
Policy Development Process: Next-Generation Registration Directory Service to Replace WHOIS

WHAT CAN I EXPECT AT ICANN62 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) does not have any scheduled face-to-face meetings at ICANN62. The WG Leadership has indefinitely suspended the WG's meetings in light of the activities with respect to General Data Protection Regulation (GDPR) compliance. These activities specifically include the ICANN Board's recent adoption of a Temporary Specification for Generic Top-Level Domain (gTLD) Registration Data (Implementation of GDPR Interim Compliance Model).

The Generic Names Supporting Organization (GNSO) Council is considering the initiation of an Expedited Policy Development Process (EPDP) to meet the requirements of the consensus policy development process. This consensus policy development process needs to be completed within a one-year period. The team that will be tasked with undertaking the consensus policy development process may commence its deliberations at ICANN62. Please check the [ICANN62 schedule](#) for further details.

WHAT IS THIS ABOUT?

In April 2015, the ICANN Board requested this GNSO PDP on the Next-Generation Registration Directory Service (RDS) to Replace WHOIS. The goal of the PDP is to “define the purpose of collecting, maintaining, and providing access to generic top-level domain (gTLD) registration data, and consider safeguards for protecting data.” The Board also asked the GNSO to “...[use] the recommendations in the [Expert Working Group \(EWG\) Final Report](#) as an input to, and, if appropriate, as the foundation for a new gTLD policy.”

At the end of January 2016, the PDP WG commenced its deliberations, attempting to answer questions posed in the PDP Final Issue Report and charter. During Phase 1 of this PDP, the WG has been tasked with providing the GNSO Council with recommendations on the following two questions: (1) What are the fundamental requirements for gTLD registration data? (2) Are a new policy framework and next-generation (next-gen) registration directory services needed to address these requirements?

WHY IS THIS IMPORTANT?

Comprehensive ‘WHOIS’ policy reform remains one of the most pertinent and critical issues within ICANN. Any discussion of the ‘WHOIS’ system for gTLD domain name registration data – hereafter called gTLD registration directory services –

involves various topics. These include purpose, accuracy, availability, privacy, data protection, cost, policing, intellectual property protection, security, and malicious use and abuse. ICANN's requirements for gTLD domain name registration data collection, maintenance, and provision have undergone some important changes. Nevertheless, after more than 15 years of GNSO task forces, working groups, workshops, surveys, and studies, the policy is still in need of comprehensive reforms that address the many contentious issues attached to it.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The RDS PDP WG has been working on the fundamental requirements for gTLD registration data and directory services. It has also been working to understand whether a new policy framework and next-generation RDS are needed to address these requirements.

Prior to the suspension of meetings, the WG was working to reach initial rough consensus agreement on key concepts related to the WG's charter questions concerning RDS users/purposes, data elements, privacy, and access.

In late 2017, the WG focused on defining: (1) potentially-legitimate purpose(s) for processing registration data, (2) the data elements required for each of those purposes, and (3) potential users of that data.

Starting from the purposes listed in the EWG Final Report, small drafting teams in the WG were formed to better understand and then define each purpose for full WG discussion. The WG used weekly calls and polls to facilitate development of tentative rough consensus agreements on these topics and associated key concepts, including the criteria for evaluating the legitimacy of purposes for processing registration data.

By the end of January 2018, **49 initial points** of rough consensus had been reached during iterative and ongoing deliberation. The WG drafted an overall **statement of purpose** for registration data and directory services, which guided all initial agreements. The WG also drafted detailed definitions for 12 potentially-legitimate purposes and related data, posted on its **Phase 1 Documents page** (under "Final Outputs produced by Drafting Teams as input to full WG deliberation").

Following ICANN61, the RDS PDP Leadership decided to suspend WG meetings indefinitely, including face-to-face meetings at ICANN62. This decision was made in light of the uncertain status of GDPR-related work, noting it would ultimately be up to the GNSO Council to determine the status of the RDS PDP going forward. The GNSO Council will consider the next steps for this PDP in light of the ICANN Board's recent **adoption** of the **Temporary Specification for gTLD Registration Data**.

HOW DOES THE TEMPORARY SPECIFICATION FOR GTLD REGISTRATION DATA AFFECT THIS PDP? WHAT ARE THE EXPECTED NEXT STEPS?

On 17 May 2018, the ICANN Board approved the proposed Temporary Specification for gTLD Registration Data. The GNSO Council is currently discussing the proposed next steps, including the potential mechanism that could be used to meet the one-year timeline afforded under the rules for adopting a Temporary Specification. Following these discussions, the Council will consider next steps for not only the Temporary Specification, but also the RDS PDP. These next steps could include suspension or termination of the RDS PDP. The WG is awaiting further direction from the GNSO Council regarding its continued work, if any.

MORE INFORMATION

- PDP Webpage: gns0.icann.org/en/group-activities/active/rds
- WG Workspace: community.icann.org/x/rjJ-Ag
- WG Work Plan: community.icann.org/x/olxlAw
- WG Charter: gns0.icann.org/en/drafts/whois-ng-gtld-rds-charter-07oct15
- Final Issue Report: <https://go.icann.org/2En83UJ>
- Board-GNSO Process Framework for this PDP: <https://go.icann.org/2EG1V9s>

BACKGROUND

Pursuant to its Resolution on 8 November 2012, the ICANN Board directed the ICANN President and CEO to launch a new effort to redefine the purpose of collecting, maintaining, and providing access to gTLD registration data, and consider safeguards for protecting data. This effort would serve as a foundation for new gTLD policy and contractual negotiations. Moreover, as part of a Board-initiated GNSO PDP, the Board directed the preparation of an Issue Report on the purpose of collecting and maintaining gTLD registration data, and on solutions to improve accuracy and access to gTLD registration data. The Board then went on to pass a resolution that led to the creation of the **EWG**. The Board referred to this as a “two-pronged approach” that is based on “broad and responsive action” in relation to the reform of gTLD Registration Data.

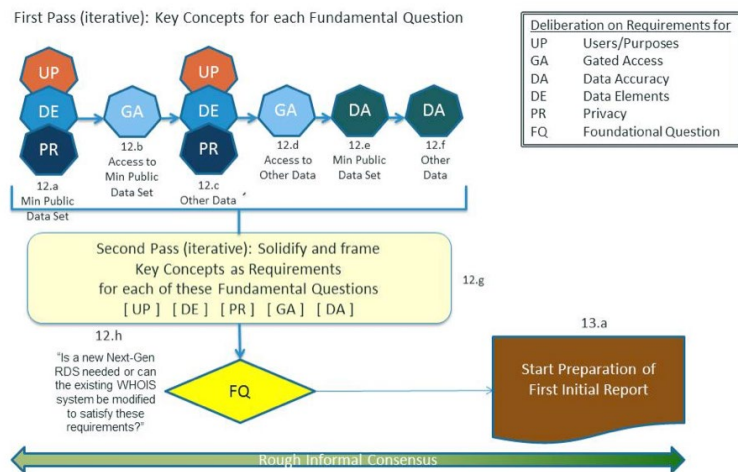
The ICANN Board approved a Process Framework to enable effective consideration of the many significant and interdependent policy areas that the GNSO must address. GNSO Councilors and Board members collaboratively developed this Process

Framework to structure this complex and challenging PDP for success. This phased process includes:

- Phase 1: Establishing requirements to determine if and why a next-generation RDS is needed to replace today’s WHOIS system.
- Phase 2: If so, designing a new policy framework that details functions that must be provided by a next-generation RDS to support those requirements.
- Phase 3: Providing guidance for how a next-generation RDS should implement those policies, coexisting with and eventually replacing the legacy WHOIS system.

Throughout this three-phase process, the many interrelated questions that must (at minimum) be addressed by the PDP include:

- Users/Purposes: Who should have access to gTLD registration data and why (i.e., for what purposes)?
- Gated Access: What steps should be taken to control data access for each user/purpose?
- Data Accuracy: What steps should be taken to improve data accuracy?
- Data Elements: What data should be collected, stored, and disclosed?
- Privacy: What steps are needed to protect data and privacy?
- Coexistence: What steps should be taken to enable next-generation RDS coexistence with and replacement of the legacy WHOIS system?
- Compliance: What steps are needed to enforce these policies?
- System Model: What system requirements must be satisfied by any next-generation RDS implementation?
- Cost: What costs will be incurred and how must they be covered?
- Benefits: What benefits will be achieved and how will they be measured?
- Risks: What risks do stakeholders face and how will they be reconciled?



Note: The graphic above illustrates the iterative approach in the WG deliberation. The numbers (e.g., 12.a, 12.b...13.a) refer to the steps in the PDP WG Phase 1 [Work Plan](#).

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