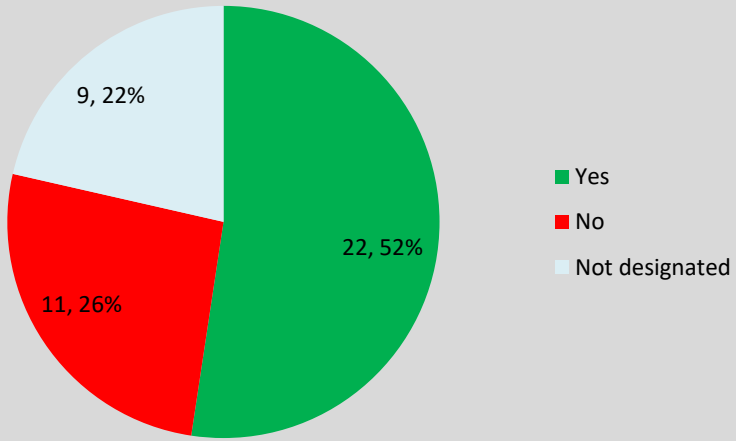
RECOMMENDATION 4 – Required Data Elements

#	Comment	Contributor	EPDP Response / Action Taken
	The EPDP Team recommends that the data elements defined in the data elements workbooks in Annex D are required to be collected by registrars. In the aggregate, this means that the following data elements are to be collected (or automatically generated): Refer to bottom of document for data elements. Do you agree that all these data elements should be collected / generated to achieve the Purposes identified in the Initial Report?		



Yes

#	Comment	Contributor	EPDP Response / Action Taken
1.	No comments provided in support of this recommendation	• Brian King; IPC • Dean S. Marks; Coalition for Online Accountability • Sivasubramanian Muthusamy; Internet Society India Chennai • Greg Aaron; iThreat Cyber Group • Neil Fried; The Motion Picture Association of America • Ben Butler; SSAC • DR. JAIDEEP KUMAR MISHRA ; DIRECTOR MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY, GOVERNMENT OF INDIA • Sajda Ouachtouki; The Walt Disney Company • Greg Mounier on behalf of Europol AGIS; Europol Advisory Group on Internet Security • Lars Steffen; eco – Association of the Internet Industry • Wolf-Ulrich Knoben; ISPCP Constituency • Monica Sanders; i2Coalition • Tim Chen; DomainTools • David Martel • Etienne Laurin • Evin Erdoğdu; ALAC • Steve Gobin; Corporate domain name management	Support **EPDP Response:** The EPDP appreciates the support **Action Taken:** none [**COMPLETED**]

#	Comment	Contributor	EPDP Response / Action Taken
2.	INTA strongly supports the proposition that all data elements should continue to be collected/generated and that they should continue to be made freely available to the greatest extent possible while remaining GDPR compliant. In addition to supporting the various Purposes identified in the Initial Report, collection and access to these data elements support various other important public interests, including (a) consumer protection against counterfeits, fraud, phishing schemes etc., (b) the ability of law enforcement to efficiently respond to online criminal activity, and (c) efforts by brand owners to protect their brands online. Additionally, it is critically important to note that domain names commonly trade on the private market for millions of dollars. It has become commonplace for domain names to be worth more than most homes around the world. Accordingly, it is an unreasonable burden to place on the buyers in these transactions to mask the identity of the sellers, and thereby frustrate the ability to conduct diligence on the provenance of the domain. Like with any other financial transaction of this size, Buyers need to be afforded the protection of knowing the seller's identity so that they can conduct the necessary due diligence and ensure that, for example, they are not dealing with a foreign government, funding any illicit activity, or even purchasing the domain from one of their employees.	Lori Schulman Senior Director, Internet Policy; International Trademark Association (INTA)	Support **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
3.	These data elements are required by ICANN to fulfill its Mission and are in line with ICANN's pursuit of a legitimate interest in this data as well as the performance of the domain name registration contract to which the data subject is party. Therefore these data elements align to GDPR Article 6(1)b and 6(1)f.	• Brian King; MarkMonitor, Inc., a Clarivate Analytics company • Steve DelBianco; BC	Support **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
4.	These data elements, which are all of use in cybersecurity investigations, are required by ICANN to fulfill its Mission and are in line with ICANN's pursuit of a legitimate interest in this data.	Jeremy Dallman, David Ladd – Microsoft Threat Intelligence Center; Amy Hogan-Burney, Richard Boscovich – Digital Crimes Unit; Makalika Naholowaa, Teresa Rodewald, Cam Gatta – Trademark; Mark Svancarek, Ben Wallace, Paul Mitchell – Internet Technology & Governance Policy; Cole Quinn – Domains and Registry; Joanne Charles – Privacy & Regulatory Affairs; Microsoft Corporation	Support **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
5.	These are needed to help document ownership of a domain name to the public, and to also allow the public to communicate with a registrant.	George Kirikos; Leap of Faith Financial Services Inc.	Support **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
No			
6.	Organization, Fax, Fax ext, Tech ID, Tech Fields: Name, Phone, Email These fields are unnecessary, redundant, antiquated, obsolete, and/or violate GDPR data minimization principles. The optional "Organization" field should be deleted as redundant, unnecessary, confusing, and duplicative. The correct and accurate "NAME" of the "Registrant" of facebook.com is Facebook, Inc., NOT "Domain Admin" or some other "anonymized" fictional name of an otherwise unknown or imaginary person or entity. See https://www.whois.com/whois/facebook.com. Look at the Registrant, Admin, and Tech fields in that facebook.com WHOIS--all the same. (When needed, it is easy to set up an email address that forwards to 2 or more separate recipients in any organization.) This is the way the "New" WHOIS should look like compared to the "Old" WHOIS: goo.gl/CdqE81 (go to link).	John Poole; Domain Name Registrant	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
7.	DNRC opposes the inclusion of "Additional optional data elements as identified by Registry Operator in its registration policy." Street [address] must also be deleted. DNRC strongly opposes the collection of street [address] as completely unnecessary for any ICANN or DNS technical and operational needs of a domain name. Like credit card data, it is a piece of information collected by the registrar for the purpose of processing the electronic payment of a domain name registration or renewal. It, however, serves no other purpose in the lifecycle and technical administration of the domain name and need not be collected and maintained in any form of centralized or shared database WHOIS database -- street address is simply not needed in any way by the larger DNS. Further, transmitting this most dangerous of personal/sensitive data - the address of a person and/or the address of a battered women's shelter, girl's school, religious organization, health, gender, and sexual orientation group **is highly** protected by the GDRP, especially in the balancing of interests of the requestor and domain name registrant. The street field is predates the existence of registrars. This street field is the most dangerous by far to the groups and individuals registering their domain names for and engaged in the sensitive activities online and this sensitive data is expressly protected and its processing prohibited by the GDPR, Section 9: "Art. 9 GDPR Processing of special categories of personal data Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited." https://gdpr-info.eu/art-9-gdpr/ We note further that given the danger to life and liberty to many organizations and individuals from street address -- the exact location where to find targeted minorities exposed to danger in virtually every country -- the protections of GDPR under Article 6 are so high as to provide virtually no "lawful processing" not "overridden by the interests or fundamental rights and freedoms of the data subject…" See Article 6: 1. "Processing shall be lawful only if and to the extent that at least one of the following applies:" * * * * * "(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child." The street address is simply not a required data element. Further, we strongly oppose the expansion of RDDS/Whois data to include a potentially unlimited numbers of new data elements reflecting individual policies of different registry operators. 5	A. Mark Massey; Domain Name Rights Coalition	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
8.	We oppose the inclusion of "Additional optional data elements as identified by Registry Operator in its registration policy." As noted in our response to Purpose #7, we do not want the Whois data to be expanded to include a potentially unlimited number of new data elements reflecting individual policies of different registry operators.	Farzaneh Badii; Internet Governance Project	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
9.	Collection of the following data elements is not necessary to achieve the Purposes identified above: Registrant Street Registrant City Registrant State/Province Registrant Postal Code Registrant phone / phone ext Registrant fax / fax ext Tech Name Tech Phone Tech Email We do not agree that the registrant or technical contact data indicated here is necessary for registrars to collect under GDPR lawful basis 6 (1) (b); a domain name can be allocated to a registrant with only a subset of the current registrant data set (see response to #42 above). We do not agree that the registrant or technical contact data indicated here should be collected under GDPR lawful basis 6 (1) (f); compliance with ICANN contracts can be achieved and demonstrated with a minimized data set (as indicated in #42 above). We do not agree that a Technical contact is necessary at all, and so it should not be required under any legal basis. We also note that Nameservers are marked as mandatory data; not every TLD requires Nameservers to be designated on a registered name, and so those data elements should be marked as optional.	Tucows Domains Inc.	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
10.	Tech-c contact should be removed It is not necessary and under GDPR data minimisation is key	Michele Neylon; Blacknight Internet Solutions Ltd	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
11.	Due to optional fields (ie tech contact)	Sara Bockey; GoDaddy	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
12.	Eliminate from 'Registrant Fields': Phone ext, Fax & Fax ext. Also eliminate: Tech ID, all Tech Fields (Name, Phone, Email). see RrSG comment Also, in a majority of cases, the tech fields replicate the data used in the owner field. Therefore, publication of the very same data in this field would render the redaction in other fields moot.	Volker Greimann; Key-Systems GmbH	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
13.	Eliminate from 'Registrant Fields': Phone ext, Fax & Fax ext. Also eliminate: Tech ID, all Tech Fields (Name, Phone, Email). While the RrSG welcomes the omission of the Admin-C and Billing-C, the retention of Tech-C (albeit as an optional field) is inconsistent with decisions of the German Courts in ICANN v EPAG. In particular, the higher regional court commented that 'it is already not clear to what extent the storage of the data of the so-called Tech-C... is absolutely necessary for the Applicant's purposes.' A field that is given as optional cannot, by definition, be considered 'necessary' for GDPR purposes. RrSG notes that the initial report highlights a divergence of views as to whether optional fields should be optional for registrars to collect, or optional for registrants to provide (and by implication compulsory for registrars to offer). RrSG supports the elimination of Tech-C.	Zoe Bonython; RrSG	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
14.	Technical Contact There is no legitimate purpose for a registrar to collect a technical contact in order to register a domain name. Additionally, if it were to be made optional as the EPDP team suggests, Domain.com support the comments made by the Registrar Stakeholder Group in its input of the report that optional data is not "necessary" data for GDPR purposes.	Domain.com, LLC & affiliates	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
15.	The RySG notes that the EPDP Team did not engage in a thorough discussion about the individual data elements that are required to be collected by the registrar to fulfill the identified Purposes. The RySG defers comment on this recommendation, pending EPDP WG discussion and analysis of all individual data elements identified in Preliminary Recommendation 4. In addition, the publication system (RDDS) matters as it impacts the answer for specific data elements. For example, consider "Registrar Abuse Email". If the registrar is going to participate in the RDDS, then the registry does not need this information and it does not need to be collected since the registrar may simply generate it and publish as appropriate. On the other hand, if the registrar does not participate in the RDDS, then this needs to be generated by the registrar, passed to the registry, and then published by the registry as appropriate. The EPDP Team did not specifically discuss and analyze each of the individual data elements identified in Preliminary Recommendation 4. It must do so, and revise the recommendation as appropriate. The RySG is willing and available to contribute to this analysis as the EPDP Team needs. Further, the EPDP Team should explain why the automatically generated data elements are included. Finally, in cases where registry operators identify additional data elements in their registration policies, it is those registries - not registrars - that either collect or require the collection and processing of the "additional optional data elements as identified by Registry Operator in its registration policy." The wording of the recommendation should be revised accordingly.	Wim Degezelle ; RySG	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
16.	The NCSG opposes the inclusion of "Additional optional data elements as identified by Registry Operator in its registration policy." As noted in our response to Purpose #7, the NCSG opposes the expansion of registration data elements to include potentially unlimited numbers of new data elements reflecting the individual policies of different registry operators.	Ayden Férdeline; NCSG	Divergence **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
Additional Data Elements and Rationale (Q 44, 45)			

#	Comment	Contributor	EPDP Response / Action Taken
17.	See response to section on legal v natural persons	• Zoe Bonython; RrSG • Volker Greimann; Key-Systems GmbH	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
18.	The RySG does not believe the consensus policy should require additional elements to be collected/generated The scope of this EPDP is not to contemplate adding additional data elements, but rather to consider the Temporary Specification and either approve the requirements contained therein, or make necessary modifications to bring the RDDS requirements into compliance with GDPR.	Wim Degezelle ; RySG	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
19.	1) Registrars should be required to provide an option for registered name holders to indicate that they are either a Legal or Natural Person. 2) Registrar should also generate a data element of the date on which registrant contact data was last verified/validated in accordance with the RAA, and the method used to do so. 1) GDPR does not apply to Legal Persons, therefore allowing registered name holders to indicate they are such Persons creates the opportunity and possibly the legal basis needed to publish the full Whois record or at least more fields therein. Recital 14 of the GDPR - The protection afforded by this Regulation should apply to natural persons, whatever their nationality or place of residence, in relation to the processing of their personal data. This Regulation does not cover the processing of personal data which concerns legal persons and in particular undertakings established as legal persons, including the name and the form of the legal person and the contact details of the legal person. 2) Currentness is a critical element of accuracy as required by the GDPR. Anyone obtaining access to this data for any of the authorized purposes will need to know how fresh it is. This includes but is not limited to ICANN compliance, which otherwise will not be able to enforce the data quality requirements of RAA.	• Brian King; IPC • Brian King; MarkMonitor, Inc., a Clarivate Analytics company	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
20.	Registrars should be required to provide an option for registered name holders to indicate that they are either a Legal or Natural Person. Registrars should be required to generate a data element of the date on which registered name holder contact data was last verified/validated in accordance with the RAA and the method used to do so. The GDPR does not apply to the data of Legal Persons. Recital 14 of the GDPR makes clear that "[t]his Regulation does not cover the processing of personal data which concerns legal persons and in particular undertakings established as legal persons, including the name and the form of the legal person and the contact details of the legal person." Therefore, in order to fulfill the stated purpose of the GDPR to protect only the data of natural persons and to further ICANN's mission, registrars should be required to give registered name holders the ability to designate themselves as legal or natural persons at the time they enter into a contract with the registrar to acquire a domain name. The generation of an additional data element by the registrar concerning when the registrant contact data was last verified/validated is consistent with and furthers compliance the GDPR's data accuracy requirements as well as the obligations set forth in the RAA concerning data quality.	Dean S. Marks; Coalition for Online Accountability	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
21.	What is shown as "Optional" Data elements need to be "Required" data elements in the case of domain names registered for existing or intended commercial webspaces, perhaps with stipulations for collecting additional data elements. A domain name may be classified as a "Commercial" Name voluntarily by the Registrant during Registration; This determination could also be made post-registration by automated crawling for features of commercial activity, to be agreed as such by ICANN Community, (for instance the presence of a payment interface or pricing or subscription information). ICANN may have to consider ways of making a distinction between individual and commercial domain names based on the web spaces the domain names point to; Such a distinction goes beyond making a distinction between natural and artificial persons to include within the class natural persons using domain names commercial use; For this class of domain registrations, the emphasis needs to be on transparency rather than privacy, on more data elements rather than minimal data elements. This class may not qualify for blanket redactions; This class may also include legally non-commercial entities using web spaces for raising funds in any form, and also include Government Agencies who do not have a need to be anonymous. The rationale is the same as provided in answer to the question on differentiation between legal and natural persons	Sivasubramanian Muthusamy; Internet Society India Chennai	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
22.	A) The 2013 RAA's WHOIS Accurary Program Specification requires that registrars collect "Account Holder" identity. "Account Holder" is a legally defined term in the RAA, and this party may be different from the "Registered Domain Holder" or Registrant. The report must make clear that the "Account Holder" MUST be collected by the registrar and the data and data field MUST NOT be provisioned to the registry or displayed in RDDS. Account Holders have contractual obligations described in the RAA -- such as in the RAA's WHOIS Accuracy Program Specification. B) The RAA's Data Retention Specification section 1.2 requires that registrars collect a number of additional fields not in these tables. While these fields and data should not be displayed in RDDS, and should not be provisioned to a registry, any Recommendations and a revised Temp Spec should make clear that registrars are still required to collect those fields, and they may be requested by ICANN for compliance purposes. c) At present, the Initial Report could be interpreted to mean that the RAA requirements mentioned in A and B above will be done away with, because the collection of this data is not listed. The final report needs to make clear that the requirements above will remain in place. The EPDP WG really needs to be crystal clear about the entire set of data that data MUST be collected.	Greg Aaron; iThreat Cyber Group	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
23.	The proposal for "Tech Fields" has two major problems. First, it allows registrars to choose whether to even give registrants the option of providing a technical contact. That will harm contactability, effectively reducing the ability of parties to solve technical issues on the Internet, and will deprive some registrants of an important capability they currently deploy. Second, the proposal creates significant, unnecessary technical and operational problems. It basically breaks how EPP is structured to handle contact data, would complicate transfers, and more. Below we propose a better solution that serves registrants and security better, without such wide-ranging technical changes. In the interest of security and stability, SSAC suggests a simpler solution that requires fewer changes and takes advantage of EPP's object-based model: Registrars must offer the RDH the opportunity to provide a full Technical Contact, containing the same data fields that are provided for Registrant contacts. The Technical Contact should be optional for the RDH to provide. If a Technical Contact is provided to the registrar, the data must be provisioned to the registry, and the following fields must be published in public RDDs output: Name, Phone, Email, City, Country. Recommendation 4's Data Elements Fields proposal inadvertently requires significant changes to the EPP specifications and client-server implementations. This would create unnecessary confusion for current domain contacts, and would create unnecessary additional implementation delays. It will create a series of operational issues since registries would still be required to provide support for a technical contact. We see only two ways to implement such "Tech Fields" in EPP. One option is to make those three pieces of data fields in the domain name object itself. But that breaks the way EPP handles contact information. The other option is to put the data in a new kind of EPP "Tech Field" object. However, this new "Tech Field" object would be different from the contact objects used for the Registrant role, since Registrant contacts have a different set of mandatory data fields. Note that in EPP, contact objects are "generic" in that all contact objects contain the same required or minimum data fields. A contact object is then associated to a role with the domain: Registrant, Admin, Tech, or Billing. In EPP there is currently no such thing as a "Tech Contact Object" or an "Administrative Contact Object" – there are only generic contact objects, which are designated to serve a particular role when associated with a domain name object. The EPDP proposal would break that paradigm. Among the other implications: when creating objects, registrars would have to specify the Role that the contact object will be (and can only be) used for, which is something that is not done now. And registrars would have to create all-new "Tech Field" objects. to replace all existing contacts associated with Tech Contact roles. The "Tech fields" proposal also creates transfer problems. Some registrars have stated that they want to offer Tech contacts to their registrants. What will happen when a registrant using such a registrar wants to transfer his or her domain to a registrar that does not support Tech contacts? Introducing this kind of discontinuity and lack of standardization into the domain registration and management process is neither necessary nor desirable. See SAC104 for additional comments and information.	Ben Butler; SSAC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
24.	Registrars should be required to provide an option for registered name holders to indicate that they are either a Legal or Natural person. GDPR does not apply to Legal Persons and, therefore, allowing registered name holders to indicate they are such Persons creates the opportunity and possibly the legal basis needed to publish the full Whois record or at least more fields therein. According to Recital 14 of the GDPR: The protection afforded by this Regulation should apply to natural persons, whatever their nationality or place of residence, in relation to the processing of their personal data. This Regulation does not cover the processing of personal data which concerns legal persons and in particular undertakings established as legal persons, including the name and the form of the legal person and the contact details of the legal person.	• Sajda Ouachtouki; The Walt Disney Company • Steve DelBianco; BC • Jeremy Dallman, David Ladd – Microsoft Threat Intelligence Center; Amy Hogan-Burney, Richard Boscovich – Digital Crimes Unit; Makalika Naholowaa, Teresa Rodewald, Cam Gatta – Trademark; Mark Svancarek, Ben Wallace, Paul Mitchell – Internet Technology & Governance Policy; Cole Quinn – Domains and Registry; Joanne Charles – Privacy & Regulatory Affairs; Microsoft Corporation • Tim Chen; DomainTools	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
25.	No additional elements shall be collected.	• Lars Steffen; eco – Association of the Internet Industry • Wolf-Ulrich Knoben; ISPCP Constituency	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
26.	1. There needs to be an additional field to provide clarity regarding whether the registrant is the "Name" or whether it is the "Organization", as the current data collected makes it ambiguous! This has been a known problem for a long, long time. For example, if the "Name" is "John Smith" and the "Organization" is "Acme Inc.", then is the true registrant the corporation, and John Smith is the employee at the corporation who receives the correspondence? Or, is the true registrant "John Smith" (an individual), who currently happens to work for "Acme, Inc."?? That ambiguity can cause immense legal problems, tax issues, disputes over ownership, etc. It's time to fix that, now. 2. Tech Field: should include all the fields (optionally for the registrant, but mandatory for the registrar to offer to collect them) as the registrant field, i.e. address, postal code, phone, fax, etc. Simply a name, phone number and email are insufficient. 3. Admin Fields: these should be restored, as per the current WHOIS! (i.e. all fields like the registrant). The admin within an organization is separate from the registrant. Make it optional if need be. 3. "Name Server" should be plural, i.e. all name servers (not just 1). 4. There should be an optional "Legal Contact" (with all the same field types as the registrant, i.e. address, phone, fax, etc.), akin to a "Registered Agent for Service" in many jurisdictions for corporations. Some folks consider the "Tech Fields" or "Admin Fields" as something that can be eliminated, in the name of data minimization, as it's often the same as the registrant. But, the "Admin Fields" and "Tech Fields" are often used to direct communications of certain types expeditiously to the appropriate contact, *and* as a secondary/backup contact (e.g. for UDRP/URS, where notice must be sent to everyone in the WHOIS), see Section 2(a)(i) of the UDRP policy at: https://www.icann.org/resources/pages/udrp-rules-2015-03-11-en Thus, there's important redundancy achieved by having these multiple contacts in the WHOIS. That redundancy is also important for recovery of stolen domains (i.e. often some fields in the WHOIS go bad, or are hacked, and it's through contact with secondary/backup contacts like the tech contact that one can get in touch with the true owners). There are important benefits to redundancy, and they should not be underestimated. The Legal Contact matches the proposal I made in the RPM PDP working group, and is another important source of redundancy, especially when a timely response is needed (e.g. to respond to a lawsuit or other dispute). A registrant might be on vacation, and having their lawyer's contact info available in the WHOIS protects the registrant, if the rules require that the Legal Contact be notified of complaints too (i.e. the registrant would still get contacted). The URS Proposal in the RPM PDP can be found at: https://community.icann.org/download/attachments/93126760/URS-Proposal-7.pdf?version=1&modificationDate=1537972994000&api=v2 Just as there are multiple forms of communications in the WHOIS for redundancy (i.e. phone/fax/physical address), and multiple nameservers for redundancy for DNS requests, it is important that there be allowed multiple separate contacts (different people), at the discretion of the registrant, as an additional form of redundancy. There should not be single points of failure, as that increases risk for registrants! [If it's decided that these additional contacts for redundancy are not permitted, I'd strongly recommend that additional (optional) fields be allowed for the "Registrant" field, e.g. secondary and tertiary email addresses, secondary and tertiary phone, secondary and tertiary fax, instead of just a single one. That way, a registrant can use multiple email providers (as a method of redundancy), multiple phone numbers and fax numbers, to direct communications to multiple people.]	George Kirikos; Leap of Faith Financial Services Inc.	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
27.	The elements that have been deleted related to Admin contacts should be reinstated pending a clear understanding on how the existing data in these fields (when it is unique to those fields) will be handled by registrars and registries. Registrant-provided data must not be unilaterally removed without due consultation with the data provider. Moreover, under the 2009 RAA, which governs a very large number of registrations, there was no requirement to collect Registrant telephone or email. If the Admin field is eliminated, there may be NO contact information in the record (and in the escrowed records). There must be a new field where the registrant must declare whether it is a natural or legal person. This field must be collected regardless of whether it is used at this stage to determine what data is redacted. Registrants have provided contact data in good faith and that data must be honoured by the Registrar/Registry. If it is to be changed, there must be process developed to ensure that the registrant agrees. To do otherwise is having the controller/processers alter registrant data without their approval and is counter to the intent of the GDPR. A registrant that has chosen to place administrative responsibilities with a specific person or entity must not have that changed unilaterally, and the ability to do so should not be unilaterally removed. Without the Admin fields, there is the potential for a registration record NOT having telephone or email contact details for the entity responsible for the registration. Technical contacts cannot be presumed to have authority over the domain registration. A field identifying the natural/legal status of the registrant must be collected in light of the GDPR's reliance on this differentiation, and the likelihood that other jurisdictions may also treat the two differently.	Evin Erdoğdu; ALAC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
28.	If the domain name is registered via a registrar's reseller, the whois records should also display the reseller's name and contact details. A lot of domain names are registered via resellers. These resellers are responsible for the day-to-day management of the domain names that are registered through them and the resellers are the ones that are in direct contact with the registrants of such domain names.	Steve Gobin; Corporate domain name management	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
Not designated			

#	Comment	Contributor	EPDP Response / Action Taken
29.	No selection made and no additional comments submitted	• Monique A. Goeschl; Verein für Anti-Piraterie der Film- und Videobranche (VAP) • Fabien Betremieux; GAC • Brian Beckham; Head, Internet Dispute Resolution Section, WIPO • Ashley Heineman; NTIA • Theo Geurts • Ivett Paulovics; MFSD Srl URS Provider • Ashley Roberts; Valideus • Renee Fossen; Forum - URS and UDRP Provider • Stephanie Perrin	**EPDP Response:** none **Action Taken:** none [COMPLETED]

Data Elements (Collected and Generated) Note, Data Elements indicated with ** are generated either by the Registrar or the Registry

Domain Name** Registry Domain ID** Registrar Whois Server** Registrar URL** Updated Date**
Creation Date** Registry Expiry Date**
Registrar Registration Expiration Date** Registrar**
Registrar IANA ID**
Registrar Abuse Contact Email** Registrar Abuse Contact Phone** Reseller**
Domain Status** Registry Registrant ID** Registrant Fields:

- Name
- Organization (optional)
- Street
- City
- State/province
- Postal code
- Country
- Phone
- Phone ext (optional)
- Fax (optional)
- Fax ext (optional)
- Email

Tech ID (optional) Tech Fields:

- Name (optional)
- Phone (optional)
- Email (optional) Name Server DNSSEC (optional)

Name Server IP Address**
Last Update of Whois Database**

Additional optional data elements as identified by Registry Operator in its registration policy, such as (i)

status as Registry Operator Affiliate or Trademark Licensee [.MICROSOFT]; (ii) membership in community [.ECO]; (iii) licensing, registration or appropriate permits (.PHARMACY, .LAW] place of domicile [.NYC];
(iv) business entity or activity [.BANK, .BOT]

RECOMMENDATION 4 – Optional Data Elements

#	Comment	Contributor	EPDP Response / Action Taken

The EPDP Team recommends that the following data elements are optional for the Registered Name Holder (RNH) to provide:

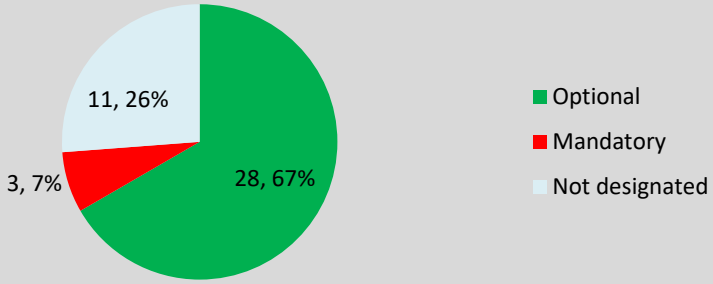
- technical contact name
- technical contact email and
- technical contact phone number

The EPDP Team has discussed two definitions of the term "optional" as used in this recommendation:

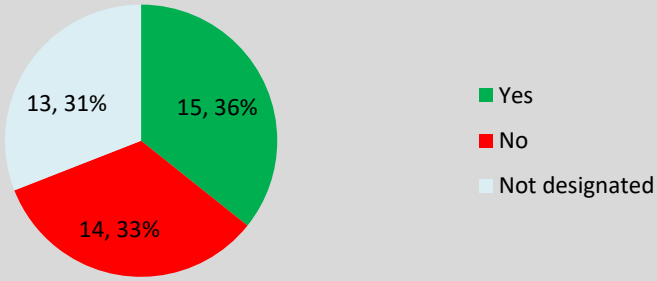
(1) registrars must offer the data field and registrants can decide whether to fill in the field or leave in blank (in which case the query would return the registered name hold data; OR

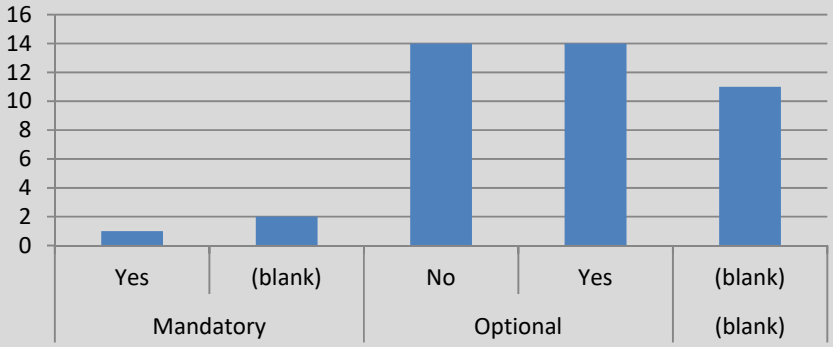
(2) registrars can offer this field at their option

Should the technical contact fields be optional or mandatory (where mandatory means the registrar must offer the fields AND the RNH must fill in information)?



If your answer is 'optional', should registrars be required to offer these technical contact fields?





#	Comment	Contributor	EPDP Response / Action Taken
Optional			
30.	The IPC does not believe that collection of Technical Contact information should be "Mandatory", however registrars should be required to offer the OPTION for registrants to provide this information. Many registrants wish to provide secondary contact information, including large corporate registrants who need to route the appropriate communications within their organization, and technically-novice registrants who need to enlist the help of an organization with greater technical expertise to manage their web presence. Even more registrants may simply want to list a backup contact for estate or succession planning or mere peace of mind of having a backup. If this were to be made optional for registrars, many registrants would, in effect, be deprived of their ability to choose to list a second contact, especially if they lack the sophistication to know they could choose a different registrar that allows them to do so. Further, registrants who have already designated a different technical contact could be deprived of the choice they have already made if their registrar is permitted to discontinue the service. Therefore, the IPC believes that Registrars should be required to provide registrants with the "OPTION" to provide Technical Contact information, although provision of this alternative contact information by registrants should not be mandatory. Moreover, if the registrant opts to enter this data, the registrar should be required to publish it.	Brian King; IPC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
31.	COA asserts that Registrars should be required to provide registrants with the "OPTION" to provide Technical Contact information, although provision of this alternative contact information by registrants should not be mandatory. Many registrants may wish to provide secondary contact information, including large corporate registrants who need to route the appropriate communications within their organization, and technically-novice registrants who need to enlist the help of an organization with greater technical expertise to manage their web presence. Requiring that registrars give registrants the option to supply such technical contact information serves ICANN's core mission of ensuring and furthering the stability, security and resiliency of the domain name system because it allows contact to be made with the appropriate technical person or organization (in cases where such a person or organization exists separate from the registrant) to address technical issues more quickly and efficiently.	Dean S. Marks; Coalition for Online Accountability	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
32.	INTA does not believe that collection of Technical Contact information should be "Mandatory", However, the OPTION to provide this information should be required as some Registrants may wish to provide this information in order to route the appropriate communications within their organization. Therefore, INTA believes that Registrars should be required to provide registrants with the "OPTION" to provide Technical Contact information, although provision of this information by registrants should not be mandatory.	Lori Schulman Senior Director, Internet Policy; International Trademark Association (INTA)	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
33.	The EPDP team has pursued policy recommendations that, in many areas, guarantee registrant rights. The BC therefore advocates for the same in this instance: to preserve this registrant right, registrars should be required to offer the non-mandatory option. Further, should the registrant elect to enter this data, the registrar should be required to publish it.	Steve DelBianco; BC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
34.	Question 46, as written, does not offer support for our position, which is that (1) all registrars must provide the option (2) the registrant may elect not to take the option (3) if the registrant elects to submit the data, the registrar must publish it. As a good practice, registrants should provide Technical Contact information (at least a phone number or email address). For many registrants technical support is best managed by someone else, and for organizations, it often makes sense to create a distinct role for performing this technical support task. If this were made optional for registrars, registrants may not realize that they have recourse to select a different registrar; even if they realize this, they may not discover the need to select a different provider until far into the purchase process. And registrants with existing technical contacts may discover too late that their registrar has elected to no longer support that feature. Registrants should be protected from such situations, and our policy must reflect the need to offer such consumer protection.	Jeremy Dallman, David Ladd – Microsoft Threat Intelligence Center; Amy Hogan-Burney, Richard Boscovich – Digital Crimes Unit; Makalika Naholowaa, Teresa Rodewald, Cam Gatta – Trademark; Mark Svancarek, Ben Wallace, Paul Mitchell – Internet Technology & Governance Policy; Cole Quinn – Domains and Registry; Joanne Charles – Privacy & Regulatory Affairs; Microsoft Corporation	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
35.	Registrants who don't care about redundancy can opt-out.	George Kirikos; Leap of Faith Financial Services Inc.	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
36.	generally we should allow for separate contact info in other Contact roles, but not require it.	Tim Chen; DomainTools	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
37.	The technical contact fields should be deleted as I discussed in my previous answer above. If NOT deleted, then Optional.	John Poole; Domain Name Registrant	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
38.	The technical field must not be required of registries and registrars who feel it violates the principles of data minimization. The technical contact field is a legacy element that predates the existence of registrars.	A. Mark Massey; Domain Name Rights Coalition	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
39.	The principal of data minimization requires that it be optional and not required. The technical contact field is a legacy element that predates the existence of registrars. Currently, the de facto technical contact for all registered domains is the Registrar. The name of the registrar and the contact information for the registrar are already included in the Whois data, so there is no need for an additional technical contact. If the registered name holder really wants a different person or organization listed as a Tech-C it should be optional.	Farzaneh Badii; Internet Governance Project	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
40.	Technical contact data is not necessary to complete the registration, and thus it should be optional. When we say "optional" we mean both that it be optional for the registrar or reseller to present as an option to the registrant and it should be optional for the registrant to complete.	Tucows Domains Inc.	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
41.	Tech c is not a requirement for a domain registration to function	Michele Neylon; Blacknight Internet Solutions Ltd	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
42.	The preference is to delete the Tech-C data elements. Technical contact data is not necessary to complete a registration.	• Zoe Bonython; RrSG • Volker Greimann; Key-Systems GmbH	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
43.	The RySG views this issue through the lens of Purpose 1. That Purpose references the Registered Name Holder (not the technical contact) and the existence of a technical contact is not necessary to complete the activities encompassed by Purpose 1.	Wim Degezelle ; RySG	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
44.	The technical contact field is a legacy element that predates the existence of registrars. Currently, the de facto technical contact for all registered domains is the registrar. The name of the registrar and the contact information for the registrar are already included in the Whois data, so there is no need for an additional technical contact. If the Registered Name Holder really wants a different person or organization listed as a Tech-C it should be optional (where optional means that it is optional for the registrar to seek collection of the data, and optional for the Registered Name Holder to provide it upon a request to have it collected). Furthermore, the principle of data minimization suggests that if a data element is only optional, or not necessary for processing activities or to fulfil a contractual requirement to which the data subject is a party; that it should not be collected or further processed. Ideally, these data elements should not be collected at all.	Ayden Férdeline; NCSG	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
45.	MarkMonitor does not believe that collection of Technical Contact information should be "Mandatory", however registrars should be required to offer the OPTION for registrants to provide this information. Many registrants wish to provide secondary contact information, including large corporate registrants who need to route the appropriate communications within their organization, and technically-novice registrants who need to enlist the help of an organization with greater technical expertise to manage their web presence. Even more registrants may simply want to list a backup contact for estate or succession planning or mere peace of mind of having a backup. If this were to be made optional for registrars, many registrants would, in effect, be deprived of their ability to choose to list a second contact, especially if they lack the sophistication to know they could choose a different registrar that allows them to do so. Further, registrants who have already designated a different technical contact could be deprived of the choice they have already made if their registrar is permitted to discontinue the service. Therefore, MarkMonitor believes that Registrars should be required to provide registrants with the "OPTION" to provide Technical Contact information, although provision of this alternative contact information by registrants should not be mandatory.	Brian King; MarkMonitor, Inc., a Clarivate Analytics company	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
46.	The collection of data on the tech-c must be optional as it is not needed to perform the contract with the data subject. As a consequence, the processing requires consent. Any recommendations relating to the role of the tech-c must ensure that all legal requirements for consent-based processing are followed and, where the data is not collected from the data subject, Art. 14 of the GDPR needs to be complied with.	• Lars Steffen; eco – Association of the Internet Industry • Wolf-Ulrich Knoben; ISPCP Constituency	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
47.	See above responses to 44, 45	Ben Butler; SSAC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
48.	No rationale provided.	• Sara Bockey; GoDaddy • Domain.com, LLC & affiliates • Monica Sanders; i2Coalition • David Martel • Etienne Laurin • Steve Gobin; Corporate domain name management • Greg Aaron; iThreat Cyber Group • Ashley Heineman; NTIA	**EPDP Response:** none **Action Taken:** none [**COMPLETED**]
Mandatory			
49.	The answer depends on how the field will be handled when legitimate requests for the fields are addressed. If in the absence of information being provided by the registrant, some other contact information will be provided, the OPTIONAL is ok. If blank fields will be returned, then the answer here must be MANDATORY To be clear, in version 2 of "optional" it is unclear what value would be returned if there is a lawful query for technical contact fields. That lack of clarity makes this question impossible to answer neatly.	Evin Erdoğdu; ALAC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
50.	Often there is a disconnect between the Registrant and the Technical contact, where the technical contact is a different person or entity. The technical contact is more important to ensure the Security and Stability of the DNS, in various situations.	Sivasubramanian Muthusamy; Internet Society India Chennai	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
51.	Registrars should definitely offer the Technical name/contact fields (name, email, and phone) to Registrant. If Registrant fills these fields, filled values should be used. If left blank by Registrant, Registrant should be provided options to 1) either use Registrant details OR 2) Provide the details as specified of Technical Contact that they wish to name on their behalf such as Hosting Service Provider OR 3) use Registrar name, email and phone,(since Registrar is by default the technical point of contact for Registrant).	DR. JAIDEEP KUMAR MISHRA ; DIRECTOR MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY, GOVERNMENT OF INDIA	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
Yes – Registrars required to offer technical contact fields			
52.	Yes All registrants should be given the option of providing the data. The concept that if a registrant wants to provide this data, they need to look around for a registrar that allows its entry is ridiculous. Registering a domain name and then taking care of it is a sufficiently complicated task that adding a “search” part of the process, when a potential registrant does not even know that the field exists or may not exist for a given registrar adds a level of complexity that would be difficult to document and deceptive to not ensure that a registrant understands their options.	Evin Erdoğdu; ALAC	Support **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
53.	Follow on comments not provided by those who selected Mandatory.	• Sivasubramanian Muthusamy; Internet Society India Chennai • DR. JAIDEEP KUMAR MISHRA ; DIRECTOR MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY, GOVERNMENT OF INDIA	**EPDP Response:** none **Action Taken:** none [**COMPLETED**]

#	Comment	Contributor	EPDP Response / Action Taken
54.	Registrars should be required to offer this OPTION for registrants to provide this information, since some registrants desire or need to provide this information for the purposes listed above. Many domain registrants will *want* to be contacted swiftly if anyone discovers a technical issue with their domain name.	• Brian King; IPC • Brian King; MarkMonitor, Inc., a Clarivate Analytics company	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
55.	See Rationale above. Domain name registrants may well want to supply appropriate technical contact information to resolve more quickly and effectively any technical issue that may arise with respect to their domain names. This serves the interest of both the registrant and the overall mission of ICANN and therefore this should be required of registrars.	Dean S. Marks; Coalition for Online Accountability	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
56.	INTA does not believe that collection of Technical Contact information should be mandatory. However, the option to provide this information should be required as some Registrants, may wish to provide this information in order to route the appropriate communications within their organization. Therefore, INTA believes that Registrars should be required to provide registrants with the "OPTION" to provide Technical Contact information, although provision of this information by registrants should not be mandatory.	Lori Schulman Senior Director, Internet Policy; International Trademark Association (INTA)	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
57.	As noted, some registrants elect to provide this data for a variety of reasons. Registrars should thus be required to offer the option to those who wish to exercise it. This is a prudent step in the EPDP's various guarantees of registrant rights.	Steve DelBianco; BC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
58.	As a good practice, registrants should provide Technical Contact information (at least a phone number or email address). Thus, it should be mandatory for registrars to offer this capability. See further discussion in #47, above.	Jeremy Dallman, David Ladd – Microsoft Threat Intelligence Center; Amy Hogan-Burney, Richard Boscovich – Digital Crimes Unit; Makalika Naholowaa, Teresa Rodewald, Cam Gatta – Trademark; Mark Svancarek, Ben Wallace, Paul Mitchell – Internet Technology & Governance Policy; Cole Quinn – Domains and Registry; Joanne Charles – Privacy & Regulatory Affairs; Microsoft Corporation	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
59.	It is imperative that those registrants who prize redundancy (i.e. to ensure that there are ways to be reached, if one method fails) have the ability to add these secondary contacts, as discussed above.	George Kirikos; Leap of Faith Financial Services Inc.	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
60.	The necessary optionality is captured already. Requiring the presence of the data entry option protects the rights of registrants who prefer to indicate a technical contact. After all, contact for technical purposes is how Whois came about more than 25 years ago.	Tim Chen; DomainTools	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
61.	There may be a difference in person responsible	David Martel	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
62.	No rationale provided.	Etienne Laurin	**EPDP Response:** none **Action Taken:** none [**COMPLETED**]
63.	A lot of registrant are not familiar with domain names, while the technical contact is generally an IP specialist, a DNS technician or a webhosting company that is more familiar with domain names. If there is any issue with a domain name, it is much easier to solve it with someone who knows how domain names work.	Steve Gobin; Corporate domain name management	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
64.	Contactability and the resolution of technical problems on the Intenet.	Greg Aaron; iThreat Cyber Group	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
65.	See above responses to 44, 45	Ben Butler; SSAC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
66.	The U.S. believes that registrars should continue to be required to collect information contained in the tech fields in addition to the registrant fields. There are a number of useful reasons for providing the information contained in the tech fields that are distinct from the registrant fields, including when a registrant has specific/distinct contacts responsible for acquiring/maintaining registration and other contacts responsible for ensuring the security of the domain. In this example, being able to reach the informed technical contact responsible for security issues directly and quickly to respond to issues such as the domain being under control of a botnet, may be a matter of urgency. In light of this and other examples, the U.S. does not believe it is appropriate for registrars to unilaterally determine that the information contained in the tech fields are not necessary to collect. And while contracted parties have expressed concerns that continuing to make it a requirement to collect this information exposes them to increased legal liability risk in cases of third party contacts, the U.S. believes that the European Data Protection Board has already provided guidance on the matter saying it is permissible as long as the individual concerned is informed (see EDPB letter to Goran Marby, July 5, 2018, footnote 15).	Ashley Heineman; NTIA	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
No – Registrars NOT required to offer technical contact fields			
67.	The technical contact fields should be deleted as I discussed in my previous answer above. See also ICANN vs. EPAG case for additional rationale.	John Poole; Domain Name Registrant	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
68.	No rationale provided.	A. Mark Massey; Domain Name Rights Coalition	**EPDP Response:** none **Action Taken:** none [**COMPLETED**]
69.	Some registrars feel that compliance with GDPR and its principle of data minimization requires them to eliminate a data field that is not really used. It is best to allow them to navigate the legal risks based on their own judgment. The registrar market is competitive so if there is real demand for this field then registrars will offer it.	Farzaneh Badii; Internet Governance Project	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

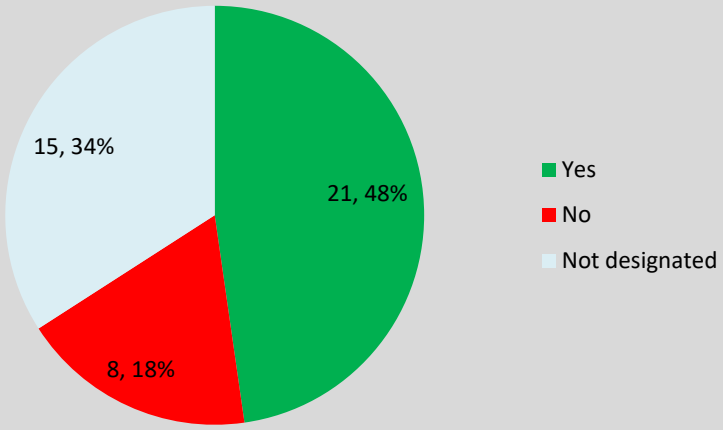
#	Comment	Contributor	EPDP Response / Action Taken
70.	Technical contact data is not necessary to complete the registration, so registrars should not be required to offer these contact fields. GDPR requires minimization of data processing.	Tucows Domains Inc.	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
71.	Tech c is not required for a registration to function	Michele Neylon; Blacknight Internet Solutions Ltd	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
72.	This should be a business decision.	Sara Bockey; GoDaddy	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
73.	If the collection is optional, the stated purpose for collection and retention becomes moot under the GDPR.	Volker Greimann; Key-Systems GmbH	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
74.	If optional fields were provided by the registrar the data subject/registrant would voluntarily add any information that they consented to being disclosed in WHOIS.	Zoe Bonython; RrSG	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
75.	No rationale provided.	Domain.com, LLC & affiliates	**EPDP Response:** none **Action Taken:** none [**COMPLETED**]
76.	RySG comment: The consensus policy should bear in mind the GDPR principle of data minimization. While there may be cases where registrars wish to provide their customers with the ability to designate a technical contact in addition to the registrant, and can provide a legal basis or justification for doing so, the RySG believes that registrars should not be universally required to collect additional contact fields. As such, it should be optional for the registrar to offer technical contact fields.	Wim Degezelle ; RySG	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
77.	Some registrars feel that compliance with the GDPR and its principle of data minimization requires them to eliminate a data field that is not really used. It is best to allow them to navigate the legal risks based on their own judgment. The registrar market is competitive so if there is real consumer demand for this field then registrars can/will offer it.	Ayden Férdeline; NCSG	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
78.	There are technical and legal challenges with consent-based processing. These are likely out of scope for this EPDP to resolve. Therefore, the offering should be optional until such time when an industry-wide approach has been agreed upon.	• Lars Steffen; eco – Association of the Internet Industry • Wolf-Ulrich Knoben; ISPCP Constituency	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
79.	No rationale provided.	Monica Sanders; i2Coalition	**EPDP Response:** none **Action Taken:** none [COMPLETED]
Not designated or rationale provided			

#	Comment	Contributor	EPDP Response / Action Taken
80.	No selection made and no additional comments submitted	• Neil Fried;Neil Fried; The Motion Picture Association of America • Sajda Ouachtouki; The Walt Disney Company • Greg Mounier on behalf of Europol AGIS; Europol Advisory Group on Internet Security • Monique A. Goeschl; Verein für Anti-Piraterie der Film- und Videobranche (VAP) • Fabien Betremieux; GAC • Brian Beckham; Head, Internet Dispute Resolution Section at WIPO • Theo Geurts • Ivett Paulovics; MFSD Srl URS Provider • Ashley Roberts; Valideus • Renee Fossen; Forum - URS and UDRP Provider • Stephanie Perrin	**EPDP Response:** none **Action Taken:** none [COMPLETED]

RECOMMENDATION 4 – Billing & Admin Data Elements

#	Comment	Contributor	EPDP Response / Action Taken
The EPDP team recommends that contact information for billing and administrative contacts should not be collected. Do you agree that this information should not be collected? 			
Yes			
81.	Billing and Administrative Contacts are two categories too many; The number of categories could be limited to two, namely Registrant and Technical Contact data, with the stipulation/ understanding that the Registrant is responsible for Billing and that either the Registrant or Technical Contact be designated as Administrative Contact.	Sivasubramanian Muthusamy; Internet Society India Chennai	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
82.	Billing and administrative contacts are redundant and seldom used for contact purpose. Accordingly, as per Data minimization concept in GDPR, contact information for billing and administrative contacts should not be collected.	DR. JAIDEEP KUMAR MISHRA ; DIRECTOR MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY, GOVERNMENT OF INDIA	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
83.	This information is unnecessary and inappropriate for the WHOIS directory.	John Poole; Domain Name Registrant	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
84.	Yes, we strongly agree that this data should not be collected. It is legacy data and largely duplicative of registrant contact data.	A. Mark Massey; Domain Name Rights Coalition	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
85.	These are also legacy fields that predate ICANN. They are not needed. Billing contact is almost always the same as Admin and/or Technical contact.	Farzaneh Badii; Internet Governance Project	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
86.	If these contact points match the registrant contact set, they are redundant and thus there's no legal basis for collecting them. If these contact points are different, the registrar has no legal or contractual relationship with the registrant and thus there is again no legal basis for collecting, storing, or processing these data.	Tucows Domains Inc.	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
87.	Billing is completely outside the "whois" system and should have been removed years ago. The admin C is a relic	Michele Neylon; Blacknight Internet Solutions Ltd	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
88.	The RrSG supports the recommendation that contact information for billing and administrative contacts should not be collected. Administrative and billing contacts are a relic from the original WHOIS specification and have now been superseded by subsequent data fields, namely the registrant fields (for admin contacts), and the registrar-collected customer data (for billing contacts).	• Zoe Bonython; RrSG • Volker Greimann; Key-Systems GmbH	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
89.	The RySG understands that registrars do not generally rely upon the contact information provided for the billing and administrative contacts to handle billing and administrative matters. Accordingly, these contacts appear to have outlived their usefulness and no longer merit collection under GDPR. Additionally, refer to the response to Question 49. The consensus policy should respect the principle of data minimization. Registrars should not be required by the policy to collect contact information for additional contacts, especially where the policy itself considers the data to be optional (i.e., not necessary for the purpose).	Wim Degezelle ; RySG	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
90.	These are also legacy fields that predate ICANN. They are not needed. Billing contact is almost always the same as Admin and/or Technical contact.	Ayden Férdeline; NCSG	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
91.	Registrants have always been afforded the ability to enter different points of contact for different needs regarding the performance of their contract with the Registrar. ICANN's stated goal with Whois is to keep it the same as much as possible. Therefore these fields should still be collected.	Brian King; MarkMonitor, Inc., a Clarivate Analytics company	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
92.	These data elements are not needed in practice. The role of the admin-c is not different than the role of the registered name holder. The billing contact is not used for billing purposes as the account holder is invoiced. Thus, according to the principle of data minimization, both roles shall not be maintained further and no relating data shall be collected.	• Lars Steffen; eco – Association of the Internet Industry • Wolf-Ulrich Knoben; ISPCP Constituency	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
93.	The registry operator always bills the registrar and the registrar always bills the reseller (if any) or the registrant. The registrant or reseller always designates billing contact to its registrar. It is not relevant to include these data in the whois data. As for the administrative contact, it shouldn't be mandatory to provide one but the registrant should have the opportunity to provide one, for example, if a third person that is no technician manages the domain name.	Steve Gobin; Corporate domain name management	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
94.	No rationale provided.	• Sara Bockey; GoDaddy • Domain.com, LLC & affiliates • Monica Sanders; i2Coalition • David Martel • Etienne Laurin	**EPDP Response:** none **Action Taken:** none [**COMPLETED**]
No			
95.	See answer #44 for Admin contacts. Billing contacts are not part of the public WHOIS and the ALAC has no concern what is done with them.	Evin Erdoğdu; ALAC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
96.	The IPC agrees that billing contact data should not be collected for any ICANN purposes as issues related to billing are firmly in the realm of the Registrar. We do believe however that in addition to the optional collection of the technical contact (See Question 47) that Registrants should be given the option to provide an Administrative contact. Both the Technical and Administrative contact fields allow for the Registrant to designate additional suitable points of contact for these functions, adequate to facilitate timely resolution of any problems that arise in connection with his/her/its domain name. A mechanism to specify a separate Administrative Contact ensures the proper delegation of requests associated with domain name management, such as registration renewals or cancellations, purchase or sale-related inquiries or efforts, and other similar kinds of issues relating to the status, disposition, or control of the domain name. The Security and Stability Advisory Committee (SSAC), which "advises the ICANN community and Board on matters relating to the security and integrity of the Internet's naming and address allocation systems" addressed the importance of administrative and technical contact roles for maintaining control of a domain registration in its advisory, "SAC044: A Registrant's Guide to Protecting Domain Name Registration Accounts." SAC044 (https://www.icann.org/en/system/files/files/sac-044-en.pdf) specifically noted, among other things, that maintaining administrative and technical contacts plays a role in reducing single points of failure or attack.8 This report was adopted by the ICANN Board and provides justification for mandating collection of this data from ICANN's perspective and from a Registrant perspective – in line with ICANN's purpose of ensuring contacts adequate to facilitate timely resolution of any problems that arise in connection with a domain name. Administrative and Technical Contacts are also vitally important to a number of ICANN consensus policies developed by the global multi-stakeholder community over the last two decades that aim to protect the Registrant, and facilitate the efficient resolution of domain name disputes. Those policies are: ICANN Transfer Policy, which supports robust competition in the domain name industry. Confirmation of a request to transfer a domain name from one registrar to another prevents domain name "hijacking" or unauthorized theft of the domain name. ICANN's Transfer Dispute Resolution Policy grants administrative contacts the right to contest an unauthorized transfer of the domain name. This serves a similarly important "consumer protection" safeguards for the registrant. ICANN's Expired Domain Name Recovery Policy specifies that notice of expiration can be sent to the administrative contact for a domain name. ICANN's WHOIS Data Reminder Policy is sent to administrative contacts annually to ensure that the domain name registrant's contact data is up to date and accurate. ICANN's Uniform Domain Name Dispute Resolution Policy (UDRP) and Uniform Rapid Suspension (URS) system are domain name dispute resolution mechanisms to resolve cyber-squatting, and which require that service of process of the complaint be made on the administrative contact and the technical contact in WHOIS, in addition to the registrant. By requiring service on all of the contacts in the WHOIS, registrants are better protected in terms of due process and notice of service, and are less likely to fail to receive a complaint or ignore the complaint, which could result in a default judgment that could cause them to lose their domain name.	Brian King; IPC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
97.	While COA agrees that administrative contact information should not be required to be collected, we think requiring registrars to give registrants the OPTION to supply this additional data should be the appropriate path forward This gives registrants the flexibility of supplying suitable points of contact if they so choose. Moreover, the SSAC has noted that maintaining administrative and technical contracts plays a role in reducing single points of failure or attack. See: SAC044: A Registrant's Guide to Protecting Domain name Registration Accounts.	Dean S. Marks; Coalition for Online Accountability	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
98.	INTA does not believe that collection of Billing and Administrative Contact information should be mandatory. However, the option to provide this information should be required as some Registrants may wish to provide this information in order to route the appropriate communications within their organization. Therefore, INTA believes that Registrars should be required to provide registrants with the "OPTION" to provide Billing and Administrative Contact information, although provision of this information should not be mandatory.	Lori Schulman Senior Director, Internet Policy; International Trademark Association (INTA)	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
99.	Registrants have always been afforded the ability to enter different points of contact for different needs regarding the performance of their contract with the Registrar. This should continue. Further, ICANN's stated goal was, and is, to preserve Whois to the greatest extent possible -- presuming that to be the case, these fields should continue to be collected. Such a measure, as is the case elsewhere, is preservation of further registrant rights.	Steve DelBianco; BC	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
100.	As a good practice, registrants should provide Administrative Contact information (at least a phone number or email address). This contact information is not as important in actual practice as the Technical contact information, but we see no reason to stop collecting it if the registrant wants to submit it.	Jeremy Dallman, David Ladd – Microsoft Threat Intelligence Center; Amy Hogan-Burney, Richard Boscovich – Digital Crimes Unit; Makalika Naholowaa, Teresa Rodewald, Cam Gatta – Trademark; Mark Svancarek, Ben Wallace, Paul Mitchell – Internet Technology & Governance Policy; Cole Quinn – Domains and Registry; Joanne Charles – Privacy & Regulatory Affairs; Microsoft Corporation	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	EPDP Response / Action Taken
101.	Disagree. These provide important redundancy benefits, and should continue to be collected (optionally for registrant). If they are not collected, then, as per above, optional secondary and tertiary contacts should be permitted.	George Kirikos; Leap of Faith Financial Services Inc.	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
102.	Much like the case for the option to enter Technical Contact data, the same argument holds here. It does not have to be mandatory, but registrants deserve the right to direct people to role-based contacts.	Tim Chen; DomainTools	Concerns **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
No designation, but rationale provided			
103.	To the extent any of the currently-collected data elements (i.e., admin and tech contacts) would no longer be collected, and pending any relevant rule change, ICANN should advise UDRP providers that due process obligations will be deemed to be met for purposes of UDRP case administration as long as a provider uses all available information to notify cases.	Brian Beckham; Head, Internet Dispute Resolution Section at WIPO	New Idea **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
Not designated			

#	Comment	Contributor	EPDP Response / Action Taken
104.	No selection made and no additional comments submitted	• Greg Aaron; iThreat Cyber Group • Ben Butler; SSAC • Ashley Heineman; NTIA • Neil Fried; The Motion Picture Association of America • Sajda Ouachtouki; The Walt Disney Company • Greg Mounier on behalf of Europol AGIS; Europol Advisory Group on Internet Security • Monique A. Goeschl; Verein für Anti-Piraterie der Film- und Videobranche (VAP) • Fabien Betremieux; GAC • Theo Geurts • Ivett Paulovics; MFSD Srl URS Provider • Ashley Roberts; Valideus • Renee Fossen; Forum - URS and UDRP Provider • Stephanie Perrin	**EPDP Response:** none **Action Taken:** none [COMPLETED]

RECOMMENDATION 4 – Additional Comments

#	Comment	Contributor	EPDP Response / Action Taken
105.	For the "updated date" field, it's unclear whether that's a registry or a registrar provided date. It should be made explicit (e.g. for a thin registry like .com, a change at the registrar of some fields would *not* change the registry WHOIS). So, it should be labelled appropriately in the WHOIS output (or maintain 2 different updated dates, i.e. last updated at registry, last updated at registrar).	George Kirikos; Leap of Faith Financial Services Inc.	New Idea **EPDP Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]