

ICANN Transcription Privacy and Proxy Services Accreditation Issues PDP WG Tuesday 18 August 2015 at 1400 UTC

Note: The following is the output of transcribing from an audio recording of Privacy and Proxy Services Accreditation Issues PDP WG call on the Tuesday 11 August 2015 at 14:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

Attendees:

Graeme Bunton - RrSG
Val Sherman - IPC
Kathy Kleiman - NCSG
Stephanie Perrin - NCSG
Terri Stumme - BC
Todd Williams - IPC
Griffin Barnett- IPC
Sara Bockey - RrSG
Roger Carney - RrSG
Frank Michlick - Individual
Steve Metalitz – IPC
Volker Greimann - RrSG
Sarah Wyld – RrSG
Osvaldo Novoa – ISPCP
Darcy Southwell – RrSG
Rudi Vansnick – NPOC
James Bladel - RrSG
David Hughes - IPC
Carlton Samuels – ALAC
Phil Corwin – BC
Kiran Malancharuvil - IPC
Paul McGrady - IPC

Apologies :

Lindsay Hamilton-Reid - RrSG

Don Blumenthal - RySG
James Gannon - NCUC
Holly Raiche - ALAC
Michele Neylon - RrSG
Marika Konings -Staff

ICANN staff:
Mary Wong
Amy Bivins

Nathalie Peregrine

Coordinator: The recording has started. You may begin.

Nathalie Peregrine: Thank you very much (Anna). Good morning, good afternoon, good evening everybody and welcome to the PPSAI Working Group Call on the 18th of August 2015. On the call today we have (Steven Parish), Graeme Bunton, (David Wiles), (Charles Thurmond), (David Dockney), (Damon Slatle), (Dorothy Sugwell), (Karen Mount Caroville), (Chuck Williams), (unintelligible), (Alex Weaken), and (Stephanie Pinner). We have a few apologies from Holly Rice, (Doug Gruensol), and Michele Neylon, James Gannon, and (unintelligible). From staff, we have Mary Wong, (unintelligible) and myself Nathalie Peregrine.

I would like to remind you all to please state your names clearly for transcription purposes. Thank you ever so much and over to you (Steve).

(Steven Parish): Thank you very much and welcome everyone. Thank you for joining the call. We have an agenda that was sent out yesterday and is in the right hand (screen) of the Adobe room, and we will start with the - we have had the roll call. We will start with any updates to statements of interest. Are there any updates that people want to report? If not, let's move on to the public comment review tool, part one. This was distributed on July 20.

We've asked for people to bring forward issues that they see in these summaries that require - that may be worth discussing in the working group. We've got five such issues that are listed on the right hand side, so let me just - we did have a last call go out on this due Friday so let me just ask if there are any other issues that aren't listed on the right hand side on one

through five that people have identified and think that the working group should consider in its final report.

Okay hearing none, why don't we - will close that out. We will have to decide how to handle those issues and you know (unintelligible) will be discussed in the working group unless they fit better in one of the sub teams, but the co-chairs and staff will take a look at that and try to figure out the next steps on those.

Now the next part of the public review tool that came out on August 7 I think dealt with questions 10 through 15 I believe of the initial report, and so what is on the table now is to see if there are any issues that arise from those summaries that people think we ought to put on the table for discussion within the working group. And other than those that are already addressed in the sub teams that we have going.

So I will open the floor for any - Mary if you could put that second part two document up which has been out for about ten days now. This is not the final call on this, but if people do have any items that they see they are - they would suggest the full working group look at please raise your hand if you are in the chat room. Or if you are not, please just speak up.

Okay, so I am not hearing any. I see (Kathy) has her hand up, so let me ask (Kathy). (Kathy) go ahead.

(Kathy): Hi (Steve). Thanks and hello everybody. I am still reviewing this actually and my (unintelligible) going on in the sub teams, but certainly Question 13 needs to be flagged I think for initial review. That you know whether we are going to be limiting responses to a certain type of malicious conduct or (underlying) flexibility for new types of conduct, and among - we have several comments talking about extra territorial requests.

And so I think we have to flag this because that is an issue we have dealt with before but hadn't really considered which is where is the question coming from. Where is it deemed malicious conduct? Is it Saudi Arabia, or China, or the United States, or the jurisdiction of the proxy privacy provider, so that certainly needs to go into whatever category we are putting all of these things we have yet to work on?

(Steven Parish): Okay, so territoriality and the malicious conduct with...

(Kathy): Right whether it is a fixed - you know the whole range of questions being raised in 13 as well as the extra which I don't think are answered here as well as the additional issues raised in the comments that relate to them. Thanks.

(Steven Parish): Okay we've got - so we've captured that as an issue to be considered. Are there any other? I see (James) has his hand up also. (James) go ahead.

James Gannon: All right, thanks (Steve). (James) speaking and hopefully my audio is now working and I apologize for joining late. So I agree with (Kathy). I think we need to slush out some things with Item Number 13. I just wanted to point out Item Number 11 and I guess I should have raised this earlier, but I am not clear on the distinction between designated and dedicated.

Certainly for a large registrar that has multiple teams dealing with specific issues where one type of report would go to one team and one type goes to another team, I certainly wouldn't want to lose the ability to intelligently route those types of communications around a large organization. So I just want to make sure that that is captured in our discussion for Item Number 11 and that we don't get backed into a corner by these comments that would prevent us from operationalizing that requirement. Thank you.

(Steven Parish): Okay thank you. Yeah I don't think that that is - I mean a couple of people mentioned that. I think you are referring for example to comment eight, designated point of contact that is sufficient and provided that this role is not

limited to a single person, but rather as one others can operationally fulfill. So is that kind of what you are driving at? That it could be different people at different times?

James Gannon: Yeah I would say yeah Number 8. Comment Number 8 probably most closely aligns with capturing my concerns that we don't want to just say this person and only this persona and this team and only this team can help you.

(Steven Parish): Okay I think that is probably pretty close to what we meant to say in that whole discussion about designated versus dedicated but I think that is a good point. (Kathy) is that a new hand?

(Kathy): This is a new hand (Steve).

(Steven Parish): Go ahead.

(Kathy): Okay, 15, paging down to 15, should there be a standardized form. We appear to have almost a complete split on a standardized form for reporting and submitting requests for review and we seem to have a split on this. So it is going - I think that is something we have to flag as well as to look through the comments and what do we do if we have you know a bunch of people saying yes and a bunch of people very clearly saying no.

(Steven Parish): Yeah thank you for flagging that. I think we do have to look at you know - again our recommendation was that there should be so I think we need to look at the statements that are made as to why there shouldn't be. And there are a few specific ones in there so again I (unintelligible) to actually one, but which would be Number 20, but most of the others - no expressions don't really go necessarily to this question. But that's put that on the list to whether there should be - and again inherent in the question but let's put that on the list for discussion.

Obviously one way you could deal with that or one response to that is yes there should be a standardized list, but it shouldn't be mandatory. But I will...

(Kathy): Interesting. Makes sense.

(Steven Parish): Are there any other issues that people have flagged. Okay if not, lets - we are not closing this one off. I think we should probably put out a last call but let me ask the staff. I think there is a part three here yet to come. Is that correct and when do we expect to see that?

Mary Wong: (Steve) this is Mary. That is absolutely correct and that is probably going to be good to go you know this week if folks don't feel overwhelmed by documents. But we are moving quite nicely along with the discussion in part one and part two. I can certainly send that out this week.

(Steven Parish): Okay, that would be great and lets ask people to look at part two. I think the staff can capture the three points that have been raised here and then excuse me. Then we can ask people to identify any other points that they feel that the group needs to address and hopefully get that wrapped up by next week and be onto part three of the (tool). Meanwhile continuing with the reports from the sub team, so are there any comments or actions to that?

Okay, in that case, let's move ahead on our agenda. We have a status report from sub team 4 on additional topics so I see (Kathy) is here. I don't know if (Paul) is. I don't see him in the chat room and I don't know if he is on the bridge, but maybe I could ask (Kathy) to at least kick this off and report to the group of where things stand on sub team 4.

(Kathy): Sure, Mary are you going to be loading any documents to share? I don't have any formal documents or summaries the way the other sub teams have.

Mary Wong: Right, so (Kathy) I haven't prepared anything but let me know if you would like something and if it is possible I can show it.

(Kathy):

No, I think I can probably describe this. We are - you know sub team 4 is the no comment left behind sub team. We are trying to gather what it is on - what it is that hasn't already been covered by other sub teams. What issues with alternatives, what approaches have been suggested to us in the comments that go above and beyond the specific questions asked. So this has kind of two categories. One is in general we presented a report and do people accept it. You know are they coming back with questions accepting the kind of consensus that we put forward and the answer is yes a lot of people are coming back to question that.

And then more specifically are there other alternatives and approaches, so there are comments that try to give us metrics. You know how are we going to evaluate the success or not success of what we put forward. How are we going to monitor and check that things that once you know accreditation goes into place, it is being implemented as intended and does it have side effects that are unintended. How do you monitor for that and how do you correct that? There are some suggestions about that as well as a whole range in the middle.

So we met last week as a sub team and figured out ways to divvy up both what I will call the substantive comments and those who responded with a lot of text as well as the 21,000 comments that followed to the (unintelligible) domain privacy as well as the respect our privacy comment responses.

So we created a matrix where we divided everything up. We created the concept of the matrix, which we don't have to show here to kind of try to capture the commenters and then the types of comments and issues and concerns that were raised and we will be bringing that back to the working group as soon as we can. So sorry for the very vague overview.

And anyone else who was on sub team 4's call is more than welcome to jump in, but really we are kind of running a bit behind because we are - the bucket for everything else hasn't been dealt with so we kind of watched what was

going on on the other sub teams and monitored that and then came in to figure out what might be missing. Thanks.

(Steven Parish): Okay thank you (Kathy). Let me see if there is anybody else from the sub team that wishes to add anything.

(Kathy): (Steve) can I add one more comment.

(Steven Parish): Yes, please go ahead.

(Kathy): Great, it is an invitation to everybody on the working group to flag. You know we are all reading through this enormous pile of comments. If you have seen something that really struck you as an interesting idea and an unusual concern and not something that falls into our existing bucket, please feel free to send it to me and you know to Mary or to me and (Paul) directly or to anybody on sub team 4 and flag it. And say you know I stumbled across this and this is something that really you know is important here that needs to be thought about and put into the matrix. We would really appreciate that. Thank you.

(Steven Parish): Okay thank you. Is there anything else that you - that the sub team needs to advance on this?

(Kathy): A lot of extra time. No, we are - that's a good question. Maybe (Stephanie) has the answer to that.

(Steven Parish): Okay, well (Stephanie) has her hand up in any case, so go ahead (Stephanie).

(Stephanie Pinner): Yeah, hi thanks, (Stephanie Pinner) for the record. I was going to beg for more time. As Mary says, we are moving along nicely but I suspect that one of the reasons we are moving along nicely is a lot of people and I have put myself first here have been busy doing other things or partially on holiday and

they may not necessarily have focused on everything. I personally am having a hard time (cruising) through for the no comments left behind because that is a lot of work.

So I am not on top of things and I just want to marker in to say I think show up in September. Please don't throw us out for having missed the deadlines because I think these timeframes are heroic and this is a lot of work. Thanks.

(Steven Parish): Okay thank you (Stephanie). I think we've got a heroic group and I am confident that you know the way we have this structured is each sub team is giving an initial report and then we will go through the list of sub teams again. So I think it is three or four weeks from now when we are - we will be asking sub team four to really give us their conclusion. So that certainly gives everything some time on that.

Let me just note in the chat (Kathy) writes the question on the review tool part two of whether there was a Question 14 and I think actually the way this was structured 13 and 14 were kind of - may have been kind of lumped together or wait a minute. I saw some reference to the - to this transfer emergency action contact in the question, so I think this is covered but maybe the staff can help us out here as to whether there is something or anything missing from this list. Mary go ahead.

Mary Wong: (Steve) this is Mary and I have been meaning to go back to the document to refresh my memory, but in terms of that particular emergency contact question for purposes of the online template, we ask the two questions as a single question, two aspects of a single question because they seem to go together.

(Steven Parish): Right and I am sorry, that is Question 11. So if you look on Page 8 of the tool, you see there is a question about designated versus dedicated and then also about transferring emergency action contact, so basically those two have been lumped together which makes a lot of sense.

Mary Wong: That's right.

(Steven Parish): So I don't think there is anything missing from part two. Thank you.

Mary Wong: And (Steve) this is Mary again. Just to clarify then what happened was that you will notice on the tool that I think there isn't a Number 14. That I basically adjusted the numbering for the rest to correspond to the preliminary recommendation number from our report.

(Steven Parish): Right that was the question (Kathy) was raising in the chat, but I think we have resolved that now. (Stephanie) is that a new hand? No, I am not hearing anything so I am assuming.

(Stephanie Pinner): Sorry (Steve), that is an old hand.

(Steven Parish): Okay, thanks. Well we seem to have gone through our agenda here and I don't want to keep people longer than necessary. I do think we do have some issues. There has been some discussion on the list about Question 2 that was raised and extracted from Part 1 of the review tool. So if you look on the right hand column, you see this question about proposed definition of law enforcement authority and is it too vague because it includes quasi-governmental and other entities.

The question that I raise there is - it says we drew this. We didn't make up this definition ourselves. We took this from the RAA I think verbatim. So the question that I raised was has it presented a problem in the RAA context. That would obviously be a reason perhaps. If that has been the case, that would be a reason to consider changing it or modifying it, so that's why I raised that question. I think there were a couple of comments on the list that indicated that there might have been some problems and then there has been a lot of discussion about what was the intent of the people who drafted

the RAA and does the language that they arrived at actually carry forward their intent.

I am not sure that is a particularly relevant question here to go back and go through that, but the question remains have there been - is there evidence that the existing definition which again we just incorporated verbatim has created problems for the registrars or for the staff and compliance staff in the RAA context.

So I see we have some hands here from registrars and I will call on those and I will also get to Mary. Because one of the things we might want to get in order to evaluate this is some input from the compliance staff. So I have Volker, Graeme, and James. Volker go ahead.

Volker Greimann: Thank you (Steve). One issue I am aware of where this has caused a bit of an issue was where the agency had written a letter to a private organization identifying them as an organization that would be able to send and request as per the RAA language and that has caused the registrars a bit of a problem because on the one hand the - he wasn't aware that that organization would actually be counted because of course we as registrars have different meanings for this class and secondly this also creates an issue of accountability and liability.

Because with the government agency when the government agency makes the request based on legal requirements then you have a recourse against the government agency if somebody claims damages against you if you take action based on that request. You don't have that with a private organization that has it just designated by a letter or something. There is no legal fallback for a registrant in that position if you take something (unintelligible) taken it down based on such an organization's request where it wasn't warranted.

So while there hasn't been the case yet where to take down the liability has taken place, it is easy to envision such a case and we should make sure not to repeat that mistake and be more concise in our definition.

(Steven Parish): Okay, thank you Volker. Graeme go ahead.

(Graeme Bunton): Probably talking about the exact same scenario as Volker where it was a for profit corporation that received a letter from a governmental authority.

So we ran into an interesting scenario where we went okay can you then provide us with a court order or (restrictive) order. And that was still not possible.

So we ran into this curious scenario where we have liability potentially but then no acceptable way of ameliorating that.

And it was a problematic situation to be put in because of that definition of quasigovernmental. Thanks.

(Steven Parish): This is (Steve). I'm not sure I understand what if you're saying something different than Volker because if you look at 318-2 that doesn't require a court order in the RAA but - so are you just saying that if you acted on the request you might be and responded within 24 hours as the...

(Graeme Bunton): So response with no...

(Steven Parish): ...(unintelligible) required. Go ahead.

(Graeme Bunton): So response is certainly no problem with the request to remove and take down the Web site that provided us with some angst. So I'm more or less saying the same thing as Volker.

(Steven Parish): But if I understand what you're saying wouldn't you have had that same angst if it had come from a law enforcement authority without a court order rather than...

(Graeme Bunton): Yes.

(Steven Parish): ...from the - so it's not the fact that it was a private group that was kind of deputized by the law enforcement you had a different problem it sounds like.

(Graeme Bunton): I mean it's a similar and related issue I think. But you're right they share that commonality that there is no example of due process.

(Steven Parish): Okay. (James) go ahead.

James Gannon: Thanks (Steve). And (James) speaking, and not to discount the concerns of my colleagues but I'm just from a practical standpoint I see some potential issues with having different standards for addition of law enforcement within the RAA on the one hand and then the - and then whatever accreditation framework results from this working group.

Better I think synchronizing them makes a lot of sense just from a practical standpoint and I mean synchronized down to, you know, every bit of language.

You know, we exercise, you know, some degree of discretion here if somewhat believes their law enforcement and we challenge them on that and, you know, ask them to demonstrate that they are both, you know, qualified as a law enforcement agency and also that they're somewhere flexibility to the jurisdiction that they claim to represent when submitting those types of issues to us.

But, you know, it's not like it's closes off access to a fast track or not. I think we try to do everything as quickly as possible. But I would welcome that conversation with compliance if they feel that we're not, you know, if we're drawing that line in the wrong place.

So just I don't mean to shut down the innervations from (Graham) and Volker. But I think that the edge cases are something we need to take care of but generally speaking we don't want to have differentiating standards out there for law enforcement. Thanks.

(Steven Parish): Thank you (James). Let me turn to Mary who had her hand up and for her comments from staff perspective on this.

Mary Wong: Thanks (Steve). So is everyone knows or might recall we did have members of our registrar team and compliance department take a quick look through the initial report at the time that it was published.

So I should note that this specific concern was not flagged but that doesn't mean it hasn't necessarily come up. So I will double check there but I thought you guys might want to know that.

Then more specifically in terms of the definition I think again as (Steve) and everyone notes this did come from the RAA.

So it may make a difference in terms of when the working group is looking at this whether you want to refine it or further review it that it may make a difference if in the - as in the RAA there's a difference between the treatment that you get for example a dedicated response time that sort of thing so it may be less relevant if we're not making those distinctions but that doesn't mean we couldn't look at it. Thanks (Steve).

(Steven Parish): Yes thank you Mary. That's a good point because at this point we don't have a specific procedure for law enforcement in our recommendations.

Okay so if I could ask you just to communicate with your colleagues and see if they have any information about problems that have arisen with the definition in the RAA that could be useful input to our process. Stephanie your next.

Stephanie Perrin: Thanks very much. Stephanie Perrin for the record. For those of us who aren't working every day in this could we illustrate as a few examples?

I am - I'm all about due process but I agree that you can't really better the discussions of the regulators particularly in different countries.

So I'm trying to think of a quasigovernmental authority that claims to be acting with their due powers delegated or otherwise and I'm following (Karen)'s remarks in the chat.

And the one that leaps to mind as an example is a Humane Society. In this country they have certain powers to seize animals and go in and shut down puppy mills for instance but they're not, you know, they're not you wouldn't call them law enforcement really.

You know they're a private society. Some have more powers and the others. And I have no idea how humane societies operate in I don't know Dubai for instance.

So what does a registrar do when such an organization comes in and says yank this Web site down. They're operating a puppy mill and we're going to bust them.

I mean if I - I would expect the registrars to say show me your authority show me your evidence. And I don't think their well caught by our current definition.

So how do we come up with guidance for best practice that will cover a Humane Society in Canada, the United States, Ireland and Dubai or is this a dumb question? I mean it could still be a dumb question that still needs an answer. Thanks.

(Steven Parish): Thank you Stephanie. This is (Steve). It may be just useful to read the definition we're talking about and that this is taken from 318-2.

Law enforcement authority means law enforcement, consumer protection, quasigovernmental or other similar authorities designated from time to time by the national or territorial government of the jurisdiction in which the privacy or proxy service provider is established or maintains a physical office.

So if the service providers own jurisdiction that's involved here and there has to be a designation by the government by the rest of the Humane Society, you know, or some other organization. If they're designated by the government and they would fall it would seem to fall within this.

So I'm not sure in Volker's example whether the letter that says, you know, you can use this authority you a private organization can use this authority signed by a law enforcement authority that sounds to me like designation by the national or territorial government but, you know, and again it has to be in the jurisdiction that - where you're located so just to be clear on what the definition is that we're discussing here. (James) go ahead.

Stephanie Perrin: Can I just jump in and say I understand that (Steve). But that definition is I would say pretty darn vague.

(Steven Parish): Okay. Thank you. (James) go ahead.

James Gannon: Thanks (Steve). (James) speaking. And Stephanie vague, you know, welcome to the RAA, Right? So anyway jokes aside, you know, since my primary desire or at least goal for this is to synchronize these definitions if we separate documents would it make sense either in our final recommendation or in the implementation of this accreditation program that we explicitly link the definition to that of the RAA and say something that for example that the definition were to be modified, updated or changed in the RAA that it would also change here and/or that any advisories that were put out by ICANN staff

or compliance, you know, that were particularly pertinent to that definition than the RAA would also apply here and vice versa. I don't know if we could do that. I think we should try because it's the linkage that I'm after. Thanks.

(Steven Parish): Thank you. I guess that's a very interesting suggestion certainly something we could do or could recommend basically adding a sentence to the definition that says, you know, if the RAA definition changes or is authoritatively interpreted differently than that would apply here also. So I'd be interested in people's responses to that suggestion. I see Mary has her hand up.

Mary Wong: Thanks (Steve) and of course we can certainly do that. I mean right now all we have is a reference that says this is from 318-2 of the RAA.

I just wanted to raise a broader point than that and I don't mean to detract from this discussion so I'll just raise it for folks to consider.

I think (Steve) you, (Graham) and I have talked about it a little bit and that is that there are references in the rest of our report to other documents and provisions for example, you know, the Whois accuracy specification, the RAA the IRTP.

So one thing to consider is whether in our final report we want to adopt the same approach that (James) is suggested for some or all of these that to the extent those are amended are updated that that's the meaning that we mean.

Obviously we can't tell if or how those would be changed. But in other words saying that we're not recommending only a static interpretation as of this moment or if we are maybe then that's what we should be saying. Thanks (Steve).

(Steven Parish): Okay. So thank you Mary. So one thing to consider is whether you want that - whether we should have that as a blanket rule whenever we incorporate something by reference or whether on a case by case basis so again I'm not

suggesting I'm not sure anyone was suggesting a blanket rule but it's worth considering that if there are standards that we're importing from someplace else that would be that might be dynamic.

So I think that's - those are useful suggestions. And I would ask people to think about those if those are ways of dealing with the concerns.

I have to say there's not a lot of detail in most of these comments about why they think the definition is somewhat lacking but I think we've had some good discussion about this here.

And let's continue that on the list. And if specifically what people think about the idea of including a reference here that the definitions taken from the RAA and if that definition is modified or authoritatively interpreted in a different fashion then it should have that NomCom affect in accreditation standards.

Are there any other comments on this topic? I see (Paul) has joined us. And (Paul) we did have a brief report from (Kathy) on Sub-team 4. I see if there's anything that you'd like to contribute on that?

And we also asked the question whether there's anything the Sub-team needs that would help facilitate its work and if you have any comments on that that will be welcomed here?

(Paul): So I didn't hear what (Kathy) said. So I doubt that I have anything to add to it. But we are very much at the launch stage where we have determined what we're going to look at, how are going to keep track of that, and make sure that the workload is divided up in a way it can actually be done. (Steve) what was your second question?

(Steven Parish): It wasn't - if there's anything you need from the working group or the staff that could help facilitate your work?

(Paul): No. My primary concern - yes, no I will say that a primary concern that I have at least is that because the other teams are in flux we really don't know which comments are being left behind or not right?

And so as we look at things we are - because we're not doing this at the very end of the process when all the other teams have reported what they've looked at, you know, we may be engaging in a significant amount of double work.

And so to the extent that, you know, we can get information from the other teams about specific comments that have been looked at I think that might help us narrow the field of what we're looking at.

And again I don't know how we would even do that, you know, mechanically. And I hate to ask staff to produce that and also the Easter Bunny and everything else.

But to the extent that there is a way for the other teams to essentially let us know about the comments that are getting, you know, deep attention from them that would be terrific.

(Steven Parish): Okay. Well it strikes me that shouldn't be that difficult because I know some of the other sub-teams are kind of looking at a finite set of comments.

I think that Sub-team 1 has a document that staff prepared with all the different comments on the questions that they're looking at.

Sub-team 2 I think has something similar, you know, they haven't reached conclusions yet but they have a finite list of what they're looking at.

And Annex E the Sub-team 3 the comments that are - that came in on Annex E so hopefully that's a knowable, you know, so if you're looking at something that's a comment on, you know, whether commercial - someone caring out

commercial transactions should be able to use the privacy or proxy service that's Sub-team 2. And it's not an issue that's been left behind. It hasn't been resolved yet but it hasn't been left behind.

Similarly if people don't like what's in Annex E and think that changes are needed there or that the - a court order should be required that's being addressed in Annex E it strikes me. It's not an issue that's being left behind.

Again no conclusion has been reached on it yet but it doesn't seem like your team needs to spend time on that. That would be my sense of this.

I, you know, I don't know Mary if your - the staff has anything to add or if anybody from any of the other sub-teams has anything to add.

But my sense is that what that what those other sub-teams are looking at is fairly well-bounded. And then what we're now coming up with a list of questions from the public comment review tool. We now I think are up to eight questions or so.

Those - that's fairly well bounded. So hopefully that's of some value to you in figuring out what you guys need to look at and don't need to look at. Mary has her hand up on that.

Mary Wong: Thanks (Steve). And thanks (Paul). So I guess, you know, what I will say is that we would see some of that as also a staff role since we support all four of the sub-teams as well.

I think for up to now the one of the questions has been the petition from safe domain privacy and the comments that came in from the Respect Our Privacy Web site.

And so I think as the folks on the sub-team and the chairs know I did send an email so that everybody was more or less cognizant of what might have been going on with the summaries of those comments.

So hopefully that's helpful. And secondly what I will say too is having gone through the additional comments from the - those who signed the petition that there's a lot of very similar sentiments that are echoed in some of the individual comments that we had also summarized.

So in short, you know, we would as staff try our best to basically track as well as to highlight to each sub-team especially Sub-team 4 where things may already be covered by another team or where things were not covered by another team. Thanks.

(Steven Parish): Okay thank you Mary. I hope that response is helpful to the sub-team but if not, you know, you can follow up with Mary on that.

Okay let me just ask if there - I think again we have completed our agenda for today. And then just as a preview for next week we will have a report with conclusions I think from Sub-team 1, that's the goal. So that will be one of our - the things we focus on.

And then we will finish up our review of part two of the public comment tool and our issue spotting exercise. We've gotten a few issues today but if there are any others we'll have those before the call.

And then we will I think Mary correct me if I'm wrong we will have before next week's call we will also have part three of the public comment tool. So we will ask people to start issue spotting there as well.

And we have a fairly concrete suggestion on how to deal with question two that arose from part one of the public comment tool the question about law enforcement authority. So hopefully we'll have some - we will be able to

reach a conclusion on that as well. I see Stephanie's hand is up. Stephanie go ahead. Stephanie I think you're muted.

Stephanie Perrin: Okay. Stephanie Perrin for the transcript. Just to revisit the issue of our timeline. I see that on the Web site we're still sticking to that I'm going to keep calling it heroic timeline.

Despite the fact we discussed the some - possibly pushing it backwards. I'd just like to reiterate that I don't think we can realistically deal with everything and stick to this timeline. And I'd like to see it pushed into say December.

I don't quite understand why we're forcing ourselves to go through all of these very substantive comments by this date. I mean the GNSO Council is going to meet in December and January why not then?

(Steven Parish): Okay. Well this is (Steve). I'll respond to that. The timeline has been delayed already at your request and that of others. So we're hoping to meet this revised timeline that pushes the completion of the final report past the Dublin meeting.

I just think that those who can contribute constructively to this process on the timeline I think we if have enough of those within the working group we'll be able to meet this.

If we - it turns out that we can't we can make that decision farther down the line but I think it's premature to do that at this point.

I'll ask (Graeme) if he has anything to add to that but that's my reaction to your comment, (Graeme) anything or any other insights?

(Graeme Bunton): Yes my mute. No I think you got it well (Steve).

(Steven Parish): Okay. All right great. Well now everyone is going to have 12 more minutes that they may not have been anticipating in order to go through these additional comments, look at the tools part two and identifying the other issues there.

So with that if there are no other - I see Mary has her hand up. Mary go ahead.

Mary Wong: Yes this is Mary. Just real quick for Sub-team 3 we're scheduled to do our call after this but if you would like to start right away we can just transfer all the Sub-team 3 members across. So if you guys would like to just stay on the line and start right away we can do that. Thanks (Steve).

(Steven Parish): Okay thank you Sub-team 3 members please stay on and you guys can get a little bit of a head start on your work today.

Great. If there's no other business to come before the full working group we'll adjourn that meeting and again ask those who are on Sub-team 3 or want to sit in on that to or and are prepared to work on Sub-team 3 to continue on the call. Thanks everyone.

END