

Expedited Policy Development Process Initiation Request	
a. Name of Council Member/ SG / C	Heather Forrest, GNSO Council Chair
b. Origin of issue (e.g. previously completed PDP)	The Temporary Specification for gTLD Registration Data was adopted by resolution of the ICANN Board of Directors on 17 May 2018, pursuant to the requirements for the establishment of Temporary Policies and Temporary Specification or Policies (as such terms are defined in ICANN's registry agreements and registrar accreditation agreements). Following adoption of a Temporary Policy, the Board shall immediately implement the Consensus Policy development process set forth in ICANN's Bylaws.
c. Scope of the effort (detailed description of the issue or question that the EPDP is expected to address);	<p>This EPDP Team is being chartered to determine if the Temporary Specification for gTLD Registration Data should become an ICANN Consensus Policy, as is or with modifications, while complying with the GDPR and other relevant privacy and data protection law. As part of this determination, the EPDP Team is, at a minimum, expected to consider the following elements of the Temporary Specification and answer the following charter questions. The EPDP Team shall consider what subsidiary recommendations it might make for future work by the GNSO which might be necessary to ensure relevant Consensus Policies, including those related to registration data, are reassessed to become consistent with applicable law.</p> <p><u>Terms of the Temporary Specification</u></p> <p>Part 1: Purposes for Processing Registration Data</p> <p>a) Purposes outlined in Sec. 4.4.1-4.4.13 of the Temporary Specification:</p> <p>a1) Are the purposes enumerated in the Temporary Specification valid and legitimate?</p> <p>a2) Do those purposes have a corresponding legal basis?</p> <p>a3) Should any of the purposes be eliminated or adjusted?</p> <p>a4) Should any purposes be added?</p> <p>Note: Questions under a) are gating questions for the EPDP Team's discussion of access, in that they must be answered before work on a standardized access model can commence. They are gating because establishing purposes will inform decisions about how personal data in registration data is processed. Because providing access to non-public Registration Data is a processing activity, there must be a legitimate purpose(s) with a corresponding legal basis(es) established prior to granting such access. Further, as pointed out by the European Data Protection Board ("EDPB") (letter from Jelinik to Marby, July 5, 2018), the EPDP Team should recognize the distinction between ICANN's purposes for processing registration data, and the purposes which third parties may present to obtain the disclosure of data.</p>

Part 2: Required Data Processing Activities

b) Collection of registration data by registrar:

b1) What data should registrars be required to collect for each of the following contacts: Registrant, Tech, Admin, Billing?

b2) What data is collected because it is necessary to deliver the service of fulfilling a domain registration, versus other legitimate purpose as outlined in part (A) above?

b3) How shall legitimacy of collecting data be defined (at least for personal data collected from European registrants and others in jurisdictions with data protection law)?

b4) Under the purposes identified in Section A, is there legal justification for collection of these data elements, or a legal reason why registrars should not continue to collect all data elements for each contact?

Note: Questions under b) are gating questions for the EPDP Team's discussion of access, in that they must be answered before work on a standardized access model can commence. They are gating because the answers to these questions will establish a baseline set of data that is collected for each domain name registration, which will in turn inform what data is made public, as opposed to only made available to accredited users.

c) Transfer of data from registrar to registry:

c1) What data should registrars be required to transfer to the registry?

c2) What data is required to fulfill the purpose of a registry registering and resolving a domain name?

c3) What data is transferred to the registry because it is necessary to deliver the service of fulfilling a domain registration versus other legitimate purposes as outlined in part (a) above?

c4) Is there a legal reason why registrars should not be required to transfer data to the registries, in accordance with previous consensus policy on this point?

c5) Should registries have the option to require contact data or not?

c6) Is there a valid purpose for the registrant contact data to be transferred to the registry, or should it continue to reside at the registrar?

Note: Questions under c) are gating for the EPDP Team's discussion of access in that they must be answered before work on a standardized access model can commence. They are gating because the answers to these questions will determine which parties hold all registration data (thick WHOIS), and therefore are able to provide access to that data.

d) Transfer of data from registrar/registry to data escrow provider:

d1) Should there be any changes made to the policy requiring registries and registrars to transfer the data that they process to the data escrow provider?

d2) Should there be any changes made to the procedures for transfer of data from a data escrow provider to ICANN Org?

e) Transfer of data from registrar/registry to ICANN:

e1) Should there be any changes made to the policy requiring registries and registrars to transfer the domain name registration data that they process to ICANN Compliance, when required/requested?

f) Publication of data by registrar/registry:

f1) Should there be any changes made to registrant data that is required to be redacted? If so, what data should be published in a freely accessible directory?

f2) Should standardized requirements on registrant contact mechanism be developed?

f3) Under what circumstances should third parties be permitted to contact the registrant, and how should contact be facilitated in those circumstances?

Note: Questions under f) are gating for the EPDP Team's discussion of access in that they must be answered before work on a standardized access model can commence. They are gating because the answers to these questions will determine what data is made available through a public Registration Data Directory Service (RDDS) record, as opposed to only made available to accredited users.

g) Data retention:

g1) Should adjustments be made to the data retention requirement (life of the registration + 2 years)?

g2) If not, are changes to the waiver process necessary?

g3) In light of the EDPB letter of 5 July 2018, what is the justification for retaining registration data beyond the term of the domain name registration?

h) Applicability of Data Processing Requirements

h1) Should Registry Operators and Registrars ("Contracted Parties") be permitted or required to differentiate between registrants on a geographic basis?

h2) Is there a legal basis for Contracted Parties to differentiate between registrants on a geographic basis?

h3) Should Contracted Parties be allowed or required to treat legal and natural persons differently, and what mechanism is needed to ensure reliable determination of status?

h4) Is there a legal basis for Contracted Parties to treat legal and natural persons differently?

h5) What are the risks associated with differentiation of registrant status as legal or natural persons across multiple jurisdictions? (See EDPB letter of 5 July 2018).

i) Transfer of data from registry to Emergency Back End Registry Operator ("EBERO")

i1) Consider that in most EBERO transition scenarios, no data is actually transferred from a registry to an EBERO. Should this data processing activity be eliminated or adjusted?

j). Temporary Specification and Reasonable Access

j1) Should existing requirements in the Temporary Specification remain in place until a model for access is finalized?

A. If so:

1. Under Section 4 of Appendix A of the Temporary Specification, what is meant by “reasonable access” to Non-Public data?

2. What criteria must Contracted Parties be obligated to consider in deciding whether to disclose non-public Registration data to an outside party requestor (i.e. whether or not the legitimate interest of the outside party seeking disclosure are overridden by the interests or fundamental rights or freedoms of the registrant)?

B. If not:

1. What framework(s) for disclosure could be used to address (i) issues involving abuse of domain name registrations, including but not limited to consumer protection, investigation of cybercrime, DNS abuse and intellectual property protection, (ii) addressing appropriate law enforcement needs, and (iii) provide access to registration data based on legitimate interests not outweighed by the fundamental rights of relevant data subjects?

j2) Can the obligation to provide “reasonable access” be further clarified and/or better defined through the implementation of a community-wide model for access or similar framework which takes into account at least the following elements:

1. What outside parties / classes of outside parties, and types of uses of non-public Registration Data by such parties, fall within legitimate purposes and legal basis for such use?

2. Should such outside parties / classes of outside parties be vetted by ICANN in some manner and if so, how?

3. If the parties should not be vetted by ICANN, who should vet such parties?

4. In addition to vetting the parties, either by ICANN or by some other body or bodies, what other safeguards should be considered to ensure disclosure of Non-Public Personal Data is not abused?

Part 3: Data Processing Terms -- To be concluded during the initial stage of the EPDP work, as part of the Temporary Specification review and initial report.

k) ICANN's responsibilities in processing data

k1) For which data processing activities undertaken by registrars and registries as required by the Temporary Specification does ICANN determine the purpose and means of processing?

k2) In addition to any specific duties ICANN may have as data controller, what other obligations should be noted by this EPDP Team, including any duties to registrants that are unique and specific to ICANN's role as the administrator of policies and contracts governing gTLD domain names?

l) Registrar's responsibilities in processing data

l1) For which data processing activities required by the Temporary Specification does the registrar determine the purpose and means of processing?

l2) Identify a data controller and data processor for each type of data.

l3) Which registrant data processing activities required by the Temporary Specification do registrars undertake solely at ICANN's direction?

l4) What are the registrar's responsibilities to the data subject with respect to data processing activities that are under ICANN's control?

m) Registry's responsibilities in processing data

m1) For which data processing activities required by the Temporary Specification does the registry determine the purpose and means of processing?

m2) Which data processing activities required by the Temporary Specification does the registry undertake solely at ICANN's direction?

m3) Are there processing activities that registries may optionally pursue?

m4) What are the registry's responsibilities to the data subject based on the above?

Part 4: Updates to Other Consensus Policies

n) URS

n1) Should Temporary Specification language be confirmed, or are additional adjustments needed?

o) UDRP

o1) Should Temporary Specification language be confirmed, or are additional adjustments needed?

p) Transfer Policy

p1) Should Temporary Specification language be confirmed or modified until a dedicated PDP can revisit the current transfer policy?

p2) If so, which language should be confirmed, the one based on RDAP or the one based in current WHOIS?

q) Sunsetting WHOIS Contractual Requirements

q1) After migration to RDAP, when can requirements in the Contracts to use WHOIS protocol be eliminated?

q2) If EPDP Team's decision includes a replacement directory access protocol, such as RDAP, when can requirements in the Contracts to use WHOIS protocol be eliminated?

System for Standardized Access to Non-Public Registration Data

Work on this topic shall begin once the gating questions above have been answered and finalized in preparation for the Temporary Specification initial report. The threshold for establishing “answered” for the gating questions shall be consensus of the EPDP Team and non-objection by the GNSO Council.

(a) Purposes for Accessing Data – What are the unanswered policy questions that will guide implementation?

a1) Under applicable law, what are legitimate purposes for third parties to access registration data?

a2) What legal bases exist to support this access?

a3) What are the eligibility criteria for access to non-public Registration data?

a4) Do those parties/groups consist of different types of third-party requestors?

a5) What data elements should each user/party have access to based on their purposes?

a6) To what extent can we determine a set of data elements and potential scope (volume) for specific third parties and/or purposes?

a7) How can RDAP, that is technically capable, allow Registries/Registrars to accept accreditation tokens and purpose for the query? Once accreditation models are developed by the appropriate accreditors and approved by the relevant legal authorities, how can we ensure that RDAP is technically capable and is ready to accept, log and respond to the accredited requestor’s token?

(b) Credentialing – What are the unanswered policy questions that will guide implementation?

b1) How will credentials be granted and managed?

b2) Who is responsible for providing credentials?

b3) How will these credentials be integrated into registrars’/registries’ technical systems?

(c) Terms of access and compliance with terms of use – What are the unanswered policy questions that will guide implementation?

c1) What rules/policies will govern users’ access to the data?

c2) What rules/policies will govern users’ use of the data once accessed?

c3) Who will be responsible for establishing and enforcing these rules/policies?

c4) What, if any, sanctions or penalties will a user face for abusing the data, including future restrictions on access or compensation to data subjects whose data has been abused in addition to any sanctions already provided in applicable law?

c5) What kinds of insights will Contracted Parties have into what data is accessed and how it is used?

c6) What rights do data subjects have in ascertaining when and how their data is accessed and used?

c7) How can a third party access model accommodate differing requirements for data subject notification of data disclosure?

	<p>Annex: Important Issues for Further Community Action</p> <p>Following the EPDP Team’s primary focus on confirming, amending, rejecting or replacing the Temporary Specification, and resolving the gating questions identified above, the EPDP Team shall turn its attention to the items included in the Temporary Specification Annex, listed as “Important Issues for Further Community Action.” These include but are not limited to the standardized access model referenced above.</p> <p>The EPDP Team should track any ongoing discussions as they relate to GDPR and its applicability in the ICANN context and potential impact on the Temporary Specification. It may also wish to consider forming sub-groups to work on issues or sub-topics in order to streamline its work and discussions, provided those sub-groups are subject to the gating questions.</p> <p>The ICANN Board is required to reconfirm the Temporary Specification every 90 days from their adoption and enforcement of the Temporary Specification, for a period of no more than 12 months or upon the confirmation, or not, of the Temporary Specification as consensus policy--whichever event comes first. In the event that the ICANN Board, amends the Temporary Specification as part of the confirmation process, the EPDP Team will review the Charter for continued applicability. In the event that the EPDP Team determines that the Charter requires amendment, the Chair of the EPDP Team will inform the GNSO Council of the recommended changes to the Charter and any impact on the timeline. Where the impact is considered substantive and expected to compromise the ability of the EPDP Team to meet published timelines the GNSO Council will discuss with the ICANN Board with a view to determining possible solutions for continuing the work.</p>
<p>d. Description of how this issue meets the criteria for an EPDP, i.e. how the EPDP will address either (1) a narrowly defined policy issue that was identified and scoped after either the adoption of a GNSO policy recommendation by the ICANN Board or the implementation of such an adopted recommendation; or (2) new or additional</p>	<p>The recently-adopted Temporary Specification for gTLD Registration Data establishes temporary requirements to allow ICANN and gTLD registry operators and registrars to continue to comply with existing ICANN contractual requirements and community-developed policies in light of the General Data Protection Regulation (GDPR). Consistent with the requirements in the Registry and Registrar Accreditation Agreements for emergency temporary policies, the Temporary Specification has been tailored as narrowly as possible to address the requirements of the GDPR.</p> <p>The EPDP will address this narrowly-defined policy issue, which was identified and scoped after the adoption of Temporary Specification.</p> <p>Consistent with ICANN’s stated objective to comply with the GDPR, while maintaining the existing WHOIS system to the greatest extent possible, the Temporary Specification maintains robust collection of Registration Data (including Registrant, Administrative, and Technical contact information), but restricts most Personal Data to layered/tiered access. Users with a legitimate and proportionate purpose for accessing the nonpublic Personal Data will be able to request such access through Registrars and Registry Operators. Users will also maintain the ability to contact the</p>

<p>policy recommendations on a specific GNSO policy issue that had been scoped previously as part of a PDP that was not completed or other similar effort, including relevant supporting information;</p>	<p>Registrant or Administrative and Technical contacts through an anonymized email or web form. The Temporary Specification shall be implemented where required by the GDPR, while providing flexibility to Registry Operators and Registrars to choose to apply the requirements on a global basis where commercially reasonable to do so or where it is not technically feasible to limit application of the requirements to data governed by the GDPR. The Temporary Specification applies to all registrations, without requiring Registrars to differentiate between registrations of legal and natural persons. It also covers data processing arrangements between and among ICANN, Registry Operators, Registrars, and Data Escrow Agents as necessary for compliance with the GDPR.</p> <p>Additionally, given the work leading up to the publication of the Issues Report for the Next-Generation gTLD Registration Directory Services to Replace WHOIS and the work that led up to the publication of the Temporary Specification, there is a significant amount of background work and relevant supporting information which supports the criteria for a using the Expedited Policy Development Process.</p>
<p>e. If not provided as part of item d, the opinion of the ICANN General Counsel regarding whether the issue proposed for consideration is properly within the scope of the ICANN’s mission, policy process and more specifically the role of the GNSO.</p>	<p>In determining whether the issue is within the scope of the ICANN policy process and the scope of the GNSO, ICANN org staff, and the General Counsel’s office have considered the following factors:</p> <p>Whether the issue is within the scope of ICANN’s mission statement.</p> <p>As provided in Section 1.1 of ICANN’s Bylaws, ICANN’s mission is:</p> <p style="text-align: center;"><i>... to ensure the stable and secure operation of the Internet’s unique identifier systems [...] Specifically, ICANN [c]oordinates allocation and assignment of names in the root zone of the Domain Name System ("DNS") and coordinates the development and implementation of policies concerning the registration of second-level domain names in generic top-level domains ("gTLDs").</i></p> <p>Within the scope of ICANN’s mission, ICANN’s role is “to coordinate the development and implementation of policies [f]or which uniform or coordinated resolution is reasonably necessary to facilitate the openness, interoperability, resilience, security and/or stability of the DNS including, with respect to gTLD registrars and registries, policies in the areas described in Annex G-1 and Annex G-2.” The areas described in Annex G-1 and Annex G-2 include, for example, “maintenance of and access to accurate and up-to-date information concerning domain name registrations.”</p> <p>As outlined in Section 1 of the Advisory Statement to the Temporary Specification for gTLD Registration Data, new data protection laws in Europe impose obligations that would make it impossible for ICANN, registry operators, and registrars to continue to comply with certain ICANN policies and contractual arrangements about how gTLD registration data is processed in the DNS. Without a coordinated approach to addressing these changes, each registry operator and registrar might make their own determination regarding what gTLD registration data should be collected,</p>

transferred and published, leading to a fragmentation of the globally distributed WHOIS system and the handling of gTLD registration data. Fragmentation of the WHOIS system would jeopardize the availability of registration data, which is essential to ensuring the security and stability of the Internet, including to mitigate attacks that threaten the stable and secure operation of the Internet.

The Temporary Specification for gTLD Registration Data adopted by the ICANN Board on 17 May 2018 establishes *temporary* requirements to address these issues. Initiating a policy development process to consider the issues would be in furtherance of ICANN's mission as a new policy would help ensure that there is uniform or coordinated approach to processing gTLD registration data in order to facilitate interoperability, security and/or stability of the Internet or the DNS.

As the policy development body responsible for developing and recommending to the Board substantive policies relating to generic top-level domains, consideration of the issues addressed by the Temporary Specification in a policy development process is within the role of the GNSO.

Whether the issue is broadly applicable to multiple situations or organizations.

As gTLD registration data affects all gTLD registrants, registrars and registries, the issue is broadly applicable to multiple situations or organizations. Any changes to the Temporary Specification, its rules or technical requirements that may result from a PDP would also be broadly applicable to multiple situations or organizations.

Whether the issue is likely to have lasting value or applicability, albeit with the need for occasional updates.

The policy development process may produce a new policy framework concerning registration data directory services to better serve the needs of the global Internet community while taking into account relevant data protection laws. In this regard, the issues to be addressed by the PDP are likely to have lasting value or applicability in the domain name ecosystem.

Whether the issue will establish a guide or framework for future decision-making.

Revisions to existing policies and obligations concerning the processing of gTLD registration data are expected to function as a sustainable policy framework for future decision-making in relation to this issue.

Whether the issue implicates or affects an existing ICANN policy.

The goal of the PDP would be to consider the matters addressed in the Temporary Specification concerning the processing of gTLD registration data. There are various ICANN policies that are

	<p>impacted by the changes in the Temporary Specification, including the Transfer Policy and the Uniform Domain Name Dispute Resolution Policy. It is anticipated that work on the new PDP may impact other policies, as well as future registry and registrar agreements for gTLDs in so far as they deal with the collection, maintenance and access to gTLD registration data.</p>
<p>f. If not provided as part of item 4, the opinion of ICANN staff and their rationale as to whether the Council should initiate the EPDP on the issue;</p>	<p>N/A (See above.)</p>
<p>g. Proposed EPDP mechanism (e.g. WG, DT, individual volunteers);</p>	<p>EPDP Team Structure</p> <ul style="list-style-type: none"> ● GNSO Members are appointed by GNSO Stakeholder Groups (SG). <ul style="list-style-type: none"> ○ Each Contracted Party House Stakeholder Group (Registries SG and Registrars SG) may appoint up to 3 Members + 3 Alternates, ○ Each Non-Contracted Party House SG, namely the Commercial Stakeholder Group and the Non-Commercial Stakeholder Group, may appoint 6 Members + 3 Alternates (for the Commercial Stakeholder Group this is further broken down to 2 Members + 1 Alternate per Constituency). ○ The ALAC, SSAC, RSSAC and ccNSO will be invited to appoint 2 members + 2 Alternates ○ The GAC will be invited to appoint 3 members + 3 Alternates ○ For the purpose of assessing level of consensus, Members are required to represent the formal position of their SG/C or SO/AC, not individual views or positions. ○ Alternates will only participate if a Member is not available. Alternates will be responsible for keeping up with all relevant EPDP Team deliberations to ensure they remain informed and can contribute when needed. ○ 2 ICANN Staff Liaisons (one from Legal, one from GDD) ○ 2 ICANN Board Liaisons ○ 1 GNSO Council Liaison ○ 1 independent Chair (neutral, not counted as from the WG membership/participants) ○ The EPDP Team may invite expert contributors and other resources as deemed necessary by the EPDP Team leadership. ○ Anyone may join the EPDP Team as an observer. Observers would be subscribed to the EPDP Team mailing list on a read-only basis but are NOT able to post. Observers are NOT allowed to participate in EPDP Team meetings, however, real-time audio

	<p>cast may be made available to follow deliberations in addition to transcriptions and recordings.</p> <p>The roles of the EPDP Team are further described below:</p> <ul style="list-style-type: none"> ● EPDP Team Members: Members are expected to adhere to the Statement of Participation as outlined in Annex A as well as participate in any EPDP Team consensus calls, as applicable. A consensus call, as outlined in section 3.6 of the GNSO Working Group Guidelines, is used to formally assess the level of support for recommendations by the EPDP Team. It is a requirement of the charter that members represent the formal position of their appointing organization, not individual views or positions. ● Liaison: A liaison-is also expected to adhere to the Statement of Participation, and will participate in EPDP Team meetings and mailing list discussions on a regular basis to allow for timely input and sharing of information on behalf of their appointing organization. ● EPDP Team Alternates: An alternate will only participate if a Member or Liaison is not available. Alternates will be responsible for keeping up with all relevant EPDP WG deliberations to ensure they remain informed and can contribute as and when required (when called upon by their appointing organization, as a Member or Liaison is unavailable). As noted below, the ability to listen in real-time is expected to be made available to facilitate this process. ● Observers: Anyone interested in this effort may observe the work of the EPDP -- observers are subscribed to the mailing list on a read-only basis but are NOT able to post. Similarly, observers are NOT invited to participate in EPDP Team meetings. However, observers will have the capacity to listen to calls in real-time through an audiocast, and meeting transcripts will be publicly posted on the ICANN website.
<p>h. Method of operation, if different from GNSO Working Group Guidelines;</p>	<p>In order to optimize the time available for deliberations, the EPDP Team is expected to consider modifying existing working methods such as having more frequent and/or longer calls than typical PDP WGs do. Similarly, the EPDP Team should consider which tools provide the best flexibility to facilitate online collaboration but it must do so in accordance with the principles of accountability and transparency that are so important to the GNSO.</p> <p>In addition to the standard services provided to GNSO PDP Working Groups such as policy staff support, mailing lists and regular conference calls, the EPDP team will need appropriate support to:</p> <ul style="list-style-type: none"> ● Record and transcribe all EPDP Team calls, which are to be made publicly available; ● Conduct up to three face-to-face meetings in a cost-efficient manner. Based on the timeline it is the expectation that the EPDP Team may need F2F time to: 1) develop its draft Initial Report (estimated to take place in mid-September 2018) 2) potential additional days immediately before or after the ICANN AGM in October to finalize its Initial Report, and 3) depending on input received, a meeting to review and consider public comments and

	<p>finalize the report for submission to the GNSO Council (estimated timeframe December-January);</p> <ul style="list-style-type: none"> ● External legal counsel/advice to be used when deemed necessary and budget-wise such as for confirming the compliance of the proposed policy recommendations deliverables with the GDPR. External legal counsel/advice should only be sought if adequate support cannot be provided through existing resources as well as Data Protection Authority guidance that is already available. The decision to request external legal advice shall be approved by the EPDP Team leadership; ● External experts and advisors such as a data protection/GDPR expert, to complement expertise within the EPDP Team and other sources available. The decision to request advice from an external expert shall be approved by the EPDPT Team leadership in conjunction with a recommendation from a Working Group member that him or herself is an expert in that field; and ● Facilitate possible input as well as communication mechanisms to those that are not members of the EPDP team, such as communications support for the development of newsletters or the regular hosting of webinars. EPDP team members are still expected to liaise with their respective groups for information and inputs. In its decision to request any of these additional services, the EPDP Team will act in a fiscally prudent manner and ensure cost efficient use of any additional resources that are provided and/or allocated budget. Any requests for additional services need to be made by the EPDP Team leadership with the support of the EPDP Team.
<p>i. Decision-making methodology for the proposed EPDP mechanism, if different from GNSO Working Group Guidelines;</p>	<p>The EPDP Team will follow GNSO Working Group Guidelines for its decision-making methodology.</p> <p>For the purpose of assessing consensus, and in order to reflect and respect the current balance and bicameral structure of the GNSO Council, the Chair shall apply necessary and appropriate weight to the positions of the respective GNSO SG and Cs at Council level, noting that increased membership from the CSG and NCSG (6 members each) relative to the CPH (6 members in total) upsets that balance. The CPH, NCSG or any SG or C that does not fulfil its entire membership allowance must not be disadvantaged as a result during any assessment of consensus.</p>
<p>j. Desired completion date and rationale for this date.</p>	<p>The first deliverable of the EPDP Team shall be a triage document of the Temporary Specification, which includes items that have the Full Consensus support of the EPDP Team that these should be adopted as is (with no further discussion or modifications needed). These items need to be:</p> <ul style="list-style-type: none"> ● In the body of the Temporary Specification (not in the Annex) ● Within the "picket fence" (per limitations on Consensus Policy as set out in the Contracts) ● Not obviously in violation of the GDPR / Assumed to be compliant with GDPR [Presumed to be legal according to the members' best knowledge of GDPR] ● Consistent with ICANN's Bylaws <p>Deliberations of this first deliverable should include at least one round of elimination of clauses, if appropriate, and a second round of Full Consensus approval of a whole set of clauses.</p>

The second deliverable shall be the Initial Report which will include the items that received Full Consensus support per the triage document as well as all other items of the Temporary Specification (not including the Annex) that were considered and deliberated upon, followed by a Final Report following review of public comments. Per the illustrative timeline in section II of the charter, this implies that the Initial Report on the items related to the Temporary Specification (excluding the Annex) is expected to be published for public comment shortly after ICANN63 (October 2018) and the Final Report delivered to the GNSO Council for its consideration by the end of January / beginning of February 2019.

The third deliverable of the EPDP Team shall be an Initial Report outlining a proposed model of a system for providing accredited access to non-public registration data, where items having Full Consensus of the group are followed by a Final Report following review of public comments.

The Team shall not commence work on the aforementioned third deliverable of an Initial Report outlining the proposed model of a system for providing accredited access to non-public Registration Data until all gating questions have been answered.

The EPDP Team shall respect the timelines and deliverables as outlined in Annex A and A-1 of the ICANN Bylaws and the EPDP Manual. As per the GNSO EPDP Working Group Guidelines, the EPDP Team shall develop a work plan that outlines the necessary steps and expected timing in order to achieve the milestones of the EPDP as set out in Annex A and A-1 of the ICANN Bylaws and the EPDP Manual and submit this to the GNSO Council. Any significant updates to the work plan are expected to be communicated in a timely manner to the GNSO Council with an explanation as to why the work plan needed adjustment.