

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

WHAT CAN I EXPECT AT ICANN76 RELATED TO THIS TOPIC?

During ICANN76, the EPDP Phase 2 small team is expected to engage with ICANN org on the implementation of the Whois Disclosure System. A session has been scheduled on Saturday, 11 March 2023 from 13:15–14:30 EST.

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; Phase 2 discussed, among other elements, a standardized access model to nonpublic registration data. Phase 2A also 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](#))

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 goal is to discuss the financial sustainability of the SSAD and concerns expressed in different minority statements. The issues in question 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.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

Following the approval of the Phase 2 policy recommendations by the GNSO Council, the ICANN Board asked ICANN org to conduct an ODP and produce an ODA on the SSAD recommendations. After the publication of the [ODA](#), 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. The small team provided input on proposed next steps for the consultation process between the Board and the Council regarding the cost-benefit analysis of the SSAD recommendations.

The small team submitted its [preliminary report](#) to the GNSO Council. It expressed the view that the ODA does not provide sufficient information to determine the cost and benefit of the SSAD. The small team also recommended the implementation of a proof-of-concept approach, which would allow collecting more data to better inform the 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 (what is now known as the Whois Disclosure System). The ICANN Board sought GNSO Council input on prioritization of these projects to be 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) SubPro ODP, are priorities and that it is ultimately for ICANN org to best determine how to plan its work effectively and minimize negative impacts. On 14 July 2022, the ICANN Board confirmed that it accepted the ICANN org approach of proceeding with both projects in parallel.

ICANN org published the [Whois Disclosure System design paper](#) in September 2022 and presented it to the Council and small team during ICANN75. The small team subsequently reviewed the design paper and continued its consultations with ICANN org, resulting in an [addendum](#) to its preliminary report. The GNSO Council accepted the addendum and [communicated](#) to the ICANN Board its support for the request that the ICANN Board proceed with the implementation of the Whois Disclosure System, provided that the updates identified by the small team in the addendum are made. Furthermore, the GNSO Council confirmed to the ICANN Board that, pending the implementation of the Whois Disclosure System for a period of up to two years, the SSAD recommendations from Phase 2 of the EPDP on the Temporary Specification (TempSpec) for gTLD Registration Data should remain paused for consideration by the ICANN Board unless the data resulting from the implementation of the Whois Disclosure System would allow and warrant a decision at an earlier stage.



WHAT ARE THE EXPECTED NEXT STEPS?

Following the Council's consideration of the Whois Disclosure System design and its [communication](#) to the ICANN Board, the Board will need to decide how to proceed. If it follows the Council's request to proceed with the implementation of the Whois Disclosure System, further engagement and consultation is expected to take place between the Board, ICANN org, and the GNSO Council's small team to address open issues and collaborate on the successful implementation of the system. The Council has recommended that the Whois Disclosure System run for a period of up to two (2) years, at which point, if not earlier, sufficient information should be available to make a determination on how to proceed with the SSAD recommendations.

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

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