Expedited Policy Development Process: Temporary Specification for gTLD Registration Data

WHAT CAN I EXPECT AT ICANN64 IN RELATION TO THIS TOPIC?

The Expedited Policy Development Process (EPDP) Team currently has four sessions scheduled at ICANN64. However, the Team may decide to cancel certain number of sessions closer to the meeting. The currently scheduled sessions are (local time): Saturday, 9 March from 08:30-18:30; Sunday, 10 March from 17:00-18:30; Wednesday, 13 March from 10:30-12:00; and Thursday, 14 March from 08:30-10:15. The EPDP Team's Final Report will be sent to the GNSO Council for its review before ICANN64.

WHAT IS THIS ABOUT?

On 17 May 2018, the ICANN Board approved the Temporary Specification for gTLD Registration Data. The Board took this action to establish temporary requirements for how ICANN and its contracted parties would continue to comply with existing ICANN contractual requirements and community-developed policies relate to WHOIS, while also complying with the European Union's General Data Protection Regulation (GDPR). The Temporary Specification has been adopted under the procedure for Temporary Policies outlined in the Registry Agreement (RA) and Registrar Accreditation Agreement (RAA). Following adoption of the Temporary Specification, the Board "shall immediately implement the Consensus Policy development process set forth in ICANN's Bylaws".[1] This Consensus Policy development process on the Temporary Specification would need to be carried out within a one-year period. Additionally, the scope includes discussion of a standardized access system to nonpublic registration data. However, the discussion of a standardized access system will occur only after the EPDP Team has comprehensively answered a series of "gating questions" and non-objection by the GNSO Council.

At its meeting on 19 July 2018, the Generic Names Supporting Organization (GNSO) Council initiated an EPDP on the Temporary Specification for gTLD Registration Data and adopted the EPDP Team Charter. The EPDP Team consists of appointed representatives from GNSO Stakeholder Groups: At-Large Advisory Committee (ALAC), the Governmental Advisory Committee (GAC), and the Security and Stability Advisory Committee (SSAC) have appointed members. The GNSO Council appointed Kurt Pritz as the Chair of the EPDP Team. The ICANN Board and ICANN organization (ICANN org) have appointed liaisons to the EPDP Team. The Country Code Names Supporting Organization (ccNSO) and the Root Server System Advisory Committee (RSSAC) decided not to take part. See more membership details **here**.

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[1] See section 3.1(a) of the Registry Agreement: **https://www.icann.org/resources/unthemed-pages/org-agmt-html-2013-09-12-en**

WHAT IS THE SCOPE OF THE EFFORTS?

The EPDP scope includes confirming or rejecting the Temporary Specification by 25 May 2019 (the expiration date of the Temporary Specification). Additionally, the scope includes discussion of a standardized access model to nonpublic registration data. However, the discussion of a standardized access model will occur only after the EPDP Team has comprehensively answered a series of "gating questions", which have been specified in the EPDP Team's Charter.

WHY IS THIS IMPORTANT?

The Temporary Specification will expire on 25 May 2019. With an aggressive timeline, the EPDP Team has been tasked with working on issues the ICANN community has been unable to resolve in over ten years.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

On 21 November 2018, the EPDP Team published its **Initial Report** on the Temporary Specification for Public Comment. The Public Comment period closed on 21 December 2018.

The Initial Report includes the EPDP Team's proposed responses to the charter questions. It also includes their preliminary recommendations and specific questions concerning the purposes of processing registration data, required data processing activities and terms, and updates to other consensus policies.

From 21 December-31 January 2019, the EPDP Team reviewed all public comments received using the **Public Comment Review Tool (PCRT)**. Notably, the EPDP Team met in Toronto, Canada from 16-18 January 2019 and made substantial progress on the public comment review.

The EPDP Team incorporated public comments where it believed warranted into the **Final Report**. In February 2019, the Final Report is expected to be finalized and submitted to the GNSO Council.
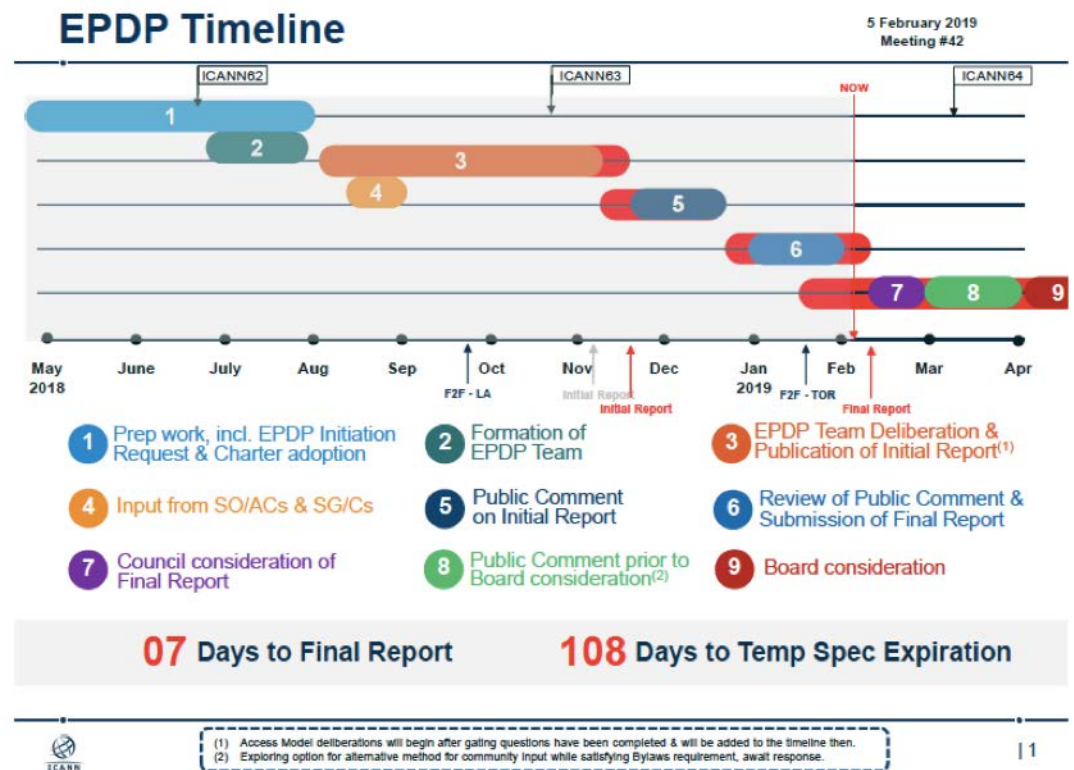
The Final Report contains 28 policy recommendations which address, for example, the recommended:
• purposes for processing data;
• data elements for collection, transfer, and retention;
• data elements for public display;
• data elements to be redacted;
• changes and/or review of current ICANN Consensus Policies;
• update to reasonable requests for the lawful disclosure of data;

- course for an implementation bridge, or how contracted parties may handle the policy recommendations and Temporary Specification requirements before the recommendations are officially implemented.

WHAT ARE THE EXPECTED NEXT STEPS?

Under the EPDP Team's project plan, the GNSO Council will consider the EPDP Team's Final Report. Following GNSO Council consideration, there will be a Public Comment period on the Final Report and the subsequent ICANN Board deliberation on the EPDP policy recommendations. Once the GNSO Council has approved the Final Report and given its non-objection, the EPDP Team is expected to start work on Phase 2 of the charter, which will include a System for Standardized Access to Non-Public Registration Data and issues in the Annex to the Temporary Specification ("Important Issues for Further Community Action").

HOW CAN I GET INVOLVED?

One can become an observer of the EPDP Team mailing list on a read-only basis. Sign up here: **https://goo.gl/forms/iZg5JWHOnERsoEMI2**. The names of mailing list observers will also be published on the **EPDP Workspace**.

While participation on EPDP Team conference calls is restricted to appointed members and liaisons only, non-members are able to listen in real-time via an audio cast and observe with Adobe Connect. The audio cast will begin streaming a few minutes before the start of each conference call:

- Listen in via a web browser: **http://stream.icann.org:8000/stream01**
- Listen in via an application (such as iTunes): **http://stream.icann.org:8000/stream01.m3u**
- Observe via Adobe Connect: **https://participate.icann.org/gnso-epdp-observers**

MORE INFORMATION

- EPDP Initial Report: **https://go.icann.org/2E6DEbh**
- EPDP Final Report: **https://go.icann.org/2TNA63g**
- EPDP Webpage: **https://go.icann.org/2O8UTP6**
- EPDP Workspace: **https://go.icann.org/2LKujuF**
- EPDP Charter: **https://go.icann.org/2MsBAAx**
- EPDP Project Workplan: **https://go.icann.org/2nVanHD**
- EPDP Project Timeline: **https://go.icann.org/2wyqLD0**

Staff Responsible: Marika Konings, Caitlin Tubergen, Berry Cobb (consultant)