# **EP-WG's Proposed Framework for a PDP WG on Next-Generation RDS (Draft 6)**

This document proposes a framework for a PDP WG on Next-Generation Registration Directory Services (RDS).

This framework was developed by the EWG Process Working Group (EP-WG), a collaboration between the GNSO and Board formed to recommend how to best structure PDP(s) for success – that is, to propose a process which leads to new policies defining the purpose of gTLD registration data and improving accuracy and access to that data.

To develop this framework, principles in the <u>EWG's Final Report on Next-Generation RDS</u> were grouped and sequenced into a process flow consisting of:

**Pre-PDP WG Steps** 

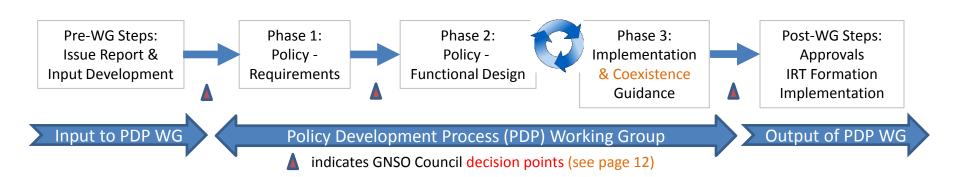
Phase 1: Policy - Requirements Definition

Phase 2: Policy – Functional Design

Phase 3: Implementation Guidance

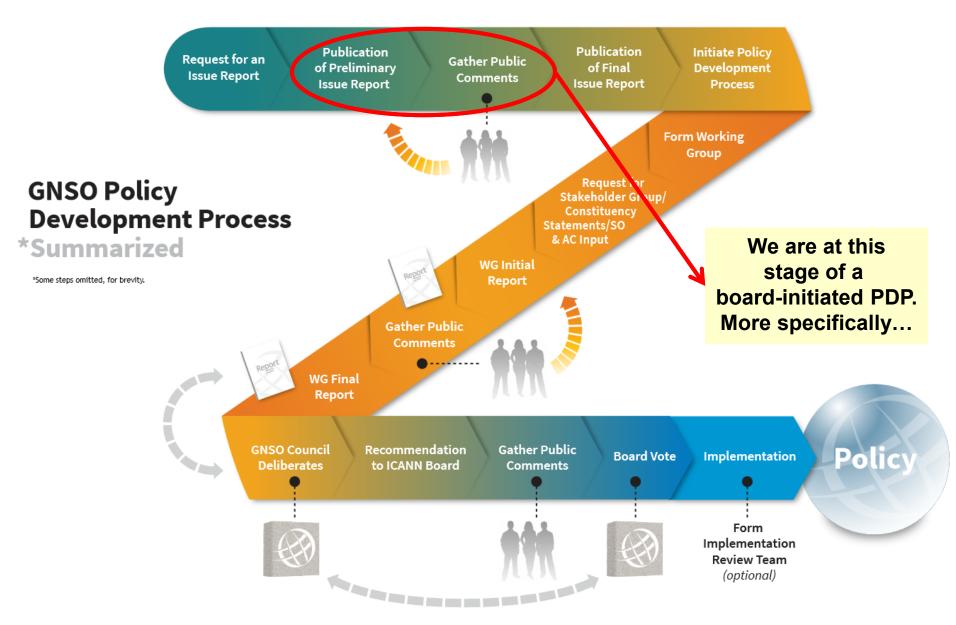
**Post-WG Steps** 

Tasks to be completed **BEFORE** a PDP WG is formed Policies that establish **IF & WHY** a Next-Gen RDS is needed Policies that detail **WHAT** a Next-Gen RDS must do Guidance on **HOW** a Next-Gen RDS should implement policy Tasks to be completed **AFTER** the WG's final report



Note: Red (Draft 5) and Orange (Draft 6) text indicates new material for EP-WG consideration

## Pre-PDP WG Steps: Where are we in the existing PDP process?



## **Pre-PDP WG Steps: Completed and Upcoming**

Nov 2012	Board	■ Direct preparation of a (PDP) Issue Report
Nov 2012	Board	<b>▼</b> Launch the EWG
Mar 2013	Staff	PDP - Preliminary Issue Report
Mar-Apr 2013	Community	
Jun 2013	EWG	<b>▼</b> EWG Initial Report
Jun-Aug 2013	Community	
Nov 2013	EWG	<b>▼</b> EWG Update Report
Dec-Feb 2014	Community	
Jun 2014	EWG	<b>▼</b> EWG Final Report
Oct 2014-	EP-WG	■ Develop Recommendations on
Feb 2015		PDP WG Process and Charter Guidance
Mar 2015	EP-WG	☐ Finalize EP-WG output; relay to GNSO & Board
May-Jun 2015	Staff	☐ New Preliminary Issue Report reflecting EP-WG output
Jun-July 2015	Community	☐ Public Comment Period on New Issue Report
Aug 2015	Staff	☐ Final Issue Report reflecting Public Comments
Sep-Oct 2015	GNSO Council	☐ Refine Charter for PDP Working Group
	GNSO Council	☐ Adopt Charter (start of PDP WG process)

## **Pre-PDP WG Steps: What Comes Next**

- 1. The EP-WG shared this proposed framework with the community at these ICANN-52 sessions <a href="http://singapore52.icann.org/en/schedule/sat-gnso-working">http://singapore52.icann.org/en/schedule/sat-gnso-working</a> <a href="http://singapore52.icann.org/en/schedule/mon-whois">http://singapore52.icann.org/en/schedule/mon-whois</a>
- 2. The EP-WG considered questions raised at ICANN-52 and incorporated clarifications to address them, finalizing this proposed framework for transmission to the GNSO Council and the ICANN Board.
- 3. The GNSO Council and the ICANN Board will discuss this proposed framework. The ICANN Board will re-confirm its request for this board-initiated PDP.
- 4. At the ICANN Board's request, Staff will use EP-WG's output to draft a new Preliminary Issue Report, including EP-WG's proposed framework and a draft PDP WG charter that factors in EP-WG guidance.
- 5. If the EP-WG wishes, EP-WG members will have an opportunity to preview the Preliminary Issue Report to ensure that the EP-WG's framework has been reflected.
- 6. This new Preliminary Issue Report will be posted for a 40-day public comment period.
- 7. If the EP-WG wishes, the EP-WG will reconvene as a group to review public comments and identify any needed changes this proposed framework.
- 8. Staff will produce a Final Issue Report, reflecting both public comments and the EP-WG's framework.
- 9. GNSO Council will consider the Final Issue Report and public comments. Council may refine the report's proposed framework and draft charter before adopting a charter and forming a PDP WG to address this issue.

## Pre-PDP WG Steps: Inputs needed by the PDP WG

#### Inputs already available to inform the PDP include:

- EWG Final Report and FAQs, tutorials, & EWG member statements
- <u>EWG Research</u> on Accreditation, Validation, Privacy/Proxy, Costs, Risks & Benefits
- WHOIS Review Team Final Report
- GAC WHOIS Principles
- 2013 RAA Registration Data (WHOIS) Requirements
- WHOIS Studies on Accuracy, Registrant Identification, Misuse, P/P Abuse
- <u>IETF RFCs on RDAP</u> and <u>EPP</u>
- <u>Data Protection/Privacy Issues Memo</u> (ICANN Legal, Aug 2013)

#### The EP-WG recommends additional inputs be developed to inform the PDP:

- Community feedback on Preliminary Issue Report, including draft PDP WG charter
- GNSO PPSAI WG Final Report
- GNSO Translation/Transliteration Final Report
- Cost Impact Assessment on All Ecosystem Players\*
- WHOIS & RDS Benefit Survey
- WHOIS & RDS Risk Survey

<sup>\*</sup> Preliminary efforts to assess cost impact have shown that it is too early to quantify costs in a meaningful way at this stage. Instead, cost impact must be assessed during the PDP, as the PDP WG drafts specific policies upon which impact assessment must be based.

#### 3-Phase PDP WG Process: Introduction

This framework proposes a 3-phase process for the PDP WG to organize its work:

Phase 1: Policy - Requirements Definition Define IF & WHY a Next-Gen RDS is needed

Phase 2: Policy – Functional Design Detail WHAT a Next-Gen RDS should do

Phase 3: Implementation & Coexistence Guidance Consider HOW a Next-Gen RDS should implement policy

Within each phase, work is grouped into areas, drawing from principles covered by the EWG's Final Report:

Users/Purposes Who should have access to gTLD registration data
Gated Access What steps should be taken to control data access
Data Accuracy What steps should be taken to improve accuracy
Data Elements What data should be collected, stored, and disclosed
Privacy What steps are needed to protect data and privacy

Coexistence What steps should be taken to enable WHOIS/Next-Gen RDS coexistence

Compliance What steps are needed to enforce policies

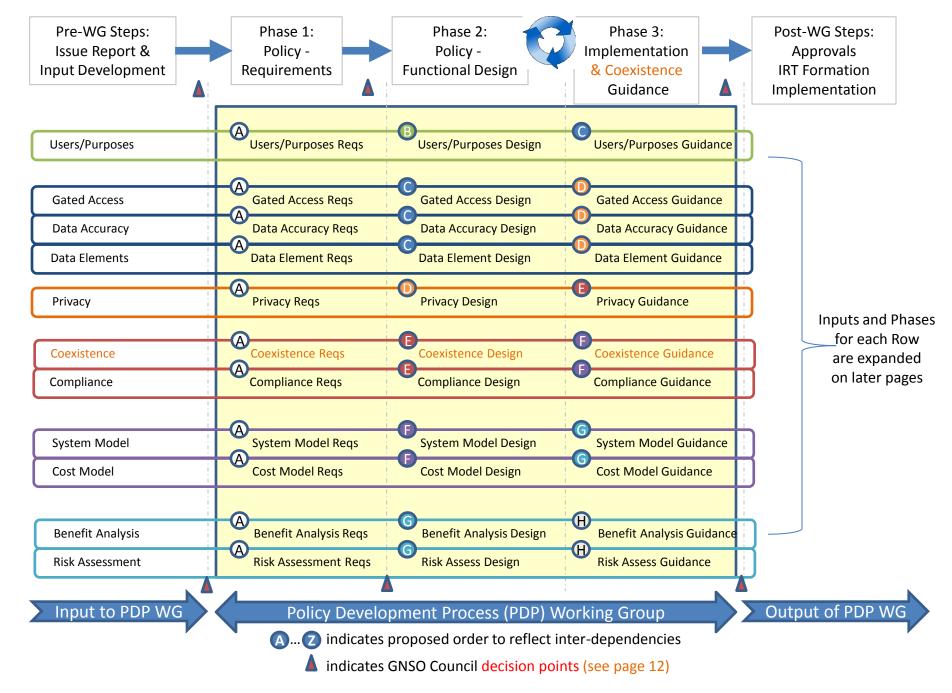
System Model What system requirements must be satisfied by any implementation

Cost What costs will be incurred and how must they be covered

Benefit Analysis What benefits will be achieved and how will they be measured Risk Assessment What risks do stakeholders face and how will they be balanced

As depicted on the following chart, these groups have been time-sequenced to accommodate inter-dependencies and create opportunities for parallel policy development, subject to resource availability.

For example, due to inter-dependencies, all areas labeled  $oldsymbol{\Theta}$  must be considered before work can commence on the area labeled  $oldsymbol{\mathbb{B}}$ . Only after  $oldsymbol{\mathbb{B}}$  has been considered can work commence on areas labeled  $oldsymbol{\mathbb{C}}$ . And so on.



## **3-Phase PDP WG Process: Phase Definitions and Examples**

#### Phase 1

The PDP WG examines all requirements for registration directory services at a high level. Due to interdependencies, all areas must be considered together, by a single team. For example, the PDP WG will consider whether gTLD registration data should continue to be accessible for any purpose, or whether data should be accessible only for specific purposes. If the PDP WG decides the latter, it should recommend permissible users and purposes. The output of Phase 1 is therefore a set of fundamental requirements for registration data and a determination of whether these requirements are met by WHOIS or must be met by a Next-Gen RDS.

The GNSO Council will review Phase 1 outputs before deciding how to proceed.

GNSO Council Decision Point (see page 12)

#### Phase 2

The PDP WG designs detailed policies to satisfy requirements established in Phase 1. For example, the PDP WG might define data elements accessible for each permissible user and purpose. Opportunities for parallel Phase 2 policy design have been identified, sequenced to reflect inter-dependencies. For example, policies labeled B must be drafted before policies labeled C can start, but policies in group C could potentially be drafted in parallel by PDP WG subteams, given sufficient resources and coordination. The GNSO Council will periodically review Phase 2 workin-progress to identify gaps or inconsistencies and ensure alignment with Phase 1 requirements.

#### Phase 3

The PDP WG dives more deeply into each policy group to create implementation and coexistence guidance. For example, in Phase 3a), the PDP WG might explore possible Terms of Service for permissible users and purposes and identify challenges that must be overcome. In Phase 3b), the PDP WG might detail WHOIS and Next-Gen RDS data access coexistence. Details explored in Phase 3 may require refinement of certain Phase 2 policies; these must be carefully coordinated to manage inter-dependencies.

Public Comment on PDP WG Draft Report
Final PDP WG Report

March GNSO Council Decision Point (see page 12)

## 3-Phase PDP WG Process: Detailed Descriptions, Slide 1 of 2

Pre-WG Steps: Phase 1: Phase 2: Phase 3: Post-WG Steps: Policy -Issue Report & Policy -Implementation **Approvals Input Development Functional Design** & Coexistence IRT Formation Requirements Guidance **Implementation** Users/Purposes Users/Purposes Regs Users/Purposes Design Users/Purposes Guidance on - EWG Principles Sect 3 - Data per Purpose - Permissible Users - Accreditor Criteria - Use Cases (Annex C) - Permissible Purposes - Update Process - Terms of Service Needs - GAC WHOIS Principles - Accreditation Policy - Guiding Principles - WHOIS RT Report Per User Community **Gated Access Gated Access Regs** Gated Access Design Gated Access Guidance on - EWG Principles Sect 4bc - Public/Gated Criteria - Authorizations Access Protocol Needs - Access Examples (Annex E) Per User/Purpose - Authentication Needs - LE Access Principles - RDS User Accreditation RFI - Credentialing Policy - Credential Admin Needs - WHOIS Misuse Study Data Accuracy Guidance on Data Accuracy Regs Data Accuracy Design Data Accuracy - EWG Principles Sect 5 Accuracy Principles - Validation Levels Validator Criteria - Validation Service RFI - Contact Data - Contact Management - Contact Auth Needs - ccTLD Validation Survey Validation Needs - Remediation Policy - Interface Needs - WHOIS Accuracy Studies (RDS/Validator/RR/Ry) **Data Elements Data Element Regs** Data Element Design Data Element Guidance on - EWG Principles Sect 4a - RR/Ry Data Elements - EPP/RDAP Mapping Needs - Data Collection Needs - Data Needs (Annex D) - Data Access Needs - Registrant Data Elements - WHOIS Data - 2013 RAA WHOIS record - Guiding Principles - PBC Data Elements Migration Needs - WHOIS RegID Study - Update Process **Privacy Regs** Privacy Design Privacy Guidance on Privacy - EWG Principles Sect 6&7 - Privacy/Proxy Needs - Overarching DP Policy - RDS Privacy Policy Needs - P/P Provider Survey - At-Risk Reg Needs - DP Law Compliance - Detailed Legal Analysis - P/P Accreditation Needs - WHOIS P/P Abuse Study - Data Protection Laws - Privacy/Proxy Policies - Data Protect/Privacy Memo - Secure Protected Creds SPC Provider Criteria - GNSO PPSAI WG Report

Input to PDP WG

Policy Development Process (PDP) Working Group

**Output of PDP WG** 

## 3-Phase PDP WG Process: Detailed Descriptions, Slide 2 of 2

Pre-WG Steps: Phase 1: Phase 2: Phase 3: Post-WG Steps: Policy -Issue Report & Policy -Implementation **Approvals Input Development Functional Design** & Coexistence IRT Formation Requirements Guidance **Implementation** Coexistence Coexistence Regs Coexistence Guidance on Coexistence Design - Incremental Test/Adoption - Coexistence Needs - Policies to address (incl. Time Period, Coexistence Needs - Transition Plan for each Area Phased Transition Plan) Per Stakeholder (e.g., Access, Accuracy, Privacy) Compliance Guidance on Compliance Compliance Regs Compliance Design - EWG Principles Sect 6cd - Guiding Principles for - Compliance Policy - Contract Ammend, Needs Per Ecosystem Player - 2013 RAA Compliance Anti-Abuse Deterrents, (RAA and Registry) Auditing, Enforcement (e.g., RDS Operator, - New Contract Needs - Establish Goals/Metrics Requestors, Validators) - Compliance Benchmarks System Model System Model Regs System Model Guidance on System Model Design - EWG Principles Sect 8 - Systems Architecture - RDS Operator Criteria Collection, Access, (Entities & Interfaces) - EPP and RDAP RFCs and Storage Regs - Implementation Needs - Translation WG Report - Performance, Stability, - Performance, Stability, - Protocol Extension Needs and Security Regs and Security Policies - Internationalization Regs - Internationalization **Policy Updates** Cost Model Regs Cost Model Guidance on Cost Model Cost Model Design - EWG Principles Sect 9 - Allocation of Costs - Ballpark Cost #s - List of Expenses - IBM RDS Cost Analysis - List of Income Sources - Cost Recovery Model for entire Ecosystem - Cost Impact Assessment - Guiding Principles - Cost Tracking Policies based on Model Design on all Ecosystem Players on Cost Goals/Metrics **Benefit Analysis** Benefit Analysis Reqs Benefit Analysis Design Benefit Analysis Guidance on - EWG Risk Survey (Initial) - Guiding Principles - Benefit Tracking Policies - Benefit Benchmarks - WHOIS & RDS Benefit Survey on Benefit Goals/Metrics Risk Assess Design Risk Assessment Risk Assess Reas Risk Assess Guidance on - EWG Risk Survey (Initial) - Guiding Principles - Identify Risks - Possible measures to - WHOIS & RDS Risk Survey to balance Risks, - Assess Impacts accept, mitigate, and Impacts, and Benefits transfer risks

Input to PDP WG

Policy Development Process (PDP) Working Group

Output of PDP WG

#### 3-Phase PDP WG Process: Further Recommendations

#### Oversight

To ensure alignment with Phase 1 requirements, oversight should be provided by a coordination team composed of (for example) the PDP WG chair, subchairs for each PDP WG subteam, and one or more GNSO Council Liaison(s).

#### Timeline

To foster sustained progress and timely completion, the PDP WG should work towards a defined timeline and targets (e.g., complete Phase 1 in 90 days). At this time, it is not known how long each phase will take.

#### Methodology

To facilitate productive dialog, the PDP WG should hold periodic face-to-face conferences -- for example, meeting face-to-face in subteam sessions schedule over 1-2 days, followed by a plenary meeting for cross-team discussion. The methodology used by the PDP WG must be transparent, consistent with the GNSO Policy Development Process, and take into consideration capacity to ensure adequate resourcing from all stakeholders.

#### <u>Parallelism</u>

The EP-WG recommends a single PDP WG team address all policy areas simultaneously during Phase1. If the GNSO chooses, parallel subteams may be used during Phases 2-3 to address policy areas concurrently, in a sequenced manner, given sufficient resources and coordination. Especially during Phase 3, external experts may be called upon to help the PDP WG complete research in selected areas (e.g., data protection laws, risk assessment, cost impact analysis).

#### 3-Phase PDP WG Process: GNSO Council Decision Point Definition

At each decision point, the GNSO Council may decide that sufficient progress has been made to move to the next phase, that questions still need to be more fully addressed before moving to the next phase, or that the PDP WG has accomplished its charter.

A set of questions must be defined in advance to guide the GNSO Council at each decision point. Questions may touch on key goals/concerns and how well they have been addressed by the PDP WG. For example:

Has the Wo	addressed all questions posed in the November 2012 Board Resolution that initiated this PDP, including:
	Why are gTLD registration data collected?
	What purpose will the data serve?
	Who collects the data?
	What value does the public realize with access to registration data?
	Of all the registration data available, which does the public need access to?
	Is the WHOIS protocol the best choice for providing that access?
	What safeguards are provided to protect the data?
Has the WG	6 made suitable progress in this phase towards:
	Establishing a coexistence plan enabling phased transition over a defined period of time?
	Creating a viable approach to moving from WHOIS anonymous access to RDS gated access?
	Ensuring scalability, stability and security of the Next-Gen RDS?
	Measuring the effectiveness of the Next-Gen RDS in reaching stated goals?
	Promoting buy-in from all impacted parties, including ecosystem players, consumers & standards bodies?

The above list is not exhaustive; it is provided as a starting point for the GNSO Council to refine.

The EP-WG has indicated that it wishes to provide guidance on GNSO Council Decision Points.

Proposed text is given above, reflecting discussion during the EP-WG's 20 March call and subsequent emails.

EP-WG members are asked to consider and agree upon guidance to be given.

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## Post-PDP WG Steps: Using the PDP WG's Output

