. I think that's a component of what they should be reporting on. So, I think it's reasonable to mention the word, I'm not sure it has to be a required section, because it doesn't make any sense in some of the recommendations and others which are trying to specifically solve a problem it makes complete sense.

So, I would support leaving the words in but making it clear that it's just part of the process of reporting. The sudden difference is it's not an effectiveness review, but part of the implementation board should review the effectiveness on an ongoing basis.

LILI SUN:

It's Lili Sun, and I agree, Alan. Actually, my understanding is if you are doing a job you need to go back and look at it regularly to check if it has been done properly like for the WHOIS1 recommendations implementation, as you said before, it has been into different action streams.

So, it was all of the action streams go separately in parallel, so there were no synergies and also, I'm still thinking yeah even for the report, there should be regular review about the effectiveness. It's not only us, the review team, to review the effectiveness we do need the materials to review.

---

ALAN GREENBERG: Yeah, I think it comes down to one of the things we're looking for in recommendations today, but it wasn't explicitly stated at the time of WHOIS1, I believe, is measurable. And obviously if something is going to be measurable, we're presuming it's going to be measured and that will be inherently be the monitoring will not require an explicit step.

If indeed we're coming up with metrics for success and they are being reported on, then implicitly that step is being done. And that's something that we're considering now that I don't think was one of the things that was looked at in the original recommendations or in their implementation. Is that a reasonable statement, Lisa?

LISA PHIFER: I'm sorry, Alan. Could you repeat that?

ALAN GREENBERG: Yeah, one of the things we're looking for in recommendations right now is measurable.

LISA PHIFER: Right.

ALAN GREENBERG: And I don't think that was the case originally and although some of them have been measured, it wasn't looked at. Now, sorry I'm not saying this very clearly. If one presumes that a recommendation comes along with metrics to allow us to measure it, that is what we're looking

---

for. Those numbers implicitly will end up saying was it effective or not, because that's the whole purpose of saying, is it measurable is to say was it actually done, and can we quantify what the outcomes are?

LISA PHIFER: Right, so --

ALAN GREENBERG: So, I think implicitly we are asking for where the word effectiveness makes any sense that, that is one of the metrics that are going to be attached to -- we presume will be attached to recommendations and therefore I don't think we need to have a separate request going forward that we report on the effectiveness if metrics have been designed into the implementation as we are saying they should be. Where that makes sense, that's going to be automatic, I think.

LISA PHIFER: So, what I hear you saying is that the workplan for implementation for this review team's recommendations should include metrics for each recommendation and then ongoing tracking of progress against those metrics?

ALAN GREENBERG: I would think so. You know, the word may not make sense in some cases, but for the recommendations where it is implacable, yes. And I think that automatically does the assessment that Lili is suggesting should be done each time.

---

LISA PHIFER:

I see your point. I would point out that there's a little difference between executing on a workplan and deciding whether the end result was what you were hoping for, right? So, an activity like this review team should look at the result of what's been implemented, and did you actually make things better, right? Did you actually achieve the goal the first team was after?

Which is more of a qualitative assessment, you know, as opposed to did you actually complete the implementation? How long did it take you? Were you late? Did take more resources than expected? Etcetera. Which are all quantifiable things.

ALAN GREENBERG:

Maybe we're talking about different things when we call something measurable. I mean, let's look at the issue of accuracy as an example. If we're putting a huge amount of work into determining accuracy, and we are also putting in place rules, regulations, processes that we hope will improve accuracy -- I mean, we've put requirements in the RAA that require verification.

If the end result is that accuracy is getting worse, isn't that something we would have to be measuring as we go along, otherwise why are we wasting the money and doing the work if it's only getting worse and we go along?

---

LISA PHIFER: So, I mean, that's a really good example to make the point I was trying to, which was if you're not measuring something and then you start measuring it, initially it probably will look like it's getting worse because now you're measuring something and you're getting --

ALAN GREENBERG: Yeah, I'm gonna have to put this call on hold while I take the call. Sorry.  
[AUDIO BREAK]

ALAN GREENBERG: Are we still here?

LILI SUN: Yes.

ALAN GREENBERG: Yeah, sorry. I'm doing some construction work and I had the construction guy on the phone and I had to take it. Where are we?

LISA PHIFER: Alan, this is Lisa. I was just responding to your question.

ALAN GREENBERG: Okay.

---

LISA PHIFER: That things should get better and sometimes when you begin measuring and you find that you improve the way in which you measure it, results actually to look worse before they eventually look better. But at the end of the day then you have to look at having made those numbers look better actually achieved the intended result, right?

ALAN GREENBERG: Yeah, I'm sorry I wasn't trying to do a value judgment, I was just trying to pull something out of the air to say that hopefully if you're spending a lot of money trying to do something, you're trying to understand if it's working or not. I would've thought as good management practice. Okay, how do we go forward from here? I have another call in nine minutes. So.

LISA PHIFER: So, we do have one additional question that you want forwarded over to ICANN Organization to respond to. Lili, do you feel like you've gotten direction on how to revisit some of the text in the current draft and layout what the key points were that were raised in this call?

LILI SUN: Yes, Lisa. For the problem and issue part, yeah, I have some ideas. For the recommendations, I do have no good ideas how to revise it.

LISA PHIFER: The recommendation or the problem and issue part?

---

LILI SUN: For the problem and issue, yeah, I have some ideas.

LISA PHIFER: So, for the recommendation?

LILI SUN: For the recommendation, yeah.

LISA PHIFER: Alright, so, perhaps we take this incrementally then. If you were able to update the report to expand on the problems and issues section, then the recommendation really should follow the problems and issues you laid out.

So perhaps we could do that and then at the same time there are some aspects of the recommendation itself that are, when I did my GAP assessment, are kind of missing, and perhaps I could provide you some feedback on things that need to be touched on in the recommendation. That won't get you the whole way in finding the right wording for the recommendation, but maybe it will help move us towards it.

ALAN GREENBERG: Yeah, if I may, perhaps I can find a little bit of guidance. I think what we're looking for is a way that people going forward can understand where we are on these recommendations that we're going to be making and what the plan is going forward. So, what has been done and how

---

are we going to go forward? And I think we want to say that reasonably clearly without being prescriptive as to exactly what sections that report has and the exact methodology that will be used.

So, I think we want to state the target in the recommendation, not the methodology to be used and at that point, I'm quite happy with it, because I think the real issue is there needs to be reports and they need to be useful. And, whether they contain a certain part or whether they're in a certain form, I think we need to give the flexibility to ICANN to adjust that if necessary as they go forward with -- essentially, we don't want to be bureaucratic about how they do it, but we want anyone to be able to assess it. We should have been able to go in and look at the reports and do a better, easier assessment than having to take the problems apart in detail as we have.

So, I think if we state the targets without the details of exactly how they're supposed to do it -- there are plenty of management courses around for them to get the information if they don't have someone on staff who already knows. I think the real problem is they didn't view that as a task. That they simply looked at the regular reporting as sufficient.

And so, I think going forward, what I'm saying is even if we went to Brussels without the recommendation worded in detail, I think we understand the philosophy enough that we can reword it pretty quickly. And, you may well feel comfortable in doing that yourself as -- after you've done the revision of the problems and issue section. Yeah.

---

LISA PHIFER: And Lili -- this is Lisa again. So, it strikes me that requesting that something be useful isn't giving enough guidance to the organization that's going to try to implement it, but if you can ask, you know, maybe give specific examples of questions that you'd like to be able to answer when reading those reports, that would help people that will implement the recommendation, understand what it means to be useful.

LILI SUN: Okay.

ALAN GREENBERG: I'm not quite sure how you do that, but --

LISA PHIFER: Well, I think if you use your experience currently in trying to use, you know, the materials that you've reviewed for this and say, "What questions couldn't I answer," basically from the written material that I would expect to have been able to answer.

ALAN GREENBERG: I almost think we need a little bit of time allocated in Brussels to talk about why do we think that there has been such a discrepancy between all of the green tick marks in the report and what we are writing in our analysis of it. That may give us some insight into what kind of better tracking internally that is needed. I don't think it's just that we're being very cynical. I'm not quite sure the answer to that, but. I'm going to have to drop off right now.

LILI SUN: Okay, thank you all for this meeting and I will I go to review the quarterly implementation report and also the extra link provided by Lisa to see if I can check some useful information. Thank you all.

ALAN GREENBERG: Thank you, Lili, for all the time you're putting into this. Bye-bye.

**[END OF TRANSCRIPTION]**