The Subgroup wants to **understand the structure of Compliance and how it deals with WHOIS**. The review team submitted 19 questions on January 29 and a modified list of 15 questions on January 31; below the list of all questions combined by topic to facilitate dialog and discussion in an effective way. Please note some questions are not in the same order that they were submitted.

A. Compliance Team Structure

1. *How many employees?*
2. *How many management?*
3. *Are there separate teams?*
4. *Do people who work on WHOIS inaccuracy work on other things?*
5. *Who manages compliance with all sections of RAA that pertain to WHOIS?*
6. *How are WHOIS issues brought to attention of others on team? (#7)*

Per FY18 Operating Plan and Budget found [here](#), Contractual Compliance department is approved for 27 headcounts. The team is based in Los Angeles, Istanbul and Singapore. The team is diverse and fluent in 9 languages. Please refer to the 2017 Contractual Compliance Annual Report found [here](#) to learn more about the resource and budget allocations.

The compliance function consists of three main areas - Registrar and Registry Compliance, Audit and Performance Measurement/Reporting.

The compliance training for new staff begins in WHOIS inaccuracy and development continues into other complaint types once this area is completed, including other areas related to WHOIS (e.g., service, format, registrant verification and domain suspension). Each complaint type has a primary and a secondary subject matter experts responsible for overseeing and managing all aspects of the complaint type. All WHOIS-related compliance matters fall under the responsibility of one director to ensure cohesive and consistent oversight. People who work in WHOIS inaccuracy work on other compliance areas once they complete their training.

The team uses different means of internal communication while processing compliance-related matters based on the urgency of the matter, including: phone calls, email, operational meetings, all-hands compliance team meetings and a broadcast message on the compliance ticketing system landing page for all team members to see.

7. *Are there [staff] liaisons assigned to, for example, the DNS Anti-abuse organizations?* (#6)
8. *Are there MOU/Data Sharing compact with any, for example, DNS Anti-abuse Organisations in place or contemplated?* (#11)

Contractual Compliance receives reports from different sources, including individuals and entities that claim to be acting on behalf of anti-abuse organizations, and does not distinguish its processing of the report based on the source. The process and approach for all complaint types are applied in similar fashion across all report sources to avoid preferential treatment. There are no compliance team members assigned to any external organization.

B. WHOIS related questions

9. *What tools do you use? (#8)*
10. *What are the sources of data they are capturing?*
11. *Do you contract with a vendor for compliance work? (#9)*

Compliance tools consist of the compliance ticketing system (to receive complaints), the compliance email address compliance@icann.org, an internal system used for monitoring WHOIS service availability, an internal system used for registrar and registry data (RADAR, Naming Service portal, Registrar Info status tool (to check domains under registration reported monthly), ICANN WHOIS and manual checks of port 43 WHOIS and contracted parties' web-based WHOIS service. In addition, the team uses DomainTools (to check WHOIS history and conduct other WHOIS-related searches and refers to the standard formatting templates for the format of WHOIS values (e.g., the ITU-T E.164 notation for the format of international telephone numbers and the UPU Postal addressing format templates or equivalent in the country, such as the China Post EMS Postal addressing format template for Chinese postal addresses).

Contractual Compliance uses the service of KPMG to assist with the compliance work related to the audit program. Information is available on the ICANN.org Audit Page here.

12. How does compliance assemble individual issues into a bigger picture? (question previously submitted on January 29)

The contractual compliance team has subject matter experts (SME) for each type of complaint. The SME is responsible for the complaint type and oversees the daily operations of the complaint processing. Any issues or unique situations are highlighted to the SME by the team processing the complaints. The SME is able to review the issues and identify emerging trends in the complaint type. New trends identified are highlighted to management and discussed where changes may need to be implemented. Outreach sessions and special projects have resulted as an outcome of this exercise. Updates on these type of activities are reported in the quarterly, annual and ICANN international meetings. A summary of the activities by calendar year is provided in the Contractual Compliance Annual Report section here.

13. What WHOIS issue have attracted the most complaints? How many complaints per hundred? (question previously submitted on January 29)

Beginning in October 2017, Contractual Compliance began reporting additional details on WHOIS Inaccuracy complaints in the monthly dashboard found here, including whether the inaccuracy was related to the identity (data is allegedly being misused), operability (functionality of the information in a record) and/or syntax (format of a record) of the WHOIS output. Such categories are aligned with those identified by the WHOIS Accuracy Reporting System (ARS), which is also a source of complaints processed by Contractual Compliance. In addition to the metrics, Contractual Compliance reports on all WHOIS-related compliance complaints (see table below). Metrics regarding the WHOIS ARS compliance effort can be found here.

14. What other compliance actions does WHOIS often intersect with? *(#15)*

WHOIS information is routinely used in the processing of other complaints by contractual compliance, including domain renewal, transfer and abuse report-related complaints.

15. Does Compliance have a roadmap for future changes to WHOIS and how that affects the compliance? *(#12)*
16. How will compliance work flows change when WHOIS enforcement changes? *(#13)*
17. What long range plans do you have to enforce the PPSAI specification once it is implemented *(#14)*
18. How is the team prepared for this? (question previously submitted on January 29)

Potential impacts to WHOIS may come from:
- Privacy & Proxy Services Accreditation Issues PDP (PPSAI)
- Thick Whois Transition Policy
- GDPR
- Registration Data Access Protocol (RDAP)

Depending on the requirements to be determined in the new policies, Contractual Compliance will:

- Review the process, forms, communication templates, reports, etc.
- Identify areas that need to be adjusted to meet the new policy requirements
- Make the changes, test and implement where applicable
- Conduct outreach activities with contracted parties where applicable

In addition to above, ICANN Contractual Compliance has an on-going continuous improvement cycle based on survey feedback, working group and review teams, lessons learned and internal reviews which also drive change.

The team also participates and monitors ICANN Policy Development Process by providing data, addressing questions, reviewing documents and ensuring readiness once a policy is implemented. Please refer to the published 2017 Contractual Compliance Annual Report here to learn more about the efforts. An extract below for your reference -
- Participation in implementation review team meetings and implementation support activities for the Privacy and Proxy Services Accreditation Issues PDP, Translation and Transliteration of Contact Information Policy and Protection of IGO and INGO Identifiers in all gTLDs Policy
- Participation in discussions or observation of policy and program progress in preparation for Compliance readiness for Thick WHOIS Transition Policy, gTLD Registration Data Services, Registration Directory Access Protocol pilot program.

C. Reporter related questions (question previously submitted on January 29)

19. *Can you identify a serial transgressor above all others and where from?*
20. *Have there been any sanctions applied and how many times?*

Contractual Compliance follows the ICANN Approach and Process described here when processing complaints. The informal resolution process or Prevention stage is between ICANN and the contracted parties and is kept confidential to allow collaboration. However, if a Contracted Party fails to respond or demonstrate compliance during the Prevention stage, ICANN may transition to the Enforcement Stage by issuing a public enforcement notice, such as a Notice of Breach. Failure to cure a noncompliance following the issuance of a Notice of Breach may results in suspension (Registrars only) or termination of the Contracted Party's agreement. ICANN may also initiate legal action against the Contracted Party and require payment of ICANN's costs and expenses, including attorney fees, associated with enforcing the contract, among other actions. All enforcement notices issued by ICANN Contractual Compliance are posted here, a list of enforcement notice reasons for the prior 13 rolling months can be found here and more information can also be found in the annual metrics reports posted here.

2017 Reporter Category by Complaint Type		

2017 Reporter Category Summary

Reporter Category		# Tickets	% of Total
WHOIS Accuracy Reporting System Total		**9,340**	**18.50%**
WHOIS Inaccuracy Bulk Total		**3,199**	**6.34%**
Individual Submission Total		**37,267**	**73.81%**
ICANN Submission Total		**683**	**1.35%**
	2017 Total	**50,489**	**100.00%**

2017 Reporter Details by Category

Reporter Category	Complaint Type	# Tickets	% of Total
WHOIS Accuracy Reporting System			
	Registrar		
	WHOIS Accuracy Reporting System (WHOIS ARS)	9,340	18.50%
	WHOIS Accuracy Reporting System (WHOIS ARS)	**9,340**	**18.50%**
WHOIS Inaccuracy Bulk			
Non-Anonymous	**Registrar**		
	WHOIS Inaccuracy	3,199	6.34%
	Non-Anonymous Total	**3,199**	**6.34%**
Individual Submission			
Anonymous	**Registrar**		
	Other	426	0.84%
	WHOIS Format	21	0.04%
	WHOIS Inaccuracy	289	0.57%
	WHOIS Quality Review	6	0.01%
	WHOIS Service Level Agreements	2	0.00%
	WHOIS Unavailable	19	0.04%
	Registry		
	Other	141	0.28%
	Anonymous Total	**904**	**1.79%**
Non-Anonymous	**Registrar**		
	Other	8,953	17.73%
	WHOIS Format	1,084	2.15%
	WHOIS Inaccuracy	24,296	48.12%
	WHOIS Quality Review	11	0.02%
	WHOIS Service Level Agreements	462	0.92%
	WHOIS Unavailable	632	1.25%
	Registry		0.00%
	Other	925	1.83%
	Non-Anonymous Total	**36,363**	**72.02%**
	Individual Submission Total	**37,267**	**73.81%**
ICANN Submission	**Registrar**		
	Other	215	0.43%
	WHOIS Format	25	0.05%
	WHOIS Inaccuracy	10	0.02%
	WHOIS Quality Review	5	0.01%
	WHOIS Unavailable	15	0.03%
	Registry		
	Other	413	0.82%
	ICANN Submission Total	**683**	**1.35%**
	2017 Total	**50,489**	**100.00%**