

**ICANN Transcription - Marrakech
Next Gen RDS PDP Working Group Meeting
Wednesday, 9 March 2016 1600 UTC**

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Also found on page: <http://gns0.icann.org/en/group-activities/calendar>

Chuck Gomes: Welcome, everyone. This is the Registration Data Services PDP Working Group of the GNSO on our face to face meeting in Marrakesh on the 9th of March, 2016.

Again, I want to welcome everyone here. My name is Chuck Gomes. I'm the chair of the working group. And seated with me here at the table to my right is David Cake, to my left Michele Neylon, and Susan Kawaguchi. And then our excellent staff support, Lisa Fifer. Raise your hand, Lisa, because you're a little bit harder to see, and Marika.

So if you haven't met these two people who give us all the support here they are. And I appreciate the fact that a lot of you have come up to me and introduced yourself and I have really enjoyed meeting you in person. I wish I could say I had a super memory and so bear with me, I don't have a super memory but I really appreciate meeting you face to face and especially appreciate the fact that you have volunteered to participate in this very important and involved working group.

I want to especially welcome for first timers to an ICANN working group or to an ICANN meeting to feel free if your members to participate in our meeting, and if you're just an observer also, when we get to the Q&A, please feel free to participate. I do want to let you know that we need you to identify yourself each time you speak because there will be a written transcript and the transcribers can't tell who we are because they're not seeing us. So please identify yourself both for the recording, the meeting will be recorded, and for the transcript.

And I apologize in advance, those of us that are chairing part of this meeting will have to do that whole bunch of times so sorry about that, but that's very important for both the transcript and recordings.

If you haven't gotten into Adobe Connect and you can please do so. Again, the link is on the meeting page on the ICANN 55 Website. And did I forget anything in terms of basic announcements? Okay I'm relying on these people to keep me straight here as well as yourselves if you notice something.

So the -- do we have the agenda in Adobe?

Woman: (Unintelligible).

Chuck Gomes: Oh here we go. Okay I see it. I'm used to it in a different spot, sorry about that. And that's okay. Okay so you can see the agenda. And the first item on the agenda, and this item will apply to members of the working group. And by the way, if you were an observer and you want to switch over to membership it's real easy.

All you have to do is let us know on the list. And please -- I guess it's not on the list because you won't be on the list if you're an observer, but communicate to one of us and we will - or the GNSO Secretariat. You'll be switched. But you can't be a member until you submit a statement of interest.

And there are instructions for that and a form to fill out to make that somewhat easy.

Kathy.

Kathy Kleiman: Kathy Kleiman. Can you still become an observer to the working group or is that closed?

Chuck Gomes: You're stuck now, Kathy. You have to be a member the whole -- no, I'm just kidding, okay. You can easily switch to being an observer, just communicate that on the list it'll be fine.

Kathy Kleiman: No, no, I mean, can you join, can people still join the working group?

Chuck Gomes: Oh, didn't understand that. I probably wasn't listening carefully. Yes. In fact the working group will never be closed to new members. It's going to be a long working group. I won't scare you off by estimates. Three months, that's right, I did say that over the weekend didn't I, three months. One month for each phase. Kidding, okay? Marika, go ahead.

Marika Konings: Yeah this is Marika. Just to add to your point that new members can - and observers can join at any point in this process that we do always make very clear especially when they join in one of the later stages of the work that it's their responsibility to catch up with all of the work that has been done on previous occasions and that they are not allowed to raise issues that have already been closed unless they bring new information to the table that has not been previously been discussed or seen by the working group.

Chuck Gomes: Thank you, Marika. This is Chuck again. And that is a really important requirement. Doesn't mean you can't ask a question, but if it's a previous topic you might want to do that on the list or something rather than having us read you issues that have already been done and so forth. But again, if

there's a new issue with regard to things we covered that's a little different situation. But we will guide you as you go through that.

Now we're going to do something different today, well I guess I should ask for SOI updates. Does anyone as a member of the working group have an update to your statement of interest?

Rod Rasmussen: Rod Rasmussen. My company was acquired in the last few weeks so I'm now working for Infoblox. I will update that on the Website.

Chuck Gomes: Thanks a lot, Rod. Appreciate that.

Michele Neylon: It's Michele for the record. Rod, just congratulations. I believe you are now a much more comfortable man and congratulations after all your hard work.

Rod Rasmussen: Thank you, Michele.

Chuck Gomes: Okay, not seen any other hands in Adobe or in the room. And we will -- now let me ask another logistical question. Are there any working group members in the room who are not in Adobe Connect? Okay, so those of you that are not in Adobe Connect you're going to need to raise your hand and let us know. Everybody else I'd appreciate it if you'd raise your hand in Adobe Connect and we will try and manage it that way. But you're still able to participate. We will keep a queue up here. And my colleagues here on the leadership team will help me watch the queue and watch the chat.

So what we're going to do different in this meeting, because we have the opportunity to do so, because normally we take attendance by the Adobe room and ask others to identify themselves, we are actually going to do a quick turn around the room and ask you to identify yourself, give your name. And please speak slowly and into the mic and where you're from. That's probably enough for this. We can all look at your statement of interest. But again please speak slowly and into the mic so that everybody can hear.

And - I'll even let - I didn't say where our vice chairs or staff members are from so I'm going to have them do it as well and we will start with Michele on my left and we will just work our way around. And then how many members do we have in the back of the room? If all of you would, at least for now, move up to the front row or stand close by so that when we get to the end of the row I think where it looks like Jen is down there, raise your hand, Jen. Okay. We'll have you go to the mic to do that as well, okay? Michele.

Michele Neylon: Michele Neylon, registrar. What do we say? Sorry.

Chuck Gomes: Where are you from?

Michele Neylon: Where am I from. I'm from Ireland. And my company is Blacknight. We're a dirty filthy registrar from Ireland.

Susan Kawaguchi: Susan Kawaguchi with the BC and Facebook.

Lisa Fifer: Lisa Fifer, ICANN staff and I'm from Santa Fe, New Mexico, United States.

Marika Konings: Marika Konings, ICANN staff. With ICANN since 2008. Originally from the Netherlands but currently living in Costa Rica.

Gregory Mounier: Good afternoon, everyone. Gregory Mounier. I'm French. I work for Europol, which is the European Police Office, and to be specific the European Cyber Crime Center and it's based in The Hague in the Netherlands.

Wanawit Ahkuputra: Good afternoon. Wanawit Ahkuputra so I'm the vice chair of the GAC and currently live in Bangkok Thailand.

Greg Aaron: Hello, I'm Greg Aaron. I'm an employee of iThreat Cyber Group in Philadelphia, Pennsylvania. And I'm also a member of the SSAC.

Kathy Kleiman: Hi. Kathy Kleiman, an attorney with Fletcher, Heald & Hildreth in Washington DC. And I'm cofounder of the Non Commercial Users Constituency.

Holly Raiche: Holly Raiche, ALAC in Sydney Australia.

Monika Zalnierute: Hello, I'm Monika Zalnierute. I am serving on the NCUC Executive Committee. I'm a data protection expert at the moment with the University of Melbourne in Australia. Thank you.

Sana Ali: Hello. I'm Sana Ali. I'm currently based in Toronto Canada and I'm part of the NCUC.

Greg Shatan: Hi. I'm Greg Shatan. I'm the President of the dirty filthy Intellectual Property Constituency. I'm a lawyer in private practice in New York with the law firm of Abelman, Frayne & Schwab. And I live in New York where I was born and currently live in Greenwich Village.

Stephanie Duchesneau: I'm Stephanie Duchesneau. I'm with Google. I live in Seattle, Washington in the United States. And I'm just an observer of this working group for now so if any of the members want to claim my seat at the table that's fine.

Griffin Barnett: I'm Griffin Barnett. I work for the law firm Mayer Brown based in DC and I am a IPC member and a member of the working group.

Nick Shorey: Good afternoon everyone. My name is Nick Shorey. I am from London. And I'm a member of the Governmental Advisory Committee the UK government. And this is my first PDP working group. And I look forward to working with all, meeting you all, and participating in something I believe will be very positive. Thank you.

Janelle McAlister: And I'm Janelle McAlister from Mark Monitor based in Boise, Idaho in the US and part of the registrar group.

Man: Yeah, thanks. Hi, everyone. My name is (unintelligible). I'm currently based in Brussels Belgium where I work for the European Commission, the Director General responsible for migration and home affairs. And I'm a policy advisor on cyber crime.

Jennifer Standiford: Hello. My name is Jennifer Standiford. I'm Director of Public Policy at web.com, registrar located in North America. In a GNSO councilor.

Steve Metalitz: Steve Metalitz with the Intellectual Property Constituency. I'm a lawyer in private practice in Washington DC North America.

Man: (Unintelligible) of South Africa. I represent registrars.

Elaine Pruis: I'm Elaine Pruis. I work at Donuts, the VP of Operations in Seattle, Washington.

Roger Carney: Roger Carney with Go Daddy in the USA.

Avri Doria: Avri Doria. While I'm just an observer in this I was a member of the EWG process group and I mostly live in airport lounges.

Klaus Stoll: Klaus Stoll, Vice Chair of NPOC and NCSG and living in North America and Europe.

Man: I'm (unintelligible). I'm from Tunisia. I'm an old-timer but I'm back to the community. I'm an independent not representing any constituency.

Donna Austin: Donna Austin from Neustar. I'm short. Donna Austin from Neustar, member of the Registry Stakeholder Group, Vice Chair of the GNSO Council. Thanks.

Chuck Gomes: There will be no discrimination against short people in this working group.

Lawrence Olawale-Roberts: My name is Lawrence Olawale-Roberts. I'm a member of the BC from Nigeria.

Kiran Malancharuvil: Hi, I'm Kiran Malancharuvil from Mark Monitor. I'm a member of the RDS working group. And I am the IPC Participation and Policy Coordinator. Thank you.

Chuck Gomes: Are there any more working group members in the back part of the room that haven't introduced themselves? If you - if there are please come to the mic. Otherwise we'll just continue around. And I think you're on the end there, Rod.

Rod Rasmussen: Yeah. Rod Rasmussen with Infoblox. And member of SSAC but like all other SSAC members, here on my own individual capacity. And based in Tacoma, Washington.

Andrew Harris: Andrew Harris of Amazon. I'm in the BC and am based in Washington DC.

Man: (Unintelligible), Go Daddy, a member of the short people constituency. And I'm based in US.

Rich Merdinger: Rich Merdinger with Go Daddy, I'm not a member of the short person community. But I am a member of the Universal Acceptance Working Group and I'm here as an observer from the US.

Sara Bockey: Sara Bockey with Go Daddy from Arizona.

Greg Dibiase: I'm Greg Dibiase with Endurance International Group and I'm from Los Angeles.

Man: Hello, everyone. My name is (unintelligible). I'm based on (Sofia) Bulgaria and I work for an ISP software company. This is my first meeting and first ICANN conference. So I'm looking forward to working with all of you.

Volker Greimann: Hello. My name is Volker Greimann. I'm with Key Systems, a German registrar. I'm also GNSO rep for the Registrar Stakeholder Group. And I have a heart for short people.

Stefania Milan: Hello everyone. Stefania Milan. University of Amsterdam here with the Non Commercial Stakeholder Group and GNSO councilor.

(Aiden Pertlin): Thank you. Hello everyone. My name is (Aiden Pertlin). I'm here in my capacity as a member of the Non Commercial Users Constituency and I am based in London. Thanks.

Man: Hello, everyone. I'm (unintelligible). Work for Africa 2.0 Foundation that is based in South Africa. And we are also a new member of the NPOC constituency. Thank you.

Stacey Welsh: Hello. I'm Stacey Welsh. I'm from InterConnect Communications. I'm a part of NCUC and I'm based in London even though I'm American.

Stuart Clark: Hi, I'm Stuart Clark. I'm not representing anyone other than myself. And I'm based in the UK and Ireland.

Aarti Bhavana: Hi. I'm Aarti Bhavana with the Center for Communication Governance in India and an NCUC member.

(Peter Kim): Hello. My name is (Peter Kim) and I'm representing Council of Europe. I'm from Europe. That's it. And my focus is on privacy and data protection.

David Cake: And my name is David Cake. I'm from Electronic Frontiers Australia, which is obviously in Australia. I'm from Western Australia, just to clarify, I'm in a different time zone to all the other Australians. And I am here as part of the Non Commercial Users Constituency and an NCSG councilor as well.

Chuck Gomes: Thank you, everyone. And I guess I should do what I ask you to do. I gave my name but I didn't tell you where I was from. I work out of a home office in Northern California so I'm on the Pacific Time Zone just as a time zone frame of reference. I am with VeriSign and a part of the Registry Stakeholder Group.

So a real quick question, just a second, let me get this quick question out, okay? Can I assume that all of us have the same point of view with regard to next generation Whois? Is that a safe assumption for me? Go ahead, Michele.

Michele Neylon: Just if there's anybody - Michele for the record - if there's anybody on the phone who wants to introduce themselves. Marika, is there anybody on the phone? No, okay. Is there anybody on - you're in the room. I'll come to you in a moment. Is there anybody on the Adobe Connect who isn't dialed in or can't speak? If you want to introduce yourselves via the Adobe chat most of us are there and maybe one of us could read it.

Now for the - Stephanie and Holly. I'm not too sure which one of you wanted to say something so I believe was it Stephanie? Stephanie, please introduce yourself.

Stephanie Perrin: Yes, my name is Stephanie Perrin. And I'm with the Non Commercial Stakeholder Group. And my perspective on this tends to be on the data protection side. Oh and I live in Canada in the Ottawa Valley.

Chuck Gomes: Thank you. Now we have - it looks like there's a couple seats up here, there's another one over here so if any working group members - we'd like to give preference to working group members at the table. There's another seat up here. So please feel free to come up to the table. We'd welcome you to do that.

Lisa Fifer: Chuck, this is Lisa Fifer for the record. We have two people on the Adobe connect you want to introduce themselves. Three. I can't count. Beth Alegretti from Fox Entertainment Group. (Benny Samuelsens), (Noreg) Registrar based in Sweden, Norway and Denmark. Alex Deacon from the MPAA, that's Motional Picture Association of America based in San Francisco. And Fabricio Vayra, Perkins Coie? Sorry Fab. Live in DC, just joined the group.

((Crosstalk))

Lisa Fifer: Justin Mack from MarkMonitor in Boise, Idaho United States, also just joined the group. Susan Prosser from Domain Tools in Seattle. Chris Pelling, registrar from Net Earth. Scott Hallenbeck from VeriSign, author of EPP and coauthor of RDAP. And (Grace) - oh boy, Grace, I'm going to ruin your name, (Matun) from Kenya from the KICTA Net. And Luc Suefer from Euro DNS, I won't be able to pronounce your name I'm sure. (Cal Fera) from Neustar, Melbourne Australia. Don Blumenthal, Ann Arbor Michigan, United States.

Michele Neylon: (Monica Emmet) from Germany, I believe, who's a journalist with an interest in data protection I believe.

Chuck Gomes: Welcome to all of you who are online. This is Chuck speaking again. So real quick glance at the agenda, which if you're in Adobe Connect is in the lower right corner of the screen, we've just covered Agenda Item 1 so Agenda Item 2, which will start in just a second, will be a review of the working membership and expertise survey results. And then we're going to go to an overview and Q&A on the process framework that was developed. And that'll be explained on some slides.

Then we're actually going to get into the draft working plan, that we hope to make some progress on in this meeting today. That should take most of our time today. And then we will have a Q&A and the Q&A will be open to everybody including observers. Now there will be Q&A throughout our

meeting as well for members, okay, so please understand that from the beginning.

So what I'd like to do right now is turn - Stephanie, are you able - I apologize, I was supposed to contact you and I didn't. Are you able to give us a status update on the working group membership? Just very brief just where the team is and what the next steps are would be fine.

Stephanie Perrin: Thanks very much, Chuck. Stephanie Perrin for the record. The team hasn't had another meeting since the - or a virtual meeting on email - since we got the results of the poll. I think most of us have had a look through there to see what we've got. The distribution of expertise appears to be fairly even, in other words, I didn't see any major gaps but we'll need obviously to discuss it a bit. And there were, I think, Lisa, please jump in and correct me if I'm wrong, but there were something like 63 people who responded to the poll. Now that's roughly half of the working group so we're missing a few people.

But I think - yes, Susan, do you want to comment here? That would be very helpful, yes, because it's interesting. Now how much credence we give to this poll given the low participation rate and the lack of detail, and we did have a couple of comments. One said I quit filling it out when the questions didn't make any sense. So I think there's a feeling that this poll maybe doesn't accurately capture our expertise.

But I think as I said, a while ago, it's a blunt instrument and the whole idea was to capture gaps. So but we'll have to have a closer look at it and see. If we could pull it up it would be helpful then you'd all see the results because I think people have been so busy traveling they haven't had time to really digest it as yet.

Chuck Gomes: This is Chuck again. Thanks very much, Stephanie. And the results of the poll were sent to the working group mailing list on Monday. And so if you haven't

looked at that take a look at that. There was a pretty good distribution. I was fairly impressed.

What the team that's working on this of five people are - what they're going to do next is analyze the data regardless of how rough it is, and see if they can identify any gaps and representation or expertise that we might want to take steps to fill. And they're also tasked with maybe coming up with some recommendations to how we might go about trying to fill those. So they will be working on that.

And as Stephanie said, it is - and it is up there now so while I'm talking, and I won't talk very long on this, you have the ability, if you're in Adobe Connect, to scroll down yourself up and down on there. And if you're new to Adobe Connect just tap on the person next to you, they might be able to help you. And - but you can scroll down and take a look at the results of that.

Let's not get too hung up on the validity of the data or anything like that. We don't want to spend a lot of time on this particular exercise. At the same time, it is important to see if there are any gaps we might try to fill early on. But it's more important that we get right into finalizing the work plan and get busy with our direct work.

Yeah, I did say that. So check again. And feel free to scroll yourself on there. And somebody is doing it for us up here. And you can take a look at that. And you can also look at that on your own time. So I think unless there are any questions, I'm not seeing any hands physical or in Adobe, if not we will go to Agenda Item 3.

And I'm going to turn it over to Lisa who is going to go over the framework and where that came from. That was fed into the charter. And also then of course it has an impact then into the draft working plan that we're going to look at later. Lisa.

Lisa Fifer: They're with us just a minute as we get slides up.

Chuck Gomes: So this is Chuck again. So while they're bringing that up let me just give you a heads up. If either member correctly there are 10 slides here. We're only going to go through the first four fairly quickly. And there will be a chance to ask questions. And if some of the questions relate to the other six slides we will probably quickly look at those. But as you will see those will be quite detailed.

And this was sent to the list, am I correct, this presentation. I think I remember that with all the email I've seen in the last few days. So you can also pull it up on your computer or smartphone or whatever if you'd like so that you can see it there.

Lisa Fifer: Sorry Chuck. It was posted to the meeting materials but not sent to the list.

Chuck Gomes: Okay oh so it's posted to the meeting materials that everybody in the working group had access to it so okay that's fine. So you should get that. If for some reason you didn't get it then send an email and it'll be resent.

Lisa Fifer: All right so I've just posted a link in the bottom of the chat for anybody that wants to navigate directly to it. And we will get it up here in a moment. The - during my last working group called there were some questions raised about the sequencing and where indeed some of the questions came from in the working group charter.

And so staff took away an action item to provide a little bit of an overview about background, about where all that came from as well as invite members of the group that developed the questions and the framework that was input into this group's charter, invite some of those members to join us today. And I think we may only have two members. But Avri and Susan, if I'm not mistaken. If there's anyone else here that was part of that group.

All right so that takes me to who created the process framework. And this is input to the discussion that this working group will have as part of coming up with its own work plan of course.

The process framework was developed by an informal group of GNSO councilors and Board members they got together after the EWG, the Expert Working Group, finished its report and submitted its report to Fadi into the Board.

This group of councilors and Board members got together to think about okay, what next? How do we prep this PP working group for success? What inputs do they need to really make progress on this issue, which the community really has been struggling with for well over a decade now. That group of councilors and Board members do you see listed on this slide, they met first that ICANN 51, they have the calls maybe biweekly for about six months. And they produced what you see on your wiki, this working group's wiki, as the process framework.

The idea really was to recognize that this is going to be a complex PDP, very complex PDP. And what kind of structure can we give to the effort in order to help the group actually reach some consensus on policies at the end of the day. I'm not saying what that consensus might be by just some structure to the process that hopefully avoided past barriers.

The guidance that was produced was adopted by the Board. It was incorporated into the issue report and it reflected directly into the workgroup charter.

Chuck Gomes: So my understanding is we're waiting for the bridge to be reestablished for the remote participants.

Michele Neylon: Okay so we're back up and running. Sorry about this, technical difficulties do occur. Lisa, if you want to pick up where you left off. Yeah?

Lisa Fifer: All right, and the recording has started again? All right, so I was asked to restart at the beginning of this slide. I apologize. Be a little bit repetitive but I'll do it a little bit faster this time.

As you well know the process framework defines three phases. We are at the very beginning of Phase 1. The phased approach was based on common software development or product development lifecycle of establishing requirements before you begin functional design and then before you begin implementation, in which our case functional design equates to policy.

And the actual implementation steps equates to developing implementation guidance or coexistence guidance. I'll call your attention to the pre-working group steps that were noted here. One of the things that this GNSO Board group did was look very closely at available inputs, pull together many of those which are now on this working group's wiki. And we can add to them. As we party scene people are beginning to suggest some data protection documents for example that might not have been identified previously that could be pulled in. And that's intended to be a living library.

But another thing that the Board GNSO group that looked at this did is it took some time to think about are there additional inputs that we need to develop an advance of starting the working group. Do we need to do cost analysis. Do we need to do more legal analysis. Do we need to actually do a risk assessment in advance of the working group starting.

And what different members actually concluded after going out and looking at those various questions in some detail in some cases, was that it was too early. That what this working group does will affect how those assessments or analyses will be performed and that those should be part of the process. And that's where you see cost being looked at in every single phase. That's why you see legal analysis or privacy being looked at in every single phase and of course risks as well.

I'm no longer presenter. Please advance. All right so what were the questions that were identified in the framework? Well there are the 11 questions that we've been talking about in our work plan. So the 11 questions that you see in this working group's charter. And those questions were placed into the process framework in order particularly for Phase 2 and Phase 3, and ordered that reflected what that Board and GNSO Council group felt might be interdependencies that could be satisfied once this working group gets to the point where work is possibly split up into parallel some teams.

However, one of the things that the process framework does suggest is that during Phase 1 we consider all of these questions sort of very iteratively and closely, as we all get on the same page about what these questions mean and what the requirements are for any registration directory service be that a brand-new one that might be recommended by that group or be that today's Whois system. When I say Whois system I mean the protocol, the systems behind it, the data behind it, everything the output of this working group can potentially modify today's system as a consensus recommendation.

Now putting aside the specific questions for the moment, because I know we're going to discuss them in the context of our working groups work plan, I just want to call your attention to the notation at the bottom of this slide, the sequencing.

So if you look at the charts that are in the charter and in the issue report that the charter was drawn from you'll see a notation of letters A-H. And if you look at the actual diagram you'll see how topics were sequenced using those letters.

I also should mention and really emphasize that the charter calls these out, these 11 questions out as the minimum set for this working group to address. That's not to exclude additional questions that might come up if this working group decides that there's topics that need to be addressed that doesn't fit

within those 11 questions, that's certainly on the table, that certainly implied. But this is the starting point for this workgroup.

And then I'll stop here with the diagram and just point out to you that when Chuck drafted the work plan with the help of the leadership team for ease of reference, questions were numbered 1-5, and then 6-11. Those questions came from this chart and they were numbered in the order that they appeared on this chart. We can have a discussion within this working group about whether that is the appropriate order in which to address those questions. But that's really where the order came from and where the numbers came from and how to map it back into the chart that you see in this charter.

Chuck.

Chuck Gomes: Thank you very much, Lisa. And this is Chuck speaking. Keep in mind that we are showing this today so that everyone, if you haven't had a chance to look at the framework or the issues report or maybe in some cases not even the charter, you get a foundation of where it all came from. And all I would like to suggest is that in other words there's been quite a few people that have put a lot of time in suggesting this.

Now, do we have to follow it exactly as presented? No. All I would ask is let's realize that there are some reasons they did their thing and let's at least examine them carefully and respect that. Doesn't mean we can't make some changes. But this is where it came from.

Now with that said, we will open it up for a Q&A for the members if you have any. But keep it at a relatively high level. We're going to dig into some of these things like the specific questions and so forth later when we start looking at the work plan and actually when we fulfill the work plan.

So, but I there any questions or comments right now before we go to the next agenda item? Kathy. Okay, you can try to use Adobe Connect to raise your hand if you can but if I see you and it's not a big problem, okay.

Kathy Kleiman: So do I understand Phase 2 and Phase 3, if I heard what Lisa said correctly, Phase 2 and Phase 3 the drafters thought the order that they gave the materials was more important in Phase 1, it's a little more interrelated and kind of a sense that reorder ring might be okay.

Chuck Gomes: Yes, I think that's correct. Now there is not insignificance. If you read the issues report and the framework and so forth, I think the framework, and I'll let the two members of the framework team talk about this a little bit more, I think there is some significance to the order that we certainly don't have to be rigid about that. That's why we've already started what I thought was a very healthy discussion on the list in the last week about the order of the first five.

Now notice that our mind map divides the 11 questions into two groups. The first five, as Lisa showed, and the next six. Okay, now there probably is some reasonable significance there, not perfect but reasonable significance in that the first five up here to really feed directly in that question we have to answer. Is a new registration data system needed or can we modify the existing one in some ways? And then what we decide they affects how we deal with questions 6-11. But does that answer your question? Okay.

Lisa Fifer: If I could just add in response.

Chuck Gomes: Remember to share your name.

Lisa Fifer: Apologize. Lisa Fifer for the record. I should know better. Kathy, you're right, that group did feel very strongly that order was probably going to come into play when work split out, if it does indeed split out during Phase 2 and three. Maybe this group will choose not to do that. But if it does there would be very careful management of interdependencies.

But in addition, the group also suggested that Phase 1 be worked simultaneously which was never really quite the right word, but the idea meaning that had to be - Phase 1 had to be very fluid because of the interdependencies and really bringing everybody onto the same page. The process framework also suggests that this working group continue to work as a big group as opposed to splitting up into sub teams during Phase 1 as part of trying to bring us to a shared understanding, maybe not agreement at least shared understanding.

Kathy Kleiman: Thank you.

Chuck Gomes: Thanks, Kathy, for the very good question and thanks, Lisa. And I, in the last 24 hours responded to Lisa when I reread that, I'd read it before, when they said work on all 11 of those simultaneously I said sure. How do you work on 11 being simultaneously?

That said, a keyword is iterative that you've heard a couple times today. Whatever order we decide to proceed with we're going to find ourselves probably moving down our list and then oh, we need to go back to this one. And that not only applies to Phase 1 but that will probably apply even when we get into the policy development. Oh, we discovered this. We may need to go back to that requirement and re-look at it.

So keep that in mind. When we finish with whatever we decide to be the first question to deliberate on in developing requirements and we move on, we are quite likely going to maybe have to go back to that later and that's okay. Okay. Any other questions? Did I see any handover here or no? Okay. Okay I see a hand up. (Aiden).

(Aiden Pertlin): Hi, yes. Thanks. (Aiden Pertlin) for the record. I just had one question regarding Phase 1. Who will determine when we can or must move to the next phase? How will we know when we've reached that? And also, what

oversight is there that might limit us in our ability to put forward recommendations for these policy requirements?

Chuck Gomes: Okay. And I'm sure you've already looked at the charter but you'll see -- look at it again because there's so much in there, okay, I understand because I've had to go through this thing, and I have to go back and look too. But, at the end of Phase 1 we make some recommendations, we the working group, make some recommendations for which we have reached reasonable consensus on okay. And we present those to the GNSO Council.

And the charter, and I won't go into all the details of that now, but the charter then asks the Council with asking us - asking themselves some questions and see, did they do it right, did they - I'm not using the words of the charter but do we have more questions that we want to take back to the working group? and then that's a gating point right there.

Phase 2 and 3 don't start, and if possible Phase 2 and 3 could kind of be going on simultaneously, that's in the documents as well. But that won't happen until the GNSO Council OKs that. And they could come back to us first and say what about this, how did you cover this, did you discuss this. And if not we may have to spend a little more time. Does that answer the question?

(Aiden Pertlin): Yes it does. Thank you.

Chuck Gomes: Excellent question. Any other questions? Okay, oh okay. You can put your hand down now. And by the way don't feel bad if you have to be asked to take your hand down. Those of us who have been in lots of working groups have had that happen to us dozens and dozens of times and you'll see me do it as well.

Okay. Okay. Volker.

Volker Greimann: Hello. Volker Greimann speaking. And this may be way ahead of my time.

But something I noticed was missing from the - potentially missing from the how page was so i.e. Phase 3 was introducing mechanisms to amend or easily change some of the specifications without having to launch into a full PDP. For example, if we decide on the users that have access at some point that community realizes that we have forgotten someone or included someone who shouldn't be there, then we might want to have to -- I want to be able to modify the existing users list without having to launch into a full PDP.

So I would suggest that at that stage we also look at mechanisms to change some of the recommendations or some of the mechanisms that we have decided upon because I think the incentive to leave this alone once this is done, this is after all a significant piece of work, will be very strong and reopening the entire package might be not really everybody's first keen interest but they're still might we need to revise aspects of it after it has played out for a couple of years.

Michele Neylon: Lisa, you want to speak to that?

Lisa Fifer: I do. And actually that's a great question but it's great for many reasons, one of which is that shows exactly what was meant by requirement on the next generation or any registration data system - directory service. That's a possible requirement that it be extensible, that there be a process in place to introduce new purposes or users, whatever this group might be. But that's exactly what this phased process is going after when it said requirements first.

Chuck Gomes: Thanks Lisa. And thanks Volker. And Volker, I want to clarify one thing, and I'm pretty sure you understand this but I want to make sure everybody does. This is a full PDP. We are a part of a PDP. So any ultimate recommendations that we submit forward that are approved by the GNSO Council and ultimately by the Board would be requirements that registries and registrars

would be required to implement. And of course it would have to be, you know, and implementation phase and so forth. So this is a PDP.

For those that don't know, the GNSO has working groups that aren't PDPs. And those still are valuable but they don't have that contractual implication for registries and registrars that consensus policies from a PDP have. Any others before we -- any other questions or comments before we move on? Is that a new hand, Lisa? Stephanie.

Stephanie Perrin: Stephanie Perrin for the record. I'm not sure whether this is the right time to raise this issue, Chuck, but I'll just throw it on the table. When you look at the work plan and the scope of this organization one of the problems is the subsequent implications for the 2013 RAA, if we determine that we are collecting too much data. So I just want a clarification that, A, there's a clause in the 2013 RAA that says this can be changed if there is subsequent PDP policy development that changes it. And just maybe clarify for the group what that would entail in terms of a change to the 2013 RAA.

Chuck Gomes: Thanks. That's an excellent question. Again, if we recommend some consensus policies and they're approved by the Board as the last step then that - if that results in a change to the RAA that change will be made. Okay? and I know that very well because I am one of - I'm associated with one of those contracted parties.

Stephanie Perrin: Thanks, that's great.

Chuck Gomes: And by the way, Chuck again, I want to clarify too that we will probably be looking at issues related to the RAA as we start doing our deliberations on some of the questions. Okay? Go ahead.

Michele Neylon: Michele here. Yeah just - Michele for the record. Just around - staying around consensus policy on the contracts, I'm not sure exactly how that would work if you were to change something that's explicitly specified in the contract. I'm

not saying it wouldn't but how would you do that? That's just a general question I actually don't know.

Chuck Gomes: Thanks, Michele. Well, that wouldn't be our task. If we have a consensus recommendation that's approved as part of implementation any contractual changes that would be needed would be made in that regard. And that would be part of the implementation process. Are you worried about all of those hard negotiations you did and that this group overturning those?

Michele Neylon: Short answer yes. I mean, I suppose the question for me is, okay, you know, consensus policy, I mean, the contract is made of two parts; the written contract plus all of ICANN's consensus policy. That bit I get.

The bit that I suppose your comment has raised, and maybe I'm over thinking this, which is quite possible or maybe I've misunderstood it also very possible, is that if there is wording in the contract that states registrars are obliged to do X or Y or Z or whatever, and we come up with consensus policy here that contradicts that then is that something that can be dealt with by some kind of - I have no idea what the hell you call this because I'm not a lawyer, some kind of side document to the contract?

Or are you talking about making fundamental changes to the contract which you can't actually do because the only way to open up the contract for negotiation is if the chair of the Registrar Stakeholder Group agrees to it.

Chuck Gomes: And I'm going to - Greg has his hand up and Marika wants to respond too. But before that, you know as well as I do because we're both associated with contracted parties, that we have a requirement in there in our agreements that say we have to abide by consensus policies. Now those consensus policies have to follow a specified procedure and that a procedure we're using in this working group.

So if there are areas that end up in conflict like that hopefully first of all, we will focus on those as we are stating requirements and try and deal with those so that when it comes time for implementation that won't be such a hard process. But should I let -- you want to go, Marika, and then I'm going to come to you, Greg, okay?

Marika Konings: Yeah, this is Marika. And I think you said most of it. Just to add to it and I think we've seen it already with other consensus policies, indeed where there is a conflict that consensus policy trumps and enforces changes on the contract to make it in line with the consensus policy. I think we have the same situation I think with the post expiration where we then also had to I think some of the provisions were no longer in line with the actual contracts, in line with the consensus policy.

And I don't know exactly how they did that, if it was changed in the contract or it's like a consensus policy basically said, you know, Section 5.3 now reads as this. I don't remember that exactly but it is something you need that's looked at. But the consensus policy trumps what is in the agreement.

Chuck Gomes: Thanks, Marika. Greg .

Greg Shatan: Thank you. Greg Shatan for the record. I assume first that any change in consensus policy would have to be something that's within the remit of this PDP working group. So it's not that we can kind of discovers something magical about some section that has nothing to do with next-generation RDS and then somehow make changes to the agreement for that reason, for instance, you know, we might discover something that, you know, informs some interesting fact about some other part that's outside the remit of this PDP, our PDP is only related to next gen RDS so whatever changes to consensus policy you make we have to stay on that road.

We're not just, you know, hoping to kind of unilaterally changing the contract just because it says that he PDP can change and consensus policy can

change a contract. Maybe that's self-evident but it seems to me that, you know, the end result of this - it's only the end result of this PDP process is intended to be, not some, you know, broad license to change consensus policy or to change the contract.

Chuck Gomes: Thank you, Greg. Can I get you to come over to the Registry Stakeholder Group? That was a good statement for us. But the charter defines our task and we are limited to that unless we request the change to the charter from the GNSO Council. Steve.

Steve Metalitz: Thank you, Steve Metalitz. I think in response to Michele's original question it's definitely an implementation issue. And the reason I say that is just to give an example that I know Chuck will be familiar with. Two years, one month and two days ago the ICANN Board approved a consensus policy that would require Chuck's company, as a registry, to move to a thick Whois structure.

Now two years, one month and two days later Chuck's contract hasn't changed yet. I mean, VeriSign's contract hasn't changed yet because that change in consensus policy has not been implemented yet. So I'm hope and trust that before, you know, this decade is out we will see implementation of that consensus policy. And I have to assume that we'll also include some adjustment to the VeriSign contract. Thank you.

Chuck Gomes: Thanks Steve. Stephanie.

Stephanie Perrin: I think Holly is ahead of me.

((Crosstalk))

Holly Raiche: Thanks. Obviously I didn't put my hand up because I thought we were using the computer. I'm a little bit of alarmed by what I hear because I'm thinking that people are worrying about the extent of what the charter allows. Now if the charter actually in the questions are saying things like what data do we

collect, how do we use it and thus, that's very large. And I think those questions are absolutely deliberate.

So I would hate to think that we are going to hem ourselves in by not asking those questions just because we're afraid of the consequences of dealing with those questions. So could we actually keep all of the questions up and open? Thank you.

Chuck Gomes: Thanks, Holly. Let me make sure I understand what you're asking.

Holly Raiche: There are 11 questions and those questions ask some fairly broad - raise some fairly broad issues, you know, what data is collected, how is it used, who gets access to it. Those are all very large questions and they were deliberately put there. Now I'm hearing from both Steve and Greg that there are concerns that may be that is going too far. I'm actually saying I think that quite deliberately those questions are raising a whole range of issues about what data is collected, how is it used, who gets access to it.

Those questions are on the table. And they're going to have implications, very clearly they're going to have implications. And they're going to be big implications perhaps, depending on what we agree on. But if we start there and we start with an open mind as to let's actually look at the questions that are being asked and not prejudge whether not they're going to have big implications for who does what with the data, how it's handled in a contractual sense.

I mean, I don't think we should be asking those questions, I think we should actually deal with what the charter group said we should be dealing with and not confine ourselves by being too worried about the implications of the answers. I think the answers will have some implications, some serious implications about the way that data - what data is collected, how it's handled, who gets access to it. And let's actually answer those questions by a consensus policy. Thanks.

Chuck Gomes: This is Chuck. And I don't disagree with you at all. In fact that's correct. But I didn't hear Steve or Greg saying that. I think one of the - and maybe I heard wrong - wrongly - the - it is important for us to realize that what we're doing here has some important consequences. But we shouldn't shy away from making recommendations just because it's going to have consequences. And you're looking at someone who will be impacted by those consequences. Our job is to make the best recommendations we can.

Now, one of the 11 questions across all three phases is implications - has to do with implications. So we're not supposed to ignore implications, but we shouldn't let that - that's not our motive for whether we deal with a question or not. Just because it makes Michele's life harder is no reason for us not to consider a question.

Michele Neylon: I would have to disagree.

Chuck Gomes: Stephanie, I think you're up next.

Stephanie Perrin: Yes, Stephanie Perrin, for the record. And don't worry, Michele, I have an annotated RAA agreement, you just have to sign it and get ICANN Legal to accept it. I've made all the amendments for you according to data protection law.

Now, the reason I asked the question is I just wanted to make it crystal clear that as far as if you're looking at this from the data protection perspective the 2013 RAA is the data collection instrument. And the purpose of collecting registrant data is the operative purpose from a data protection perspective. I realize that when we're looking at the Whois we're thinking about okay why do we have a Whois. But we have to go further. Why do we collect the data in the first place?

And then you're looking at secondary purposes one of which is to provide access, public access through an instrument known as Whois, or whatever we're calling it now. So the scope is broad and there will be impacts but don't worry, Michele, we're here for you to help you rewrite that contract.

Chuck Gomes: Thanks, Stephanie. Now I have two more people in the queue that are old-timers, okay, and I'm going to give them their chance. But I'd like to - after them I'm going to pause and encourage somebody that's new to comment or ask a question. So get ready if you're willing there. In the meantime let me go to David.

David Cake: So I realize this working group has probably - of all working groups I've ever been involved in, the biggest set of homework reading I guess. And I realize you may not all have read the 166 page Expert Working Group report yet, though I encourage you to do so. You know we're going to make you by the end, you may as well get started.

But first to read the charter for these discussions it is an unusual charter, it's not like most working group charters. It has this whole separate process. It constrains our - it specified our methodology a lot more than your average working group charter. And it's fairly clear on - it is fairly clear on what our job and where it extends.

It's certainly true there are some little, you know, gray - there are a few points where there's a - not so much gray areas but intricacies to exactly remit. But it's intrinsic in the whole next generation RDS remit that we will change a lot of - we may change a lot of stuff for the old RDS, whatever which is effectively Whois.

So there's - there is a huge amount of consensus policy that may totally change but we are quite, you know, we are, as Greg says, limited in what it is. I don't think a lot of these questions about what exactly can we do and

can't we in practice will be reasonably clear from the charter if we sit down and talk about it. No? I'm getting a head-shaking.

Stephanie Perrin: I just heard Chuck say we're not limited. And then I just heard you say we are limited. Could you two agree.

David Cake: Okay, we are limited by the fact that we are creating a registry directory service. We are not - that - and as Greg says, policy that does not - that I recommend SSAC 51 by the way, which is quite specific in telling you what is a registry directory service and, you know...

Chuck Gomes: Okay let me jump in here. This is Chuck. We're getting into the weeds a little bit more than we need to right now. Let me - we'll get there. We're going to have to deal with these issues, everybody. But if we don't do this in a very deliberative and managed way we're going to jump all over the place and get ahead of ourselves and it's going to take us even longer than it already well.

So let me go ahead to Greg and then we have someone who hasn't been in the queue yet today I don't think, other than introducing herself. So Greg, go ahead.

Greg Shatan: Thanks, Chuck. Greg Shatan again. Just to respond to what's been said in part about what I said earlier, and I think David's on the right track. We're here to create a next generation RDS, this is not a general go where the questions lead us kind of PDP; this is not a generalized data protection and privacy PDP. We're here to create a next generation RDS, not to make changes to Whois as it stands.

I know the people perhaps may want to widen the highway here but I think we have a remit. It will make a major change when it's implemented by going to a whole new system. That's where we're going. We can get all the questions answered. But when it comes to the policy we develop, the policy we develop has to be within the charter and mission of this PDP as much as there might

be, you know, potentially other things one might learn from the same answers to those questions. You know, this is a PDP with a purpose. Thank you.

Chuck Gomes: Thanks, Greg. And rather than getting in a debate on this I'm not - frankly I'm not seeing a lot of differences between what different people are saying. We have a huge task, it's going to have all kinds of variables. It's going to involve all the things that everybody has - is concerned about and will have differing points of view but we're going to have to deal with most of these issues when we start answering the questions and coming up with requirements.

So now, Stacey.

Stacey Welsh: Hi. Stacey Welsh for the record. So my question kind of goes into this a bit. But basically I was wondering when the new RDAP system would be covered and discussed if that would be in the system model requirements question. Because is the technical side also bound to this consensus agreement as well in terms of creating compliance system policy and technical systems are mutually enabled and restricted by each other. And as I learned today, the new RDAP system has the ability for tiered access but can't be implemented because it's a Whois policy issue. So I was wondering where that fit in.

Chuck Gomes: Thanks, Stacey. It's a really good question. So we're developing requirements in Phase 1. Policy will be developed in Phase 2 assuming that everything moves ahead and implementation. And of course part of implementation is going to be how do we implement the policies that are developed? That will involve needing a protocol, assuming we go with a new system. Okay?

And we're fortunate at this stage in the Whois world, if I can call it that, that we actually do have a protocol that possibly can meet most of the requirements we come up with. And so in policy that's where we're really going to get into that. And implementation of that policy, how do we do it?

Will the GNSO come out with we recommend the RDAP protocol be used to implement this? That's something we'll have to face later on. But we're fortunate because a lot of the Whois work that's gone on and people like Steve and Kathy and Holly and Stephanie and David and so forth know that we've done a lot of policy work in the past. We've been talking about tiered access for years. But we didn't really have a way to do it. We do now but we're going to get there a ways down the road. Okay.

And next we have Nick. Thanks, Stacey.

Nick Shorey: Thank you. Nick Shorey for the record. I'm just looking at the question on data accuracy, what steps should be taken to improve accuracy. And kind of tied to some of the previous discussion around sort of what we develop succeeding previous policy. I'm mindful that there is still sort of ongoing work around the Whois verification accuracy, verification review.

When we say what steps should be taken to improve accuracy, is that, you know, sort of the - are we sort of reopening that discussion around, you know, the data meets the criteria for the box or the data is verified and certified that it is, you know, whoever it is is who they say they are.

Chuck Gomes: Thanks, Nick. And we're going to get there, okay? Because that's a question we have to answer. And so it's not something we can answer right now because we'll probably have to deliberate on that quite a bit and there's going to be different opinions. But we will get there. And you'll see that in the work plan. We're going to have to finalize the work plan and then we're going to jump right in, follow our work plan and start going very systematically through all the questions and deliberation on those will take quite a while probably, some more than others. But that will come. Go ahead.

Nick Shorey: So I'm just wondering sort of how this - how we might get into an awkward situation when we've kind of - we've got two tracks at the same time doing the same - looking at the same issue.

Chuck Gomes: With regard to parallel tracks, the charter suggests, as Lisa shared, and in the framework that was developed, that we try to do most of the work in Phase 1 as a whole working group. Now I don't think that totally prevents us from doing parallel tracks. I really suspect that what we'll end up doing is dealing with more than one question at the same time because they're so interdependent. But we'll deal with that when we refine the work plan.

Lisa, go ahead.

Lisa Fifer: Put my hand down.

Chuck Gomes: Oh okay, I didn't look back. Okay. All right and, Nick, I think that's an old hand so we'll go to David.

David Cake: Yeah, well to say to Nick, I'm - I think there is no straight answer but I mean, I think the, you know, the leadership team, and I'm sure most of us generally have no great enthusiasm for reinventing wheels that are being done elsewhere whether it's good work that's already been done with - we'll grab that and use it as a starting point. But the context may end up being slightly different in which we look at that question, things like tiered access through change the way we may look at some of those questions. So there is no straight answer to whether it's a, you know, how we will deal with that question when it comes.

I just wanted to - say to Stacey, yeah, we do have a - as it happens we - for technical implementation we do have this very obvious protocol waiting around that we could use and that does give us some, you know, some fairly obvious answers to some questions that it might be asked. But it doesn't - just because we have it doesn't mean actually the technical implementation end there. There are issues like, you know, there are - RDAP for different profiles and things like that so there will still be some work there when we get

down - but it's a long, long way down the road until we have to start looking at that sort of detail.

Chuck Gomes: Thanks, David. And I think we have an online person now, Andrew, you're up. He's here. I thought I saw you saying you weren't coming. Good, I'm glad you're here.

Andrew Sullivan: The IAB finished its meeting so I showed up here. I'm Andrew Sullivan. And can I just maybe make a friendly amendment to the first question here? Because it seems to me the some of the discussion that I've seen on the list and the little bit that I've heard here, and apologies for being late, and also my reading of the EWG's final report suggests really that the who should have access to gTLD registration data could be restated as who and under what circumstances. And if you do that then it makes it quite clear that the who is not an individual but actually the who and the role that they're participating in.

So you can have, for instance, questions implicit in there about differentiated access. And the problem historically is that we haven't actually had that conversation because there never was a possibility of differentiation. So by including that, you know, explicitly from the get-go we won't be continually tripping over the question of well are we going to RDAP or not, that's, you know, that to me is not a very interesting question.

And I will just say, as a completely separate point and putting my geek hat on, if you think the - that the IETF is going to build you another Whois protocol after having done it four times already, forget it.

Chuck Gomes: Oh, come on, Andrew. Lisa, go ahead.

Lisa Fifer: So, Andrew actually has just found an error in my slide. That should say who should have access to gTLD registration data and why. The question is actually "and why?"

Chuck Gomes: Okay thanks. And let's go to Wanawit. Hope I didn't pronounce that incorrectly.

Wanawit Ahkuputra: Yes, that's correct.

Chuck Gomes: Oh, did I pronounce it close? Okay.

Wanawit Ahkuputra: Very good. Okay, Wanawit for the record. So we - we participated in the PDP process, translation and transliteration, before. And we like kind of follow up, even though it's not - still not the issue that it might not related. But the data accuracies and the element of the data when come to the country that's not using the ASCII, what you normally call, that challenge that we (unintelligible) we do see that where there is a role, government facilitate this to help registrar.

Case of Thailand is quite unique, about 75% users is using the international domain name generic like dotCom, dotNet, only 25% using ccTLD. So when come to this address translations it's always a problem. And we study that how could we coming out and help especially when you go for validation and verification in the future that we try to help in a way that how could the registrant that's doing the verification and validation and translation only once and then can use for several registrar, we do not think that - it's of the scope in the beginning that we did not think whether it to translate or not or what we thinking how could this information is share among the registrar.

If I register 20 domains I could do only ones and then (unintelligible) share and that's the aspect that we try to have a look and coming how to participate here to see on the accuracy elements and that's what we looking at, thank you.

Chuck Gomes: Thank you. And for those that don't know, I know I'm quite sure and he's obviously aware of it, there is a working group that's made some

recommendations with regard to translation and transliteration of information in what we now know as Whois and what we call the registration data service in the future. So we're going to have to coordinate with those kind of things that are going on and some of that work will help us in what we do.

And then I think there was a - before I go to (Peter) was there a hand - a hand over here on this side that doesn't have access to Adobe? Somebody, okay all right. So let's go to (Peter).

(Peter Kim): Thank you. Thank you very much. (Peter Kim), Council of Europe. I'm quite new at ICANN. This is my first PDP so I'm very glad to be here. And I'm fascinated so far so it's very good. But I'm not quite sure about the order of these questions so this is why I just wanted to give you my views also on that issue that I think the - thinking first about the purpose of the whole instrument, who be key in my opinion. Because in my perception every question - every other questions we start with will result in this question because we have to define first the purpose of the whole instrument so if you allow me a very naïve two example.

So if you want to use the data for the (unintelligible) of a contract the RDS, this is a completely different data set as opposed to if we want to create a public registry for Internet user. So we have to define a purpose. And maybe in that we can have some clue how to achieve this.

Chuck Gomes: Thank you. Now I want to clarify that we're going to get to that, okay? Let's not start talking about the order yet, we're going to do that when we get into the working plan, okay? So I want you to...

((Crosstalk))

Chuck Gomes: No, that's okay. That's okay. We're going to all do that. But the - and it's going to be very important. There are people in the room, and you don't need to speak up now, okay, that have already disagreed with that. Okay, you

probably saw it on the list. Okay. And then you may have participated on the list, that's good. So we're going to get there.

I'm going to cut the queue off after Stephanie and then we're going to take a quick look - oh that's...

((Crosstalk))

Chuck Gomes: ...I'm calling for you a little bit earlier and I guess I didn't get your attention.

Michele Neylon: I think we should...

((Crosstalk))

Chuck Gomes: It was you, okay. So I'll let you jump in front of Stephanie, okay.

(Marion): This is (Marion) for the record. You welcomed the newcomers to ask questions so I would give it a try. I have the green level as a newcomer so I hope that grants me a bit of protection for asking a question that may not be reasonable. On one of the previous slides we saw a really detailed work plan that outlines our work for the - yeah, probably long period. And my question is a bit procedural, the fact that we have a plan that is so detailed, does it mean that we implicitly agree that we would like to have a new protocol designed from scratch to replace the Whois?

Because if I remember well, one of our goals in the first steps in our working group should be to analyze if we should make modifications to the Whois protocol versus creating a new protocol. And if yes, then will we have a similar plan for the first approach to have a Whois with some modifications? Thank you.

Chuck Gomes: Thank you very much. And we're going to get to that question, okay. There are a lot of us, including myself, that have our answers to that question

already. Okay. And what we're going to do first though, before we finalize our answer, is we're going to go through at least the first five question areas and then we're going to come back again. And you quite likely might not change your position there. Others, we'll see. But that's why I want to walk through the whole work plan. And we're probably not going to have too much time today to start discussing details like order. But let's see where we go.

Stephanie, you're last on this and then we're going to go to the next agenda item.

Stephanie Perrin: Thanks very much, Chuck. Stephanie Perrin for the record. And I do apologize for starting to split hairs so early but thank you, Lisa, for the amendment to that first question. Any chance we could get it back up on the screen? Because there is a difference between talking - saying who should have access and why, and who should have access and for what purpose particularly in the data protection context. So who should have access? And why should they have access? In other words, what authorities do they have to get access?

And the purpose for getting access - I'd like to make that differentiation just in case we start muddying the waters. And these things I know it's already complicated enough but I do think we - the hair splitting has to be done now so that we don't go roaring off down a road. Thanks.

Chuck Gomes: Thanks Stephanie. Chuck speaking again. And remember what Lisa said, the charter gives us these 11 questions but it said we can ask new questions. And so we can add to the questions so we need to answer the questions because that's in our charter. But we can add questions to that. So and we'll have that opportunity.

All right what I want to do now is go to I think agenda Item 4 and if staff can put - Marika, I think you're the one doing it, if you could put up the draft work plan. Now all I'm going to do on this is I'm going to very quickly walk through

the whole work plan. Now hopefully some of you have already done that because you've had it a little while.

And then after we walk through it I'll open it up for questions. And because we're running out of time if my fellow leaders up here don't object too strenuously, I'll open it up to observers at that time because we're running into the time we were going to allow observers to jump in if they wanted to.

We don't have to many of these opportunities for a live meeting. So I'm going to try and walk through that very quickly, keep the questions high level when we do that because, again, we're going to start going through that work plan item by item and try to come to a consensus in terms of how we will change it or leave it or whatever. Michele, go ahead.

Michele Neylon: No just one other thing I just wanted to add very quickly is, you know, if anybody in the group, maybe not now but maybe at some point further down the road as we get into more detailed aspects of Whois and data collection and there's a whole load of other things, it's quite a technical area. If some of you feel that you're having difficulties following some of the technical operational aspects of it, please do let us know. We've discussed running maybe some sessions to help people to get their heads around some of the - some of those more kind of technical aspects which aren't entirely kind of pure policy.

Because one of the gasp we've seen based on past experience in Whois-related activities is that often a, how do I put it, a kind of misunderstanding and gap between things like, I don't know, the various fields in the Whois record for example. Some of you speak fluent Whois, I know. Others of you may not. And how fluently you speak Whois is going to vary on how much experience you have and that's okay.

But in order for us to be able to move things forward in a constructive fashion we need to make sure that people actually understand some of these things,

some of the, you know, the different ways you can access records now, some of the different types of abuses, I mean, we can teach you how to abuse Whois, no please, I shouldn't have said that for the record, should I?

But jokes aside, I mean, we're more than happy to put time into that, also as well, standing invitation if anybody does have questions please do feel free to reach out to other people who have been around a bit longer, I mean, I'm happy to answer questions, others are too. If you don't feel comfortable speaking to me, Chuck or one of the other cochairs, find somebody who you think is warmer and fuzzier and nicer, I don't know, but, you know, don't be afraid to ask questions because it'll make things go a lot more smoothly. Thanks.

Chuck Gomes: Thanks, Michele. And you can do that if you think it's something that's not to benefit the whole group you can do that privately with Michele or any of us or all of us on the leadership team. And we'll try and set something up that maybe the whole working group doesn't need but we can do a separate session on that.

Now in front of you is the draft outline of a work plan. Notice that the bottom of the Adobe screen you have the ability to control the readability of it. There's a percentage there, you can do plus or minus if it's too small for you to read so please note that.

Now the first part - I'm not going to go through the first part with the assumptions. There's a bunch - a bulleted list there. Those were part of the approach we already went over. You can look at them again. But I'm not going to take time to go through that. Instead, I'm going to jump right in to the outline of the plan itself.

And so if you'll go down the bottom of Page 1 I think there - where it says draft work plan, and so just whoever is controlling this - Marika, can you scroll down a little bit? Oh yeah, take control back for now. As I do this overview

that would be very helpful so you won't be able to control it for a minute because as I do a quick overview.

So you can see right there that we've already done Step 1 so I won't go over that. Step 2 this is the small team of five people that volunteered to work on filling gaps of the working group. Then Step - so that's Step 2. And you can look at those yourself, if you scroll down further, Marika, and you can see we'll go to Step 3. We've already approved a weekly work plan schedule. Now the doesn't mean we can't change it. If anybody doesn't know that send a message to us, we'll tell you what that is.

And it's basically we're meeting at Tuesdays at a fixed time except for the last meeting of the month and we adjust that to accommodate a small number of the working group members who are in a region where they have a lot of bad meeting times. But it is a small number of people there that's why we're doing it one meeting a month. And again, that can all be changed.

Step 4, this is an ongoing responsibility for all of us. I hit on this already so I won't talk about it. There are a lot of documents to review and we'll help guide you through the ones that are most pertinent. I already said the charter, the framework is a good one, the issue report are really good ones to review. And of course the big one to review is the EWG report because we're starting there.

So I'm going to skip then to Step 5, review the rules of engagement from the charter. And we had targeted that for March 1. We did that, didn't we? So we did that. So we haven't updated the table but that's something we did and I think on March 1. I didn't happen to be in that meeting but I did listen to the recording. So and then Step 6 is to actually develop a work plan. That's what we started after the meeting last week and what we're working on right now.

There was pretty good agreement on the approach, okay, not unanimous but pretty good agreement on the approach. And so we - now we're at tweaking

the work plan so that we can all agree on it. Okay, doesn't mean we're all going to get what we want in the work plan but we're going to do that.

Step 7 we're going to reach out - and this can kind of be done in parallel with working on the work plan, we're going to reach out to the SOs and ACs with a request for some initial feedback. We'll do that periodically through the working group meetings. And I won't go through the sub steps there.

Step 8, and this is a big one, develop initial possible requirements list starting from the questions posed by the charter. Okay. Now, this is before we start deliberation on the possible requirements. And notice I said possible requirements, you've heard me emphasize that before. Until we agree on them, as a working group, they won't - they'll move beyond the possible thing then and be - and be a recommendation.

The - and so Step 8 is really important so the leadership team already has a first draft of a list of possible requirements from the EWG report. But we're not stopping there. Understand that please, okay. So notice the subsequent steps. Here I'm going to go into more detail because it's important.

8b, you know, that draft will be sent to all of you. Everybody in the working group. And we're going to want you to comment on that, okay? You may say, I don't think that should be a requirement or you may say some - you may say we're missing one. In fact, if you go on to 8d we want to create a second draft of possible requirements based on the feedback from everyone.

And then we go to 8d, so you're going to be asked to provide additional requirements that weren't identified from that. And then we're going to go to - again, we'll incorporate those to create a third draft, we're going to review that and so on. And we'll do the outreach Number 2 to the SOs and ACs to have some feedback in terms of the possible requirements.

And then we're getting way into the future in 11 well it's not too far into the future but we need to decide how we're going to deliberate, how are we going to decide, how do we agree that something should be a requirement. And the charter provides some good information there.

I won't go through all of 11 because we're so short on time. If you can scroll down to 12. Thanks, Marika. So the big part of our work is in Step 12. Once we have this list of requirements we're going to go deliberately through those and decide okay, do we want to recommend this as a requirement? Now we can come back and do that, you know, revisit it, we're not going to be rigid on that. And the way the charter, I mean, excuse me, the work plan is organized right now is Steps 1-5 are in that order. Okay?

We don't have to leave it that way, okay, we're going to talk about that. We won't get to it today. And then 13 - we're going to have to decide, okay, depending on what we - there are some general requirements we're going to look at in 12g. And then - and 12h is a critical step. Do we think that a new - after we've gone through Questions 1-5 in whatever order we decide, do we think a new RDS is needed or could the existing one be modified to cover it? Again, some of you already have answers on that, that's okay. But not everybody agrees.

Thirteen, so we'll adjust our work plan at that point depending on what our answer is to expand it to include Question 6-11. And then, if you can scroll down, and there will be another SO AC outreach and then scrolling down then ultimately after we've done - expanded the work plan and dealt with Question 6-11 we'll do an initial report that will go out to the community for public comment. We'll take the public comment and prepare a final report. And that's where the GNSO Council gets involved with our final report.

Now I did that very quickly. We're going to go back starting in our next meeting, which I think is the 22nd, right? And we're going to start going

through these from the beginning, especially the detailed part of Step Number 9 I think it was so it's like that.

Now, I did that quickly intentionally because I wanted everybody to see the whole picture, okay, without getting down in the nitty-gritty. Now we only have, what, a little over 10 minutes in our time. But let me open it up for high level questions keeping in mind that we're going to go through this - the details in our next meeting.

Michele Neylon: So I think you had K and then Holly. I don't know who K is. Okay so the two of you are doing some kind of shuffling around of queue order so that means that you are ceding to Holly.

Holly Raiche: I'll be W next time.

Michele Neylon: Confuse us even more why don't you.

Holly Raiche: I know. Probably just - it's just a question but at 4a we've got review charter, including the process framework. Now I think pretty much up front we've identified that we'd like to reorder questions 1-5. But then they're not really - I don't know how that relates to 12e which is deliberate on Question 4. Just a little puzzled by that.

Michele Neylon: Sorry, Holly. I missed that.

Holly Raiche: Sorry.

Michele Neylon: I was distracted by something.

Holly Raiche: I know. To repeat in Question 4a what's listed as review charter, including process framework, now I'm assuming that at that point we're going to look at the questions - the main questions we have particularly the first five, possibly reword or reorder them at that stage. It's just I would be concerned if we got

all the way to 12 before we decided what order we're going to do the questions in. And I'm just - I'm going on the numbers, that's all.

Michele Neylon: Okay.

Holly Raiche: This is the order. So I'm - it's just a question of at what stage do we look at the - at least the initial five questions and work through them before we come up with further discussion.

Michele Neylon: Yeah.

Chuck Gomes: This is Chuck. Okay so we reviewed the framework today, right?

Holly Raiche: We did. And what you said at the time was, look they're open for reframing and reordering. So but we haven't done that so are we going to do that fairly up front?

Chuck Gomes: Well if I'm understanding you - this is Chuck again. If I'm understanding correctly we're not going to modify the framework, that's a done deal.

Holly Raiche: No, absolutely.

((Crosstalk))

Chuck Gomes: But how we apply it to our work plan as we go through the step by step in the work plan we may suggest a change from what the framework says. Okay, that make sense? Okay thanks. Kathy.

((Crosstalk))

Michele Neylon: K.

Kathy Kleiman: Okay. And my name is now in there, thank you to whoever typed that. Kathy Kleiman. Okay there is a proposal on the table that would change this. The proposal is that before we look at all the secondary purposes to which people would like to put the registration data, that we actually - before we get - that we actually move part of 12 into 4 and look at what - look at what data, what data elements are collecting? We don't say that until 12. We look at the data elements now.

And we look at - and then the second proposal on the table is that we look at the privacy and data protection laws that may help us understand how we can construe that data for both primary purposes and for secondary purposes. I mean, because jumping into the initial requirements listed, the EWG, is jumping into the secondary purposes of this registration data.

And so by the time, I mean, it just seems the order - so we start with the initial requirements, we go on, we circulate it before we even get to what the data elements are and what structures - legal structures may impose limits on our analysis and use.

Chuck Gomes: Okay I'm going to respond to you the same way I did over here. We need to have that discussion and we will have that discussion when we start going through the work plan in detail. Okay? All I was trying to accomplish today is give you what it looks like now and then we're going to very carefully look at the steps and that's where I want you to bring that up again. And we will deal with that.

Kathy Kleiman: Thank you.

Michele Neylon: Greg, did you want to ask a question? Greg. You had your hand up.

Greg Shatan: Greg Shatan for the record. When Chuck said we'll get to that when we, you know, next steps of looking at the order at a later time I more or less reserving my question but I did want to say I don't think we have a single

proposal on the table to reorder. We have a number of different potential proposals about t reordering or not so I think it's all an open question so it's not like we're sitting here with an A, B that we're going to get to very soon. We have a potential number of possibilities including no reordering all of which are - and none of which are on the table currently. Thank you.

Chuck Gomes: Thanks. Chuck again. And, Kathy, we will debate your suggestion openly, okay, and try to come to some sort of agreement in the working group. Now maybe a hard one, I don't know, but we will do that. Now is there anybody that's an observer - okay I know - so is there anybody that's an observer that wants to comment or ask a question? If so please come to the mic and go ahead, you take it from there.

Michele Neylon: I got Wendy Seltzer on remote. Go ahead, Wendy.

Wendy Seltzer: Okay so (unintelligible)...

Michele Neylon: Sorry, I can't.

Wendy Seltzer: No it's very remote, just far back. And...

Michele Neylon: Well you were hiding from me.

Wendy Seltzer: And joined you late, for which I apologize. Yet another conflicting meeting. But just noting the - as we do the interdependence of the Questions 1-5, it's very likely that we're going to end up spewing out a list of all of the possible data users and data users and all of the possible ways in which information might be displayed and all of the possible steps that might be taken to improve privacy and then go back and find the interactions among them such as some might be less necessary if other fields are removed entirely and other accuracy protections may be - accuracy provisions may be needed only if particular fields are included.

So just noting that different language is used in each of the specific questions I think I'm suggesting that we not read anything into the - some of them saying what steps should be taken, what steps must be taken, what steps are needed. But rather sort of start with a breadth first and then narrowing search on the whole collection.

Chuck Gomes: Thanks, Wendy. Chuck again. And remember, we have the ability to add new questions. So that's all doable and we will do that as we deliberately go through it. Now again, next week we're going to start talking details of this. And forgive me if I, you know, holding off. Because of the huge task we have and the large working group, if we don't do this fairly systematically we're going to have problems, okay? So when I push back a little bit and say, could you hold that a little bit, please be patient. We're going to give everybody a chance to make suggestions to this work plan, first of all, so that we can come up with a work plan that most of us support, okay? I saw a hand back here.

Michele Neylon: The gentleman down there on the left, and I can't see your name and I'm hopeless. Please introduce yourself and speak - go ahead and speak. No, no, you can - use the microphone on the table in front of you.

Man: (Unintelligible) with some of the research on data exchange between police authorities and the big problem was the (unintelligible) limitation principle because in all conventions use of data by enforcement agency is very (unintelligible) openly defined and in particular when it comes to (unintelligible) of law enforcement agency worldwide how to consider that they do limitation principle is respected. I think that's an important consideration. And anyhow thanks for introducing me to the work plan as an outsider, as an observer, it's highly complicated, how to describe the issues (unintelligible) from the outside world.

Michele Neylon: Okay thank you. I'm conscious that we're almost out of time. We've got like two minute left. Do we have any other questions from anybody in the room

regardless of their status? Lisa, you had a hand up. All right there's a gentleman there in the back. Please go ahead. Bring yourself up to a microphone and speak.

Lanre Ajayi: Okay I'm Lanre Ajayi, member of the EWG. I just want to know at what span can we (unintelligible)? Do we do it now or at some points later? Can we - what (unintelligible) the questions do we have?

Michele Neylon: Can you move closer to the mic because I really can't hear you.

Lanre Ajayi: I said at what time can we add more questions to the questions we already have? I can't understand that from the plan we have here. When do we have liberty to do that, to ask more questions?

Michele Neylon: Okay, please go ahead, Lisa.

Lisa Fifer: Lanre, worked together a long time so I understand you perhaps better. You want to know when the working group could add additional questions to the list of 11.

Lanre Ajayi: Correct.

Lisa Fifer: So in Chuck's draft work plan that would occur I believe during Stage 12 where we deliberate on possible requirements and we decide oh, we have a requirement that doesn't fit into one of the 11 questions, this group could suggest an additional one be added and then worked through.

Lanre Ajayi: Okay thank you.

Lisa Fifer: Good to see you, Lanre.

Michele Neylon: Chuck, would you like to have the last word as our glorious leader?

Chuck Gomes: Thanks. We'll see how glorious it is when we get a few months down the road or when we finish Phase 1. But thank you very much for the participation today. Next meeting we're going to really delve into the details of the work plan and nothing is off the table. But we need to, as a working group, come together in terms of what it's going to be. That may be a little bit challenging but we as a leadership team will try to facilitate that.

And please familiarize yourself further with the details of the work plan before our next meeting. And if you haven't read the charter and some of these other documents, including the EWG report please do that between now - now we're not going to have a meeting next week because we typically - I mean, I know everybody has just been relaxing and having fun, this week. For those that don't know me that was a facetious comment because I have had - I lost count, I think this is my fifth very long day.

So we know that we all need a recovery period and travel time and so forth. So our next meeting is on the 22nd at our regular time. Stephanie.

Stephanie Perrin: Thanks. Stephanie Perrin for the record. Just as you read the EWG report for the previous discussion on webinars that would be useful just you might want to note the pieces in there because it does get quite technical and if you're not following that's where we need the webinars. Now would be a good time to figure that out. Thanks.

Chuck Gomes: Thanks, Stephanie. Any other final comments before I adjourn? Thanks very much. Have a good rest of the week and safe travel.

END