

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

WHAT CAN I EXPECT AT ICANN78 RELATED TO THIS TOPIC?

During ICANN78, the EPDP Phase 2 small team is expected to continue its engagement with ICANN org on the implementation status of the Registration Data Request Service (RDRS). A session has been scheduled on Saturday, 21 October from 9:00–10:00 CEST. Please check the ICANN78 meeting schedule for the confirmed time.

WHAT IS THIS ABOUT?

The GNSO Council approved the EPDP [Phase 2 Final Report](#), which includes recommendations for a System for Standardized Access/Disclosure (SSAD) to nonpublic gTLD registration data. Prior to its consideration of the SSAD recommendations, the Board [directed](#) ICANN org to proceed with an Operational Design Phase (ODP), to gather more information, particularly about cost-benefit analysis of the SSAD. Following ICANN org's delivery of the Operational Design Assessment ([ODA](#)), the Council tasked a small team to assist with the Council's review of the ODA. The small team provided its ODA analysis in its [preliminary report](#), and, following ICANN org's delivery of a subsequent [Whois Disclosure System design paper](#), submitted an [addendum](#) to its preliminary report. The Council ultimately [communicated](#) to the ICANN Board its support for the request that the ICANN Board proceed with the RDRS implementation, provided that the updates identified by the small team in the [addendum](#) are made.

Following the Board's [direction](#) to ICANN org to proceed with implementing the RDRS, the Council re-enlisted the small team to consult with ICANN org on its implementation. For more background information on the previous work of the EPDP, please refer to the additional procedural history below.



WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The ICANN Board [directed](#) ICANN org in February 2023 to develop and launch the WHOIS Disclosure System (System), now called RDRS, as requested by the GNSO Council within 11 months and continue engagement with the GNSO Council on implementation. The ICANN Board also requested the GNSO Council to consider a PDP or other means to require registrars to use the System and to establish success criteria for the RDRS. The GNSO Council [responded](#) to the Board's resolution on 4 May 2023, confirming the updated [assignment](#) of the EPDP Phase 2 small team to reflect these new work items. The small team met with the ICANN org team during ICANN76, ICANN77, and continues to meet regularly between ICANN meetings on its new assignment. Upon the recommendation of the small team, the GNSO Council [communicated](#) the proposed success criteria to the ICANN Board on 1 June 2023, with the overarching success criteria being “has the experience with the RDRS sufficiently informed the GNSO Council and ICANN Board to make a decision with regards to the SSAD recommendations?”.

WHAT ARE THE EXPECTED NEXT STEPS?

Further engagement and consultation are expected to continue between the Board, ICANN org, the GNSO Council, 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 RDRS 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. As part of its assignment, the small team has put forward a proposed charter to the GNSO Council for a RDRS Standing Committee to help inform the next steps on the SSAD policy recommendations. This Standing Committee is expected to take over from the small team following the launch of RDRS to review the data that will be produced monthly by ICANN org and advise the GNSO Council accordingly.

IS THERE ANY ADDITIONAL BACKGROUND INFORMATION TO HELP ME UNDERSTAND THE PROCEDURAL HISTORY OF THIS PROJECT?

On 17 May 2018, the ICANN Board approved the TempSpec for 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 TempSpec 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 24 September 2020 meeting by supermajority vote. The Final Report details the EPDP Team's recommendations for an SSAD to nonpublic gTLD registration data. It also contains 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 various 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 ODP for the SSAD-related recommendation.

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 and EPDP Team members to assist the Council with its ODA review. 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 the ICANN org to design such a proof of concept. 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 gTLD SubPro ODP, are priorities and that it is ultimately for ICANN org to 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.

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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