

**ICANN** 75  
ANNUAL GENERAL  
**KUALA LUMPUR**



# gTLD Registration Data Policy Implementation

**The Implementation of EPDP Phase 1, EPDP Phase 2 Priority 2,  
and Supplemental Consensus Policy Recommendations**

Dennis Chang

ICANN75 Implementation Review Team (IRT) Meeting  
21 September 2022



# Agenda

---

1

Welcome

2

Implementation  
Project Overview

3

Policy Overview

4

Impacted Policies  
and Procedures

5

Public Comment  
Instructions

6

Community Q&A

# Implementation Project Overview

## Agenda Item 2

# Policy Implementation Background

---

- On 19 July 2018, the Generic Names Supporting Organization (GNSO) Council initiated an Expedited Policy Development Process (EPDP) to be developed in two phases and chartered the EPDP on the Temporary Specification for gTLD Registration Data Team.
- During Phase 1 of its work, the EPDP Team was tasked with determining if the Temporary Specification for gTLD Registration Data should become an ICANN Consensus Policy as is, or with modifications. In addition, the Consensus Policy must comply with the GDPR and take into account other relevant privacy and data protection laws.
- On 20 February 2019, the EPDP Phase 1 Team submitted to the GNSO Council its [Final Report](#) and the GNSO Council adopted all 29 recommendations in the EPDP Final Report on 4 March 2019.
- On 15 May 2019, the Board [adopted](#) 27 of the 29 recommendations.
  - Two recommendations were adopted in part:
    - **Recommendation 1: Purpose #2**
      - The Board was concerned with the wording of purpose 2 and consistency with applicable law, where the impact might result in the elimination of an ICANN purpose.
    - **Recommendation 12: Organization field**
      - The Board did not adopt Recommendation 12 in full due to implementation advice 2(b), which allows for the deletion of registration data in the organization field.

# Policy Implementation Background

---

- In August 2020, the EPDP team completed the Phase 2 of EPDP, including four recommendations termed **EPDP Phase 2 Priority 2**. These Phase 2 Priority 2 recommendations consisted of topics carried over from EPDP Phase 1.
- On 24 September 2020, the GNSO Council approved the Priority 2 Recommendations.
- On 21 June 2021, the Board adopted the EPDP Phase 2 Priority 2 Recommendations.
- **[Scope Change #1]** In July 2021, the **EPDP Phase 2 Priority 2 Recommendations** were added to the project scope for the Phase 1 implementation team to include in the gTLD Registration Data Policy.
- On 24 February 2022, the Board adopted a Supplemental Recommendation for Recommendation 12 from the GNSO Council regarding treatment of the Registrant Organization data element.
- **[Scope Change #2]** in March 2022, the **Supplemental Recommendation for Recommendation 12** was added to the project scope for gTLD Registration Data Policy.

# Implementation Scope - 34 Recommendations

## Policy Drafting

- IRT Discussions
- Documenting Recommendation Drafting Errors and Implementation Interpretations

## Reports & Studies

- Data Retention
- Data Retention Waiver Process
- Legal / Natural Persons Differentiation

**EPDP Phase 1 (29) &  
Phase 2 Priority 2 (4)  
+ Supplemental (1)**

## Data Protection Arrangements

- With Contracted Parties
- With 3rd Party Providers

## Impact on Existing Policies & Procedures

- Wave 1
- Wave 1.5
- Wave 2

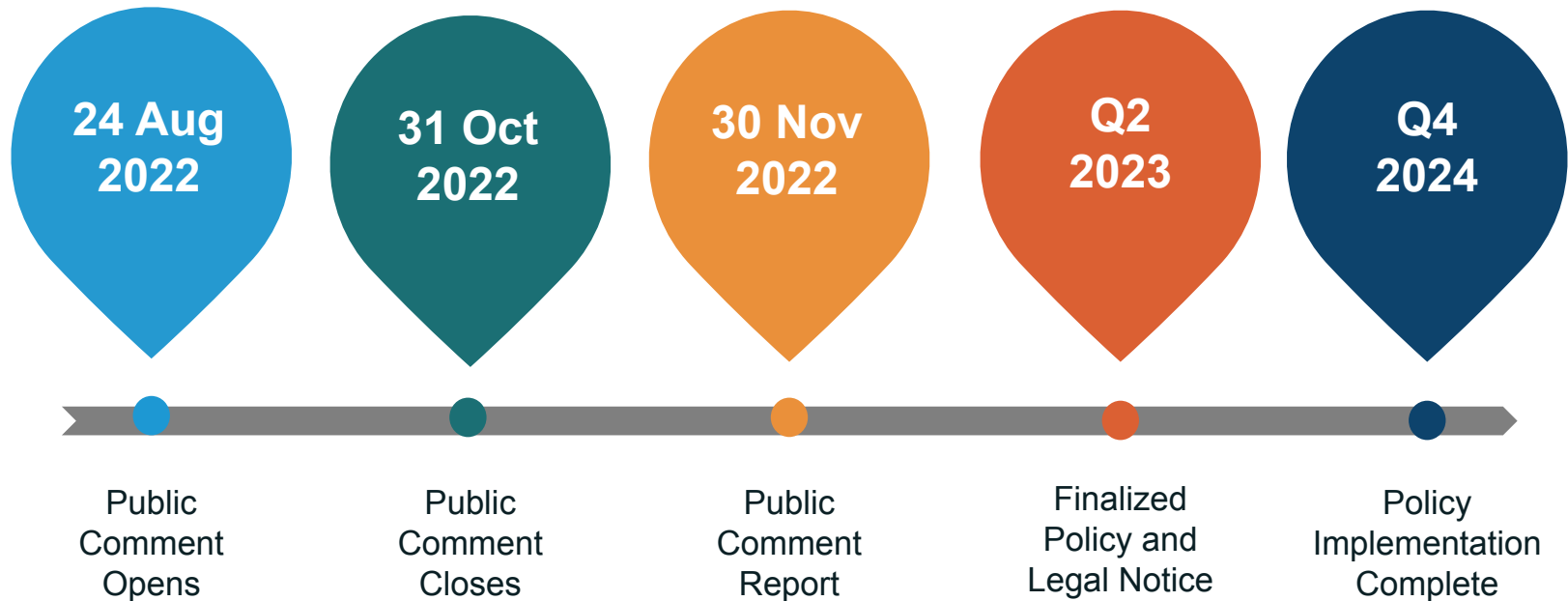
# Implementation Team Deliveries to Date

---

- **17 May 2019** - Published the [Interim Registration Data Policy for gTLDs](#).
  - Effective 20 May 2019. Requires contracted parties to continue to implement measures that are consistent with the [Temporary Specification for gTLD Registration Data](#) pending the implementation of the Registration Data Policy.
- **1 November 2019** - Delivered Report on Recommendation 15.1 to the GNSO Council.
  - Review of ICANN org processes on data retention.
- **6 December 2019** - Delivered Report on Recommendation 15.4 to the EPDP Phase 2 Team.
  - Review of the ICANN process for handling registrar data retention waivers.
- **18 February 2020** - Delivered Recommendation 27 Wave 1 Report to the GNSO Council.
  - Registration Data Policy impacts on existing consensus policies.
- **24 August 2022** - Delivered draft Registration Data Policy language
  - including RDAP Profile documents



# Implementation Project Timeline



## Milestones after Public Comment:

- **Q2 2023: Publication of Finalized Policy and Legal Notice to Registry Operators and Registrars**
  - During this stage, contracted parties may implement the Interim Policy, the Registration Data Policy, or elements of both as they prepare for the effective date of the Registration Data Policy.
- **Q4 2024: Policy Implementation Completion**
  - Contracted parties must comply with the Registration Data Policy.

# Policy Overview

## Agenda Item 3

# Before and After

## Current Landscape

### *Before Registration Data Policy*

Effective 20 May 2019: Interim Policy (Stage 1) requires contracted parties to continue to implement measures consistent with the Temporary Specification.

Interim Policy and Contracts (RA and RAA) generally do not detail different processing requirements for data elements (exception for thin registry operators).

VS

## New Landscape

### *After Registration Data Policy*

Registration Data Policy will (i) replace the Interim Policy for gTLDs and (ii) establish requirements for specific data elements based on processing activity, including:

- Collection
- Transfer
- Publication
- Redaction (and whom it applies to)
- Retention

# Outline of Policy

- Collection of Registration Data
- Transfer of Registration Data from Registrar to Registry Operator
- Transfer of Registration Data to Data Escrow Providers
- Publication of Domain Name Registration Data
- Disclosure Requests
- Log Files
- Retention of Registration Data

## Excerpt of Policy Language

### Collection of Registration Data

6.1. Registrar **MUST** collect or generate (marked with an asterisk) values for the following data elements:

- 6.1.1. Domain Name
- 6.1.2. Registrar Whois Server\*
- 6.1.3. Registrar URL\*
- 6.1.4. Registrar\*
- 6.1.5. Registrar IANA ID\*
- 6.1.6. Registrar Abuse Contact Email\*
- 6.1.7. Registrar Abuse Contact Phone\*
- 6.1.8. Domain Status(es)\*
- 6.1.9. Registrant Name
- 6.1.10. Registrant Street
- 6.1.11. Registrant City
- 6.1.12. Registrant State/Province
- 6.1.13. Registrant Postal Code
- 6.1.14. Registrant Country
- 6.1.15. Registrant Phone
- 6.1.16. Registrant Email
- 6.1.17. Registrar Registration Expiration Date\* (See ["Drafting Error" 1](#))

"State/Province" and "Postal Code" values are only required to be collected if applicable for the country or territory, as defined in UPU postal addressing standards or other equivalent standards for the country or territory.

"Registrar Whois Server" value is only required to be generated if required by the Registrar Accreditation Agreement or ICANN Consensus Policy. (See ["Drafting Error" 2](#))

6.2. Registrar **MAY** provide the opportunity for the Registered Name Holder to provide values for the following data elements. If the Registrar offers the collection of the value and Registered Name Holder elects to provide the value, Registrar **MUST** collect it: (See [Implementation Note A.3](#))

- 6.2.1. Registrant Phone Ext
- 6.2.2. Registrant Fax
- 6.2.3. Registrant Fax Ext

# High-Level Changes

<b>Current Landscape</b> (Before Registration Data Policy)	<b>New Landscape</b> (Post-Registration Data Policy)
<p><b>Registration Data Contacts</b> - specific processing activities generally require the following domain name contacts:</p> <ul style="list-style-type: none"><li>● Registrant contact</li><li>● Admin contact</li><li>● Tech contact</li></ul> <p><i>RAA RDDS Spec and RA Spec 4 (Registration Data Publication Services)</i></p>	<p>Reduces the required set of data elements for processing activities:</p> <ul style="list-style-type: none"><li>● Registrant contact - kept</li><li>● <del>Admin contact</del> - eliminated</li><li>● Tech contact - reduced</li></ul>
<p><b>Transfer of Registration Data</b> (registrar to registry) - determined by the applicable registry agreement or Consensus Policy, which in most cases requires the transfer of all registration data (i.e., Thick WHOIS).</p>	<p>Certain data elements are required, whereas others are dependent upon the existence of an appropriate legal basis and applicable data processing agreement.</p>

# High-Level Changes

<b>Current Landscape</b> (Before Registration Data Policy)	<b>New Landscape</b> (Post-Registration Data Policy)
<p><b>Registrant Organization</b> - Registrar must collect either the first and last name or full legal name of the registrant, and must include in the RDDS either the “Registrant Name” or “Registrant Organization” (or both, if available).</p>	<p>Normalizes treatment of the Registrant Organization field, including in collection and publication, establishing requirements on how to treat the values both for pre-existing registrations and new registrations. Includes required notifications to the registrant and how and when the value must be published.</p>
<p><b>Registration Data Retention</b> - Registrar must retain certain data identified in the Data Retention Specification for 2 years, including Registration Data.</p>	<p>Shortens the retention requirements for Registration Data elements necessary for the purposes of the Transfer Dispute Resolution Policy to at least 15 months.</p>
<p><b>Disclosure of Nonpublic Registration Data</b> Registrars and registries must provide reasonable access to nonpublic registration data, subject to balancing the interests of the requestor and the data subject.</p>	<p>Replaces “reasonable access” with requirements for considering and responding to requests by providing either the data or rationale for why it did not.</p>

# Impacted Policies and Procedures

## Agenda Item 4

# Impacted Policies and Procedures

---

- Additional Whois Information Policy (AWIP)
- Advisory Clarifications to the Registry and Registrar Requirements for WHOIS and Web-Based Directory Services
- Expired Registration Recovery Policy (ERRP)
- Protection of IGO and INGO Identifier in All gTLDs Policy
- RDAP Response Profile
- RDAP Technical Specification
- Registry Registration Data Directory Services
- Consistent Labeling and Display Policy
- Restored Names Accuracy Policy (RNAP)
- Revised ICANN Procedure For Handling WHOIS Conflicts with Privacy Law
- Thick WHOIS Transition Policy for .COM, .NET and .JOBS
- Transfer Dispute Resolution Policy (TDRP)
- Transfer - FOA - Initial Authorization for Registrar Transfer
- Transfer - FOA - Confirmation of Registrar Transfer Request
- Transfer Policy
- Uniform Domain Name Dispute Resolution Policy (UDRP)
- Uniform Domain Name Dispute Resolution Policy (UDRP) Rules
- Uniform Rapid Suspension System (URS) Procedure
- Uniform Rapid Suspension System (URS) Rules
- URS High Level Technical Requirements for Registries and Registrars
- WHOIS Data Reminder Policy
- WHOIS Marketing Restriction Policy



# Policies and Procedures - Not Impacted

---

- **Reviewed and determined that updates are not required for Registration Data Policy:**
  - AGP (Add Grace Period) Limits Policy
  - Registry Services Evaluation Policy (RSEP)
  - Expired Domain Deletion Policy (EDDP)

# Public Comment Instruction

## Agenda Item 5

# Public Comment Instruction

---

- Public comment on the draft Registration Data Consensus Policy for gTLDs is open for a period of 69 days and is expected to close on 31 October 2022.
- We are seeking community input on two matters, which can be done through the guided submission form.
  - The draft Registration Data Consensus Policy for gTLDs, which sets out Consensus Policy requirements concerning the collection, transfer, and publication of gTLD registration data.
  - Updates to the policies and procedures that were impacted by the Registration Data Consensus Policy due to EPDP-TempSpec Phase 1 Recommendation 27.
- Commenters will be able to select from the following options when providing feedback on the Registration Data Policy:
  - Accurately reflects the policy recommendations with no issues.
  - Accurately reflects the policy recommendations with added clarification.
  - Does not accurately reflect the policy recommendations.
  - Raise additional concerns or issues.
- The draft Registration Data Consensus Policy temporarily includes links to related implementation notes and implementation explanations.
- To contact ICANN org, please email [globalsupport@icann.org](mailto:globalsupport@icann.org)

# Public Comment Materials

---

The following list of materials will be needed to provide feedback on the draft Registration Data Consensus Policy and redlined existing policies and procedures.

1. [Draft Registration Data Policy for gTLDs](#)
2. [List of EPDP Phase 1 Recommendation 27: Redlined existing policies and procedures impacted by the Registration Data Policy](#)

The following list of materials will be resourceful, but are not required for commenters to provide feedback on the draft Registration Data Consensus Policy and redlined existing policies and procedures.

3. [Drafting Errors and Implementation Explanations](#)
4. [List of Relevant Registration Data Policy Supporting documents](#)
5. [EPDP Phase 1 and Phase 2 Priority 2 Final Recommendations Implementation Tasks](#)

# Community Q&A

## Agenda Item 6



## CONTRACTED PARTIES SUMMIT LOS ANGELES 1-4 NOVEMBER 2022

Join the ICANN organization's Global Domains and Strategy team, ICANN-accredited registrars, and gTLD registries for a three-day summit to be held 1-4 November 2022 in Universal City, California, USA.

The Contracted Parties Summit provides contracted parties an opportunity to engage and address issues of mutual interest and importance. It is not a typical ICANN meeting, nor is it intended for discussions of policy.

<https://www.icann.org/cpsummit>

# Engage with ICANN



## Thank You and Questions

Visit us at [icann.org](https://icann.org)

Email: [email](mailto:email)



[@icann](https://twitter.com/icann)



[linkedin/company/icann](https://linkedin/company/icann)



[facebook.com/icannorg](https://facebook.com/icannorg)



[slideshare/icannpresentations](https://slideshare/icannpresentations)



[youtube.com/icannnews](https://youtube.com/icannnews)



[soundcloud/icann](https://soundcloud/icann)



[flickr.com/icann](https://flickr.com/icann)



[instagram.com/icannorg](https://instagram.com/icannorg)