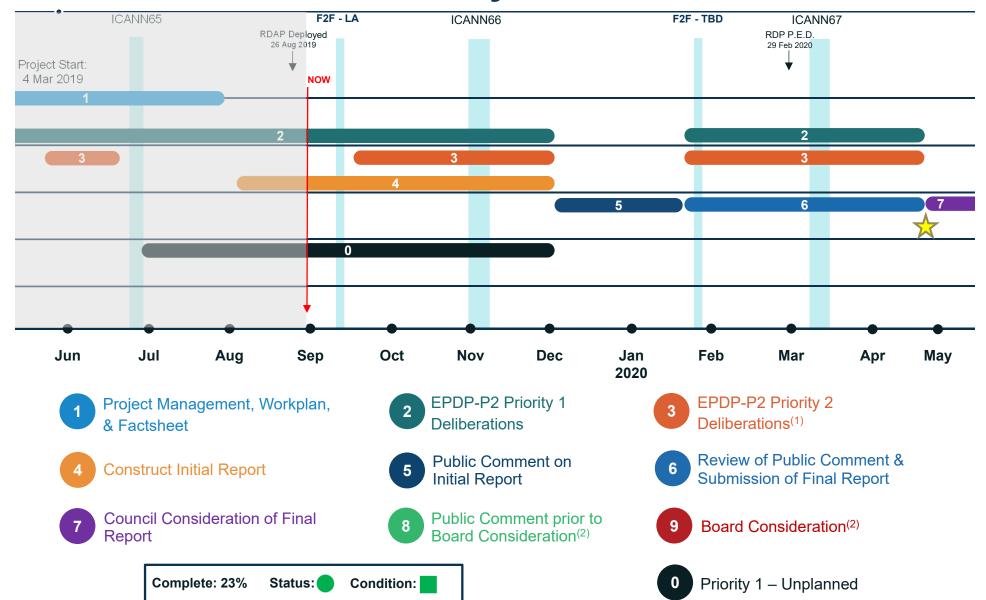
# **EPDP Phase 2 - Summary Timeline**

31 August 2019





<sup>(1)</sup> Items from priority 2 could be incorporated in the Initial / Final Report for priority 1, depending on their date of completion or presented separately.

<sup>(2)</sup> These phases of the project occur after the GNSO Council's adoption of the Final Report, and will appear when the timeline advances there.

# EPDP - Temporary Specification for gTLD Registration Data - Phase 2

Fact sheet as of: 31-Aug-2019

#### Overview:

Following the adoption by the ICANN Board of a temporary specification on gTLD Registration Data to enable contracted parties to continue to comply with existing ICANN contractual requirements and with community-developed policies as they relate to WHOIS, while also complying with the European Union's General Data Protection Regulation (GDPR), a one-year policy development process was initiated to confirm whether or not the temporary specification should become a consensus policy.

Vice-Chair(s):

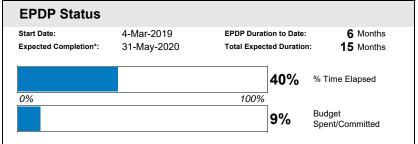
Liaison:

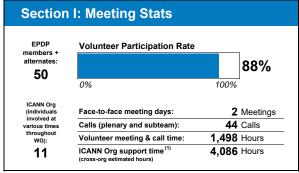
The GNSO Council adopted the Final Report during its Special Council meeting on 4 March 2019 and provided its non-objection to the commencement of Phase 2.



n/a

Rafik Dammak





<sup>(1)</sup> Does not include time for Executives, Legal, IT Personnel and Other Organizational Support

Direct Costs (1)	FY19,20 oved Budget	FY19,20 Budget Spent to Date(3)		ommitted FY19,20 ervices(4)	emaining 9,20 Budget		al Expenses: G to Date	Total Spent and Committed to Date		
EPDP Professional Services	\$ 161,000	\$	7,683	\$ 0	\$ 153,317	\$	7,683	\$	7,683	
N/A	\$ -	\$	-	\$ -	\$ -	\$		\$	\$ -	
Travel, Facility, & Catering	\$ 203,000	\$	10,340	\$ 182,570	\$ 10,090	\$	10,340	\$	192,910	
Total	\$ 364,000	\$	18,022	\$ 182,570	\$ 163,408	\$	18,022	\$	200,592	

<sup>(1)</sup> Excludes ICANN Organization and overhead allocation.

#### **Section III: Milestones EPDP Deliberations Initial Report Final Report** TOTAL: **Project Management** 10% of total effort 50% of total effort 20% of total effort 20% of total effort 23.00% Completed 0% 100% 0% 100% 0% 100% 100% 0% O Review public comment input received and incorporate as appropriate 100% ✓ Adopt charter O Priority 1 Topics O Assemble initial conclusions 0% Populate discussion papers with findings and 0 Adopt work plan O Priority 2 Topics recommendations ✓ Assemble EPDP Team O Finalize Report O Unplanned Topics O Consolidate interim recommendations and findings Prepare work products O Build Draft Report for public comment O Adopt final recommendations and report O Manage Project Plan O Approve Draft Report for public comment O Send final report to GNSO Council ✓ Develop EPDP Fact Sheet O Issue report for public comment

<sup>(3)</sup> Based on the most recent month end financials (may not include recent expenditures). Represents expenses incurred since inception of work.

<sup>(2)</sup> blank

<sup>(4)</sup> Professional services includes services from signed contracts to be provided or invoiced; travel includes upcoming scheduled meetings.

# 4 - Working Group

#### Title: Expedited Policy Development Process on the Temporary Specification on gTLD Registration Data – Phase 2 (EPDP\_P2)

**Description &** Scope:

Following the adoption by the ICANN Board of a temporary specification on gTLD Registration Data to enable contracted parties to continue to comply with existing ICANN contractual requirements and with community-developed policies as they relate to WHOIS, while also complying with the European Union's General Data Protection Regulation (GDPR), a one-year policy development process was initiated to confirm whether or not the temporary specification should become a consensus policy. The GNSO Council adopted the Final Report during its Special Council meeting on 4 March 2019 and provided its non-objection to the commencement of Phase 2. The scope for EPDP Phase 2 includes (i) discussion of a system for standardized access/disclosure to nonpublic registration data, (ii) issues noted in the Annex to the Temporary Specification for gTLD Registration Data ("Important Issues for Further Community Action"), and (iii) issues deferred from Phase 1, e.g., legal vs natural persons, redaction of city field, et. al.

#### **Composition:**

Chair(s):	Janis Karklins
<b>Council Liaison:</b>	Rafik Dammak
Staff:	M. Konings, C. Tubergen, B. Cobb
# Participants:	31 Members + 19 Alternates ( <u>link</u> )
# Observers:	196
Tools:	Mailing List / Meeting Schedule / Wiki
Charter:	Charter 19 July 2018

## **Project Management:**

Who holds token?	Planned Start Date	Actual Start Date	# of Days	Planned End Date	Actual End Date
WG	04 Mar 2019	04 Mar 2019	193	30 Apr 2020	TBD



#### Milestones/Work plan (link):

Milestone/Task	Date	
Project Start	Mar-19	~
Chair Janis Karklins appointed	Apr-19	~
1st Plenary meeting	May-19	<b>&gt; &gt; &gt;</b>
Project Plan, Work plan, & Fact Sheet	Aug-19	~
Issue Deliberations	Oct-19	
Deliberate Priority 1 and 2 Items	Oct-19	
Face-to-face #2 – Los Angeles	Sep-19	
Assemble initial conclusions	Oct-19	
Populate discussion paper w/ findings & potential recs.	Oct-19	
Discuss/approve findings and interim recs.	Oct-19	
Consolidate interim recommendations and findings	Nov-19	
Face-to-face #3 – Montreal	Nov-19	
Build Draft Report for public comment	Dec-19	
Issue report for public comment	Dec-19	
Face-to-face #4 – TBD (LAX)	Jan-20	
Review public comment input	Feb-20	
Face-to-face #5 – Cancun	Mar-20	
Determine consensus levels on recommendations	Apr-20	
Finalize Report	Apr-20	
Adopt final recommendations and report	Apr-20	
Send final report to GNSO Council	Apr-20	
GNSO Council adoption of consensus recs.		
Issue public comment for Board consideration		
ICANN Board adoption of consensus recs.		

#### Status/Condition Rationale:

- The EPDP completed its work plan and submitted to the Council 13 August 2019
- The project is On-Schedule and On-Target; Summary Timeline & Factsheet

#### **Current Activities:**

- The EPDP team is reviewing 20+ use cases synthesized into five groups to identify trends producing a working Day-Zero draft of potential policy options or text for further discussion during the next EPDP Team's face-to-face meeting.
- Establishing method for collaborating with Strawberry team
- Review of Early Input provided by SO/AC/SG/Cs on SSAD
- EPDP-P2 Legal subteam review of possible legal questions for external counsel
- Preparation of additional resource request for ICANN Board
- Admin and logistic preparations for the Sept. F2F.

## **Planned Activities:**

- EPDP Team's F2F meeting, which will be held in Los Angeles from 9 11 Sep 2019.
- Post engagement confirmation of work plan; preparation for ICANN66

## **Open Issues, Risks & Mitigation Plan:**

None

## **Completed in prior period(s):**

- The team agreed on a general title for system for standardized access/disclosure (SSAD) and set of working definitions; next steps for Priority 2 items were completed in July.
- During ICANN65, the EPDP Team met twice and used these face-to-face meetings to:
  - o discuss the format of a template to detail possible use cases for requestors of nonpublic gTLD registration data;
  - review example use-cases for requestors of nonpublic gTLD registration data;
  - met with ICANN org to discuss ICANN org's future engagement with European Data Protection Agencies based on the work of the Technical Study Group;
  - o review the new format & first iteration of the Phase 2 project plan and timeline.
- The EPDP Team reviewed and agreed to the overarching template for requestor use cases and the questions therein. The EPDP Team comprehensively discussed the use case of an individual or entity requesting nonpublic registration data for the purpose of taking legal action against trademark infringement violations. The EPDP Team then reviewed a use case for a law enforcement investigation of criminal activity against a victim in the jurisdiction of the investigating EU LEA requesting data from a non-local data controller. The objective of these use cases is to better understand real life needs as well as related requirements that will help define policy principles and recommendations.
- The EPDP-P2 leadership team submitted an overall work plan on 13 Aug reviewed by the GNSO Council.

ID 👝 🛚	WBS 1	Task Name							Duration	Start	Finish Prede	cessors % Com		Qtr 2, 2019			Qtr 4, 2019	Qtr 1, 2020	Qtr 2, 2020	Qtr 3, 2020	Qtr 4, 20
1 1	1	EPDP - Phase	se 2 Policy Development						419 days	Mon 3/4/19	Tue 10/6/20		23%	Mar Apr Ma	ay Jun Jul	Aug Sep	Oct Nov D	ec Jan Feb	Mar Apr May	Jun Jul Aug	Sep Oct
2	1.1		MANAGEMENT						419 days	Mon 3/4/19	Tue 10/6/20		56%	•							
23	1.2	EPDP DEL	LIBERATIONS						310 days	Wed 4/3/19	Fri 6/5/20		18%	-						· ¦	I I
-	1.2.1	First me	eeting of EPDP Team						1 day	Thu 5/2/19	Thu 5/2/19 8		100%					1	1	1	 
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) ,	1.2.7.1.3.2		Understand Purposes a	and Legitimate Interest fo	r third party disclosure	е			10 days	Fri 5/31/19	Tue 7/2/19		100%	1	<b></b>			1	1	I I	1
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	1.2.7.1.3.4		Deliberate other policy	topics as necessary to be	etter inform dedicated	time to that topic	٠		30 days	Fri 6/28/19	Thu 8/8/19		85%		-	•					
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AI = Action Ite

Al Summary Issue Worksheet Templates
Al Priority 2 worksheets EPDP Staff Support Ongoing aff to develop v 30-May-19 EPDP Team EPDP Team Ongoing Open TO FEM TO review the early input documents (the SSAD worksheet and the Google doc) that have been posted. Leadership will devote time to going over the input at the EPD team needing in two weeks time. 1-Aug-19 1.2.7.1 EPDP Team Group 2 – Second/final reading: Investigation of criminal activity where domain names are used. Typical specific example: phishing attack (SSAC 3) ction: Greg and SSAC Team to propose edits to the use case based on comments received today as well as outstanding comments received this week and next week on the Googli oc. Following the fine-tuning of the document, a final reading will occur at a later meeting. 31-Jul-19 1.2.7.1 EPDP Team EPDP Team 8-Aug-19 Group 4 - First reading continued:
Online buyers identifying and validating the source or services/
internet users validating the legitimacy of an email or a website to
protect themselves (ALAC 1)
Members to submit edit/view/proposals for ALAC 1 in writing #12 Action: Hadia and ALAC Team to propose edits to the use case based on comments received today as well as outstanding comments received this week and n Google Doc. Following the fine-tuning of the document, a final reading will occur at a later meeting. protect inemiseries (June 1)
Members to submit delit/view/proposals for ALAC 1 in writing
Use case author, with staff support as needed, to distribute updated
ALAC 1 use case, incorporating input received. Final version of SSAC 3
use case to be distributed by use case author, with staff support as 8-Aug-19 9-Aug-19 Late 1.2.7.1 EPDP Team EPDP Team 8-Aug-19 1.2.7.1 EPDP Team EPDP Team 13-Aug-19 Late Groups are welcome to provide additional comments in response to early input in the Early Input Google Doc over the next two weeks (b) 29 August). Support Staff will consider input received when 1.2.7.1 EPDP Team 29-Aug-19 15-Aug-19 PDP Team #14 ttps://docs.google.com/document/d/1CXKIZmjBRUO3qRIINI78S0692EIHDCum/edit compiling the Zero Draft document.

EPDP Team to review Priority 2 Next Steps table for final review and 8-Aug-19 Debre reason comment

Members to submit edit/view/proposals for IP 5 in writing

Use case author, with staff support as needed, to distribute update
P5 use case, incorporating input received. Final version of ALAC 1

use case to be distributed by use case author, with staff support as 1.2.10.1 EPDP Team EPDP Team 16-Aug-19 #14 Action from 8/8 meeting 15-Aug-19 1.2.7.1 EPDP Team EPDP Team 16-Aug-19 1 2 7 1 FPDP Team 15-Aug-19 FPDP Team 20-Aug-19 use case to be distillucted by disclass author, with start support as needed, and posted on wikl.

Group 3 - First reading:
When a network is undergoing an attack involving a domain name, and the operator(s) of that network need to contact the domain owner to remediate the security issue (DDOS, Botnet, etc.) (SSAC1) Group 5 – Second/final reading: Providers requesting access required to facilitate due process in the UDRP and URS (IP 5) 22-Aug-19 Group 2 - Third/final reading: Investigation of criminal activity where domain names are used. Typical specific example: phishing attack. prical specific example: pinsning attack.

lember to submit edit/view/proposals for SSAC1 in writing

PDF Team to identify which use cases, or aspects of use cases, in ich category are significantly different from use case already wiewed and need to be considered further. 15-Aug-19 1.2.7.1 EPDP Team EPDP Team 23-Aug-19 15-Aug-19 1.2.7.1 EPDP Team EPDP Team 23-Aug-19 15-Aug-19 1.2.7.1 Alex Deacon, Hadia E. EPDP Team 27-Aug-19 LAC 1 use case, incorporating input received. Final version of ALAC use case to be distributed by use case author, with staff support a seeded, and posted on wiki. and case was even with a consider on with.

Release of zero draft.

Release of zero draft and even grant and euring 22-Jug-19 meeting regarding legal basis and amend the IP use case accordingly.

Greg Aaron to update the SSAC use case on crime and abuse and accordingly and the state of the 16-Aug-19 1.2.7.1 Janis Karklins EPDP Leadership Team 27-Aug-19 22-Aug-19 EPDP Team #15 Brian King 27-Aug-19 22-Aug-19 EPDP Team 27-Aug-19 Greg A., Ben B. 22-Aug-19 22-Aug-19 Greg A., Ben B. EPDP Team 22-Aug-19 27-Aug-19 #15 29-Aug-19 SSAC EPIP Team Members to make agreed to Changes and Lond-EPIP Support Staff when complete.

EPIP Team members to submit comments for LEA-2 use case by tomorrow, Friday, 30 August Please use the following link: https: //docs.google.com/document/d/1bm8sdjrNHvNgftMK4f8s-Greg A., Ben B. EPDP Team 30-Aug-19 #16 29-Aug-19 EPDP Team FPDP Team 30-Aug-19 conformor, virany, su aquiss, resea see are to relovange inter mujo-jidocs, gaegie condo coment (if Jahan Busiliyahri-Wight MicRis-jul Firikasi Parkoccicy Six deal Six Corleagues to signate the LEX sub case based on comments record by Tuesday, 3 September 2015. Outside the Parkoccic FIRIPO Fram Members to provide any additional comments or FIRIPO Fram Members to provide any additional comments or suit be used to create the 0.1 draft for discussion in tax Angeles. Pease find the Google doc here hittps://docs.poogle. com/document/d/Trividit-Googlegogiu (Vob7Thrus/DUFF-/edist. Support Saff for distribute a survey without all allow EDPF Team Members to rank topics or add topics they wish to discuss in Los Angeles. 29-Aug-19 Chris Lewis-Evans, Georgios Tsele EPDP Team 3-Sept-19 #16 Open 29-Aug-19 EPDP Team EPDP Team 5-Sept-19 #17 29-Aug-19 EPDP Staff Support EPDP Staff Support 3-Sept-19 #17 Open Angeles.

EPDP Team Members to volunteer to draft an issue write-ups for topics that need to be further explored. Based on the collective write-up, the Team could begin discussing the issue in Los Angeles or beyond. (An example would be financial considerations.) Please find a link to the table here: https://docs.google. a link to the table here: https://oocs.googie. com/document/1/2DH3L0KyqUKzpxOo7fhqaXkKWDs0jFmN/edit. Group 3 – Second/final reading: When a network is undergoing an attack involving a domain name, and the operator(s) of that network need to contact the domain owner to remediate the security issue (DDOS, Botnet, etc.) (SSAC1) Group 1 – first reading, second use case (to be determined based on input received by 16 August) By 29 August meeting, EPDP Leadership to assess remaining use cases and determine whether further review should continue prior to F2F meeting or whether focus should shift to preparations for F2F meeting with further review continuing post-F2F meeting. 1.2.7.1 EPDP Team Group 2 – Second/final reading:
Online buyers identifying and validating the source or services/
internet users validating the legitimacy of an email or a website to protect themselves (ALAC 1)

Group 1 – second/final reading, second use case Leadership team to share draft policy principles / recommendations derived from use case review for review and discussion during F2F meeting, incl. proposed schedule to continue review of use cases, if deemed necessary. 18-Jul-19 1.2.7.1 EPDP Team EPDP Team 5-Sep-19 #17 nduct survey to assess which aspects of the zero draft are of most concern and as such should be prioritized for the F2F meeting: Monday 2 – Wednesday 4 Sep ınis Karklins PDP Leadership Team onfirm priority items for F2F meeting and confirm 'homework' for F2F meeting: Thursday 5 September (regular EPDP Team meeting) Determine if the following Use Cases also need to be created Determine "Reputation" of domain name and/or elements

The establishment, exercise or defense of a legal claim involving a registrant of a domain name

-initial investigation of criminal activity against a victim and/or secondary victim where domain names are used in the commission of the crime

-search rangels, Messaging Services & Social Media Platforms seeking to confirm the authenticity of businesses advertising or Condicting the Registrant to resolve a Technical or Operational Issue with a Domain Name

Online buyers identifying and validating the source of goods or services/ Internet users validating the legitimacy of an email or a website to protect themselves.

-Providers requesting access required to facilitate due proces in the USPP and USP. 18-Jul-19 1.2.7.1 EPDP Team EPDP Team 29-Aug-19 1.2.12.3 Legal Comm Legal Comn Open 9-Sep-19 PP Face to Face Los Angeles, September 9-11 202 EPDP Team EPDP Team 11-Sep-19 F2F-LA1 Plan