

Expedited Policy Development Process: Temporary Specification for gTLD Registration Data - Phase 2 (SSAD)

WHAT CAN I EXPECT AT ICANN75 RELATED TO THIS TOPIC?

During ICANN75, ICANN org is expected to share the Whois Disclosure System Design with the GNSO Council and the EPDP Phase 2 Small Team during a dedicated session on Saturday, 17 September 2022 from 15:00–16:00 MYT. In a second session, from 16:30–17:30 MYT that same day, the small team will commence its review of the proposed design to be able to advise the GNSO Council on next steps.

WHAT IS THIS ABOUT?

On 17 May 2018, the ICANN Board approved the Temporary Specification for generic top-level domain (gTLD) Registration Data to allow contracted parties to comply simultaneously with existing ICANN contractual requirements and the European Union’s General Data Protection Regulation (GDPR). This Board action triggered the GNSO Council’s initiation of a PDP on 19 July 2018. The PDP was conducted in two phases: Phase 1 aimed to confirm, or not, the Temporary Specification by 25 May 2019; and Phase 2 discussed, among other elements, a standardized access model to nonpublic registration data. Phase 2A discussed the differentiation of legal and natural persons’ registration data and the potential feasibility of unique contacts having a uniform anonymized email address. ([Learn More](#))

Following the delivery of the [Operational Design Assessment](#) (ODA) on the System for Standardized Access/Disclosure (SSAD), the GNSO Council formed a small team consisting of Council members as well as EPDP Team members to assist the Council with its review of the ODA and provide input on proposed next steps in the consultation process that the Board and the Council are engaged in.

The small team submitted its preliminary report to the GNSO Council. It expressed its view that the ODA does not provide sufficient information to make a determination of the cost and benefit of the System for Standardized Access/Disclosure (SSAD). The small team also recommended the implementation of a proof-of-concept approach, which would allow for the gathering of further data to better inform a decision on how to proceed with the SSAD recommendations. Subsequently, the GNSO Council requested the ICANN Board to direct ICANN org to design such a proof of concept (now also known as the Whois Disclosure System). The ICANN Board sought GNSO



Council input on prioritization of these projects to be both transparent about resource demands and to align expectations. The GNSO Council indicated that it believes that both the Design Paper and one of the affected areas of work, the New Generic Top-Level Domain (gTLD) Subsequent Procedures Operational Design Phase, are priorities and that it is for ICANN org to best determine how to plan its work effectively and minimize negative impacts as much as possible. On 14 July 2022, the ICANN Board confirmed that it accepted the ICANN org approach of proceeding with both projects in parallel.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

Phase 2

The GNSO Council approved the [Phase 2 Final Report](#) during its meeting on 24 September 2020 by supermajority vote. The Final Report details the EPDP Team’s recommendations for a System for Standardized Access/Disclosure (SSAD) to nonpublic gTLD registration data, as well as recommendations and conclusions for the so-called “Priority 2” topics, which include data retention, city field redaction, etc. With respect to the Priority 2 topics (recommendations not related to the SSAD), the Board [adopted](#) the four Priority 2 recommendations during its 21 June 2021 meeting.

As part of its approval of the SSAD recommendations, the GNSO Council agreed to request a consultation with the ICANN Board. The purpose of the consultation is to discuss the financial sustainability of the SSAD and some of the concerns expressed within the different minority statements. Those issues include whether a further cost-benefit analysis should be conducted before the ICANN Board considers all SSAD-related recommendations for adoption. During ICANN70, the Board directed the ICANN org to initiate an Operational Design Phase (ODP) for the SSAD-related recommendation.

ICANN org delivered the [Operational Design Assessment](#) (ODA) to the ICANN Board on 25 January 2022. The Council met with the ICANN Board on 27 January (see [recording](#)) as the next step in its consultation related to concerns around the financial sustainability of the SSAD. Before that meeting, the ICANN Board sent the GNSO Council a [letter](#) outlining some of its concerns and further questions for the Council.

The GNSO Council then formed the EPDP Phase 2 Small Team to consider the concerns outlined in the ICANN Board letter, and, with these concerns in mind, to analyze the SSAD Operational Design Assessment and provide the Council with feedback on:

- Whether the ODA has correctly interpreted the intent of the SSAD recommendations in the proposed implementation

- Whether the ODA has overlooked any key aspects of the SSAD recommendations that should be factored in by the ICANN Board when it considers the recommendations
- Its view on the concerns identified by the ICANN Board and potential options that could be considered, either in the form of changes to the proposed implementation or the policy recommendations themselves, to address these concerns (Note: These are expected to be high-level suggestions at this stage.)
- Any other aspects that help inform the Council’s deliberations and consultation with the ICANN Board.

WHAT ARE THE EXPECTED NEXT STEPS?

After the ICANN org shared the Whois Disclosure System Design, the GNSO Council and ICANN Board will need to consider how to proceed in its consultation related to concerns around the financial sustainability of the SSAD and whether to move ahead with the implementation of the Whois Disclosure System.

HOW CAN I GET INVOLVED?

For more information on the SSAD ODP, please visit this [page](#). For more information about the EPDP Phase 2 small team, please see [here](#).

MORE INFORMATION

- [EPDP Phase 2 webpage](#)
- [EPDP workspace](#)
- [SSAD ODP webpage](#)

RESPONSIBLE STAFF: Caitlin Tubergen, Marika Konings, Berry Cobb