

Next Generation Registration Directory Service (RDS) to replace WHOIS Policy Development Newsletter – April/May 2017

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The Working Group (WG) for gTLD registration directory services has been working to provide a foundation upon which to recommend answers to these two questions: *What are the fundamental requirements for gTLD registration data and directory services, and is a new policy framework and next-generation RDS needed to address these requirements?* Following initial deliberations on individual possible requirements, the WG concluded that deliberations may be more productive and time effective if the WG first deliberates on key concepts to provide a common foundation.

Accordingly, the WG started identifying [key concepts related to the WG's charter questions](#) concerning RDS users/purposes, data elements, privacy, and access, specifically on “thin data.” The WG is continuing to deliberate on key concepts and possible requirements for charter questions about RDS users/purposes, data elements and privacy for “thin data” and plans to expand to “thick” data soon. The WG uses weekly calls and polls to facilitate development of tentative rough consensus conclusions on key concepts. In May, the WG determined that it might be helpful to determine the various levels of gated access to “thin” and “thick” data elements before finishing deliberation on key concepts and requirements for RDS users/purposes, data elements, and privacy. The WG is using principles on public and gated access from the Expert Working Group on gTLD Directory Services final report as a starting point of discussion.

As of the end of May, 20 initial points of rough consensus have been reached during iterative and ongoing deliberation on RDS users/purposes, data elements, privacy and access, all in a “thin data” context. All initial agreements have been guided by an overall statement of purpose for registration data and directory services drafted by the WG as follows:

Draft Registration Data and Directory Service Statement of Purpose

This statement is intended to define the purpose(s) of a potential Registration Directory Service (RDS) for generic top-level domain (gTLD) names. The statement identifies Specific Purposes for registration data and registration directory services.

Note that it is important to make a distinction between the purpose(s) of individual registration data elements¹ versus the purpose(s) of a RDS, i.e., the system that may collect, maintain, and provide or deny access to some or all of those data elements and services related to them, if any.

Specific Purposes for Registration Data and Registration Directory Services

1. A purpose of gTLD registration data is to provide info about the lifecycle of a domain name and its resolution on the Internet.
2. A purpose of RDS is to facilitate dissemination of gTLD registration data of record², such as domain names and their domain contacts³ and nameservers in accordance with applicable policy.⁴
3. A purpose of RDS is to identify domain contacts and facilitate communication with domain contacts associated with generic top-level domain names, [based on approved policy].
4. A purpose of gTLD registration data is to provide a record of domain name registrations.

Note: "Accuracy" as it pertains to the RDS will be defined later in this PDP (see the Charter question on Accuracy).

Footnotes

¹ Here, "registration data elements" refers to data about generic top-level domain names collected in the relationship between registrars to registries and in the relationship between registrars/registries and ICANN.

² Draft definition, still undergoing deliberation as of 31 May: The data set at a given time, relevant to a given registration object, that expresses the data provided in the then-current registration for that object.

³ Contacts related to the domain name, including those directly related to the domain name and also those involved in the registration system as relevant. Further specification may occur at a later stage in the RDS PDP process.

⁴ Alternatives for specific purpose 2) are still under consideration, pending WG definition of "data of record."

■ Source: Section 2.3, KeyConceptsDeliberation-WorkingDraft

To facilitate deliberation, the WG reframed its charter questions to focus on "thin data" only. As of 31 May, the WG has reached rough consensus on the following agreements, subject to further refinement during iterative deliberation. A more comprehensive description of the discussions and context resulting in these rough consensus agreements can be found in the [31 May, 2017 Working Draft on Key Concepts Deliberation document](#).

Initial points of rough consensus (iterative deliberation on-going)

Should gTLD registration "thin data" elements be accessible for any purpose or only for specific purposes?

1. The WG should continue deliberation on the purpose(s) of "thin data."
2. Every "thin data" element should have at least one legitimate purpose.
3. Every existing "thin data" element does have at least one legitimate purpose for collection.

For what specific (legitimate) purposes should gTLD registration "thin data" elements be collected?

4. EWG-identified purposes apply to at least one "thin data" element.
5. Domain name control is a legitimate purpose for "thin data" collection.
6. Technical Issue Resolution is a legitimate purpose for "thin data" collection.
7. Domain Name Certification is a legitimate purpose for "thin data" collection.
8. Business Domain Name Purchase or Sale is a legitimate purpose for "thin data" collection.

9. *Academic / Public Interest DNS Research is a legitimate purpose for "thin data" collection.*
10. *Regulatory and Contractual Enforcement is a legitimate purpose for "thin data" collection.*
11. *Criminal Investigation & DNS Abuse Mitigation is a legitimate purpose for "thin data" collection.*
12. *Legal Actions is a legitimate purpose for "thin data" collection.*
13. *Individual Internet Use is a legitimate purpose for "thin data" collection.*

Note: Additional work on definitions will be needed to clarify purpose for collection vs. purpose for disclosure/use, as well as who/what is collecting registration data.

For thin data only, do existing gTLD registration directory services policies sufficiently address compliance with applicable data protection, privacy, and free speech laws about purpose?

14. *Existing gTLD RDS policies do NOT sufficiently address compliance with applicable data protection, privacy, and free speech laws about purpose.*
15. *As a WG, we need to agree upon a purpose statement for the RDS.*
(refer to agreements 16 – 19 below, and the Statement of Purpose above)

What should the over-arching purpose be of collecting, maintaining, and providing access to gTLD registration data?

16. *A purpose of gTLD registration data is to provide info about the lifecycle of a domain name and its resolution on the Internet.*
17. *A purpose of RDS is to facilitate dissemination of gTLD registration data of record², such as domain names and their domain contacts³ and nameservers in accordance with applicable policy.⁴*
18. *A purpose of RDS is to identify domain contacts and facilitate communication with domain contacts associated with generic top-level domain names, [based on approved policy].*
19. *A purpose of gTLD registration data is to provide a record of domain name registrations.*

Should gTLD registration "thin data" be entirely public or should access be controlled?

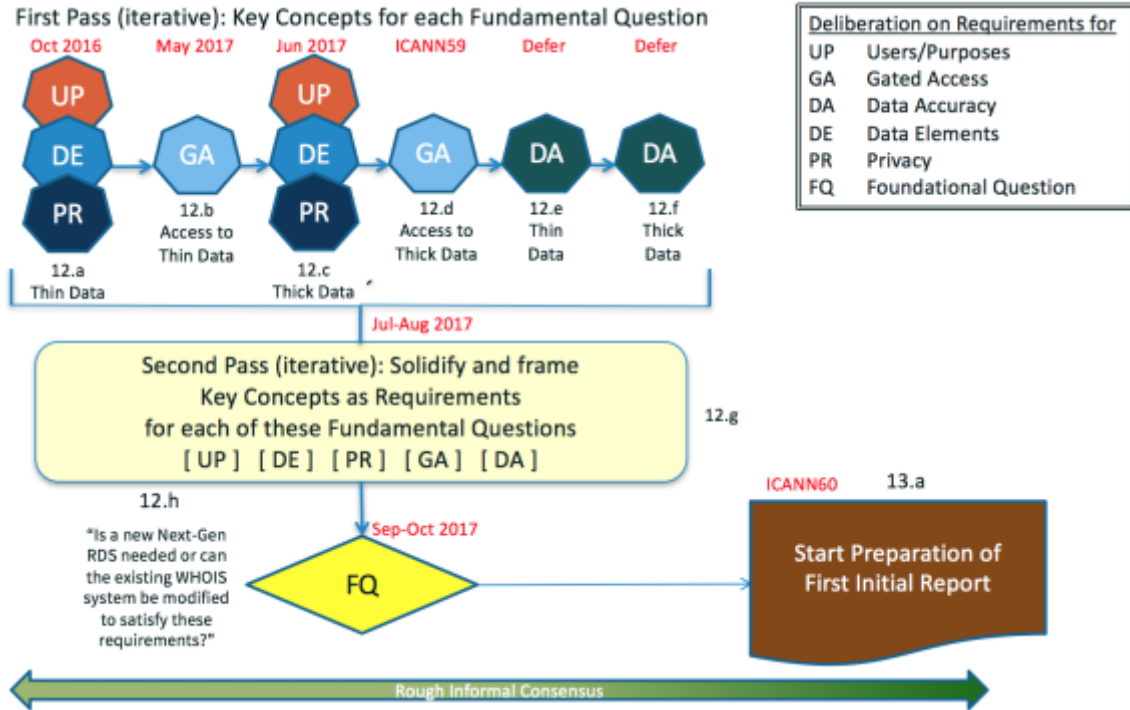
20. *gTLD registration "thin data" must be accessible without requestor identification, authentication, or stated purpose.*

■ Source: Sections 2.1-2.3, 4.1, 5.1, [KeyConceptsDeliberation-WorkingDraft](#)

WHAT ARE THE EXPECTED NEXT STEPS?

After reaching rough consensus on principles for public and gated data access, the WG will revisit key concepts on users/purposes, data elements and privacy considerations for collection and processing of "thin" and "thick" data, and move on to also develop key concepts on data accuracy. These key concepts will be used to establish a foundation for completing deliberations on possible requirements, as required in phase 1 of the PDP charter. The WG will systematically consider possible requirements with the goal of trying to reach as strong a consensus as possible

for each possible requirement. Due to interdependencies, WG deliberation will likely continue to be iterative, especially on fundamental questions pertaining to purpose, data, and privacy.



The WG will hold a cross-community session at ICANN59 to share updates with the broader community and seek feedback on its progress and rough consensus points to date. The target for beginning to draft the first of two initial reports planned for Phase 1 is ICANN60; that first initial report will include responses to the first five of eleven questions in phase 1. Further formal and informal input opportunities will occur throughout the WG’s phase 1 deliberations, as well as during phases 2-3 should the GNSO decide a next-generation directory service is needed to meet phase 1 requirements.

WHAT IS THIS ABOUT?

In April 2015, the ICANN Board reaffirmed its request for a Board-initiated GNSO policy development process to define the purpose of collecting, maintaining and providing access to gTLD registration data, and consider safeguards for protecting data, using the recommendations in the [Expert Working Group \(EWG\) Final Report](#) as an input to, and, if appropriate, as the foundation for a new gTLD policy.

Following the publication of the [PDP Final Issue Report](#), the GNSO Council adopted the charter for the PDP Working Group, which commenced its deliberations at the end of January 2016. During the first phase its work, the Working Group has been tasked with providing the GNSO Council with recommendations on the following two questions: What are the fundamental requirements for gTLD registration data and is a new policy framework and next-generation RDS needed to address these requirements?

WHY IS THIS IMPORTANT?

Comprehensive ‘WHOIS’ policy reform remains the source of long-running discussions within ICANN. Any discussion of the ‘WHOIS’ system for gTLD registration data – hereafter called gTLD registration directory services (RDS) – typically includes topics such as purpose, accuracy, availability, privacy, data protection, cost, policing, intellectual property protection, security and malicious use and abuse. Although ICANN’s requirements for gTLD domain name registration data collection, maintenance, and provision have undergone some important changes, after almost 15 years of GNSO task forces, working groups, workshops, surveys, and studies, the policy is still in need of comprehensive reforms that address the significant number of contentious issues attached to it.

HOW CAN I GET INVOLVED?

Anyone interested can join this effort at any time. Please complete the registration form at goo.gl/forms/bb65ilznLv or contact the GNSO Secretariat: gnso-secs@icann.org.

MORE INFORMATION

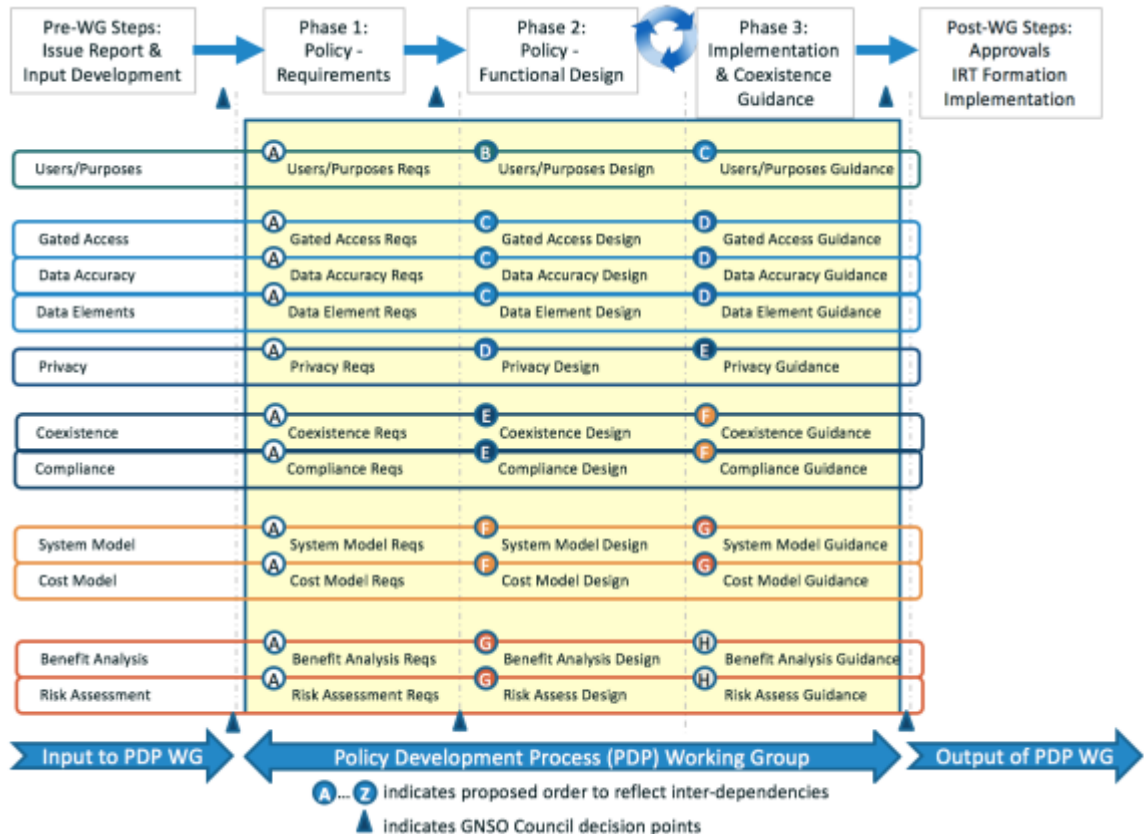
- PDP Working Group Workspace, including Charter, relevant motions, and background documents and information: <https://community.icann.org/x/rjJ-Ag>
- PDP Working Group Phase 1 Outputs (in progress):
<https://community.icann.org/x/p4xlAw> Final Issue Report on Next-Generation gTLD Registration Directory Service (RDS) to replace WHOIS:
<http://whois.icann.org/sites/default/files/files/final-issue-report-next-generation-rds-07oct15-en.pdf>
- Board-GNSO Process Framework for this PDP: <https://community.icann.org/x/GlxIAw>

BACKGROUND

Pursuant to its Resolution on 8 November 2012, the ICANN Board directed the ICANN CEO to launch a new effort to redefine the purpose of collecting, maintaining and providing access to gTLD registration data, and consider safeguards for protecting data, as a foundation for new gTLD policy and contractual negotiations. Moreover, the Board directed the preparation of an Issue Report on the purpose of collecting and maintaining gTLD registration data, and on solutions to improve accuracy and access to gTLD registration data, as part of a Board-initiated GNSO policy development process. The Board then went on to pass a resolution that led to the creation of the Expert Working Group; the Board referred to this as a 'two-pronged approach' that is based on 'broad and responsive action' in relation to the reform of gTLD Registration Data.

To enable effective consideration of the many significant and interdependent policy areas that the GNSO must address, the Board approved a Process Framework, collaboratively developed by GNSO Councilors and Board members, to structure this complex and challenging PDP for success. This phased process includes:

- Phase 1: Establishing requirements to determine if and why a next- generation gTLD registration directory service (RDS) is needed to replace today's WHOIS system;
- Phase 2: If so, designing a new policy framework that details functions that must be provided by a next- generation RDS to support those requirements; and
- Phase 3: Providing guidance for how a next-generation RDS should implement those policies, coexisting with and eventually replacing the legacy WHOIS system.



Throughout this three-phase process, the many inter-related questions that must (at minimum) be addressed by the PDP include:

- Users/Purposes: Who should have access to gTLD registration data and why (i.e., for what purposes)?
- Gated Access: What steps should be taken to control data access for each user/purpose?
- Data Accuracy: What steps should be taken to improve data 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 next-generation RDS coexistence with and replacement of the legacy WHOIS system?
- Compliance: What steps are needed to enforce these policies?
- System Model: What system requirements must be satisfied by any next-generation RDS implementation?
- Cost: What costs will be incurred and how must they be covered?
- Benefits: What benefits will be achieved and how will they be measured?
- Risks: What risks do stakeholders face and how will they be reconciled?

The framework developed to guide this PDP also includes many opportunities for gathering input to inform this PDP and key decision points at which the GNSO Council will review progress made to determine next steps.