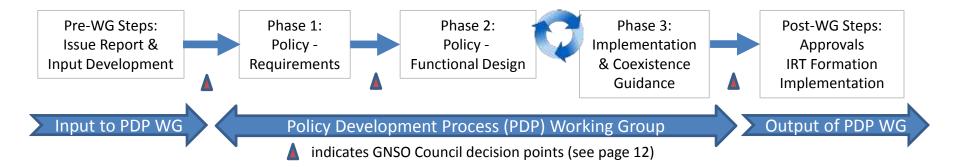
## EP-WG's Proposed Framework for a PDP WG on Next-Generation RDS

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

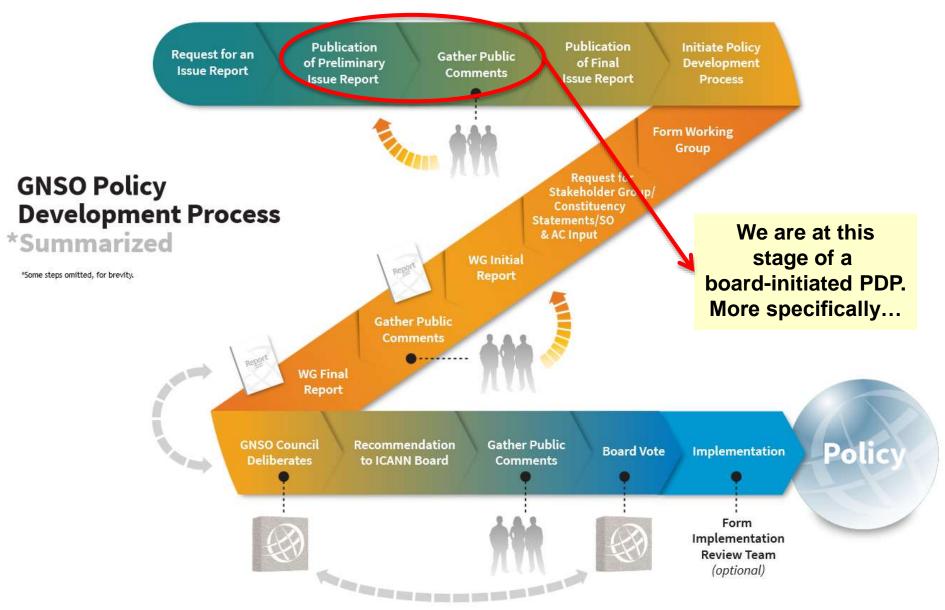
This framework was developed by the EWG Process Working Group (EP-WG), a collaboration between the GNSO and Board formed to recommend how to best structure PDP(s) for success – that is, to propose a process which leads to new policies defining the appropriate purpose of gTLD registration data and improving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



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



GNSO PDP Materials: http://gnso.icann.org/en/node/31379/

# Pre-PDP WG Steps: Completed and Upcoming

Nov 2012	Board	Direct preparation of a (PDP) Issue Report
Nov 2012	Board	<u> Launch the EWG</u>
Mar 2013	Staff	PDP - Preliminary Issue Report
Mar-Apr 2013	Community	Public Comment Forum (on above)
Jun 2013	EWG	EWG Initial Report
Jun-Aug 2013	Community	Public Comment Forum, Consultations (on above)
Nov 2013	EWG	EWG Update Report
Dec-Feb 2014	Community	Public Comment Forum, Consultations (on above)
Jun 2014	EWG	EWG Final Report
Oct 2014-	EP-WG	Develop Recommendations on
Feb 2015		PDP WG Process and Charter Guidance
Mar-Apr 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**

- The EP-WG shared this proposed framework with the community at these ICANN-52 sessions <u>http://singapore52.icann.org/en/schedule/sat-gnso-working</u> <u>http://singapore52.icann.org/en/schedule/mon-whois</u>
- 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 review and 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. 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. The EP-WG will reconvene as a group to review public comments and identify any needed changes to 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, using its own methods, 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:

- **<u>EWG Final Report</u>** 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
- IETF RFCs on RDAP and EPP
- Data Protection/Privacy Issues Memo (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

\* Preliminary efforts to assess migration, deployment and operating cost impacts have shown that it is too early to quantify them in a meaningful way at this stage. Instead, these and other costs (such as development and testing) 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

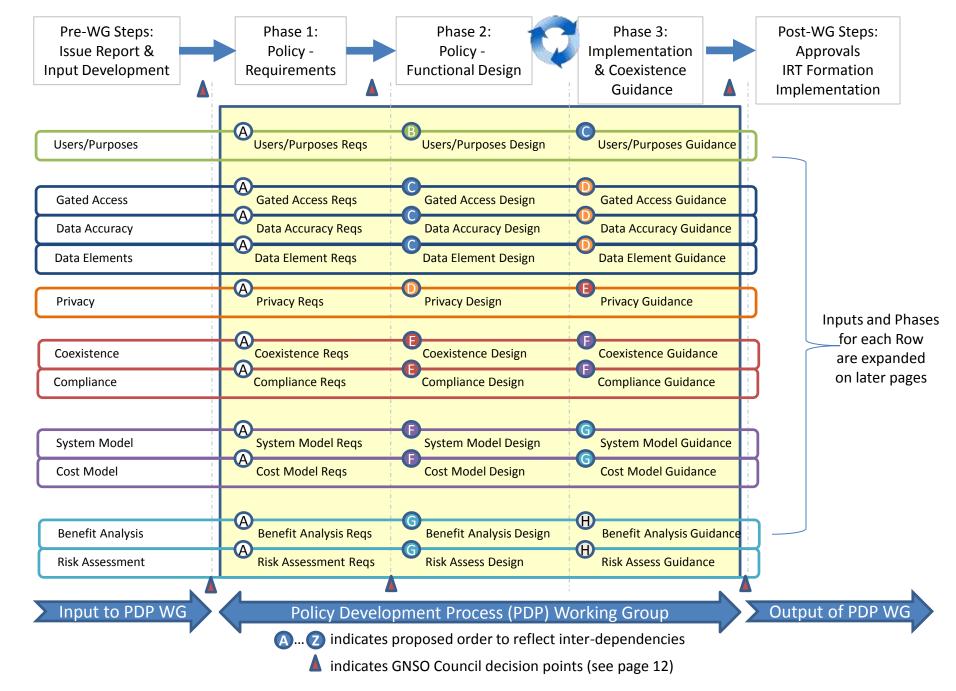
Within each phase, work is grouped into areas, drawing from principles covered by the EWG's Final Report:

Users/Purposes	Who should have access to gTLD registration data
Gated Access	What steps should be taken to control data access for each user/purpose
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 reconciled

Each of these areas and associated issues should be defined in the Preliminary Issue Report and PDP WG inputs. 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 (A) must be considered before work can commence on the area labeled (B). Only after (B) has been considered can work commence on areas labeled (C). And so on.

4/2/2015



## **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 if these requirements are met by WHOIS or should instead be met by a Next-Gen RDS.

### 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 work-in-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 GNSO Council Decision Point (see page 12)

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

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

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

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

Policy Development Process (PDP) Working Group

## **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).

#### <u>Timeline</u>

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 WG addressed all questions posed in the November 2012 **<u>Board Resolution</u>** 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 made suitable progress in this phase towards:

- Establishing a compelling business case for a Next-Gen RDS to meet defined needs for registration data?
- 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?
- Seeking 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 will continue to consider guidance on GNSO Council Decision Points and may further refine the above suggested list, following public comment on the PDP Issue Report.

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

