

15 January 2025

Nicolas G. Caballero
Chair, Governmental Advisory Committee (GAC)
Internet Corporation for Assigned Names and Numbers (ICANN)

Urgent Requests Follow-up - GNSO Council Clarifying Question and Additional Considerations

Dear Nicolas,

The GNSO Council appreciates the GAC's [15 October 2024 proposal](#), addressing the important issue of urgent requests. The GNSO Council acknowledges the GAC's engagement and constructive proposals.

In preparation for the next trilateral meeting between representatives from GAC, ICANN Board and GNSO Council, we would like to provide the Council's understanding of how further work could occur and seek additional clarification.

Acknowledgment of Proposals and Request for Clarification

The Council acknowledges the GAC's recommendation to proceed with discussions in two parallel tracks: (i) authentication of requestors and (ii) response time for urgent requests. With respect to the response time for urgent requests, in its letter, the GAC invited the Board and the GNSO Council to identify an expedited procedure for addressing this workstream and "strongly suggest[ed] resuming the work of the IRT, which was halted last summer."

During its [December 2024 meeting](#), the GNSO Council considered the IRT's previous discussions regarding the separate timeline for urgent requests and noted the IRT could not agree to a timeline, in part because of the lack of a global authentication mechanism. Given the GAC's work to "develop a scalable authentication process for Urgent Requests, initially focused on authenticating requests from law enforcement agencies", the GNSO Council assumes work on additional timeline discussions would occur within the existing IRT. To be clear, this would not constitute policy development as defined in Annex A of Bylaws (the GNSO PDP) but rather, would be continued implementation work on Recommendation 18 of the EPDP Phase 1 Final Report. We understand this would be in line with the GAC's desired outcome.

Additionally, during its [December 2024 meeting](#), the GNSO Council discussed the existing policy recommendation from the EPDP on the Temporary Specification Phase 2 (SSAD), which provides a timeline of 1 business day not to exceed 3 calendar days as the response timeline for urgent requests. (Note: registrars would endeavor to respond much more quickly where possible, but this timeline recognizes the existence of complex requests.) The IRT discussed this timeline but ultimately noted it could not accept it since the SSAD recommendations were to be considered a package, which included authentication/accreditation. The Council discussed providing this timeline to the IRT for its consideration in light of the GAC's separate work on accreditation.

Request for Update on Authentication Mechanisms

The [GAC has noted during ICANN81](#) and the [trilateral meeting on 4 November](#) that work is ongoing within the Public Safety Working Group (PSWG) to develop an authentication mechanism for urgent requests and also to establish a task force on this matter. Could the GAC kindly provide an update on the progress of this initiative? Additionally, the Council would appreciate further details on the plans, expected deliverables, participation, and anticipated timeline for developing and implementing the authentication mechanism. With respect to participation, would the GAC welcome participation or assistance from members of the GNSO?

Clarification on Anticipated Timeline for Responses

While the GNSO Council recognizes the importance of requestor authentication in this process, another critical element is validating that the requests meet the urgent request criteria and definition. We believe this validation is a necessary step to ensure the integrity and proper prioritization of urgent requests. The GNSO Council also wants to note that, even if a global mechanism to authenticate requestors is created, each individual request for disclosure will still need to be evaluated and would not result in automatic disclosure.

In summary, the GNSO Council aims to furthering this work as soon as possible and would appreciate the GAC's response to the following questions:

1. GNSO Council assumes work on additional timeline discussions would occur within the existing IRT. This would not constitute policy development as defined in Annex A of Bylaws (the GNSO PDP) but rather, would be continued implementation work on Recommendation 18 of the EPDP Phase 1 Final Report. We understand this would be in line with the GAC's desired outcome?
2. Can the GAC provide an update on the ongoing work within the PSWG related to the law enforcement authentication mechanism?

Can the GAC provide an update on how GNSO Council members join the work on an authentication mechanism for law enforcement? We look forward to continuing this productive dialogue with the GAC and ICANN Board on urgent requests at our next trilateral meeting.

Yours sincerely,
Greg DiBiase
Chair, GNSO Council
Internet Corporation for Assigned Names and Numbers (ICANN)