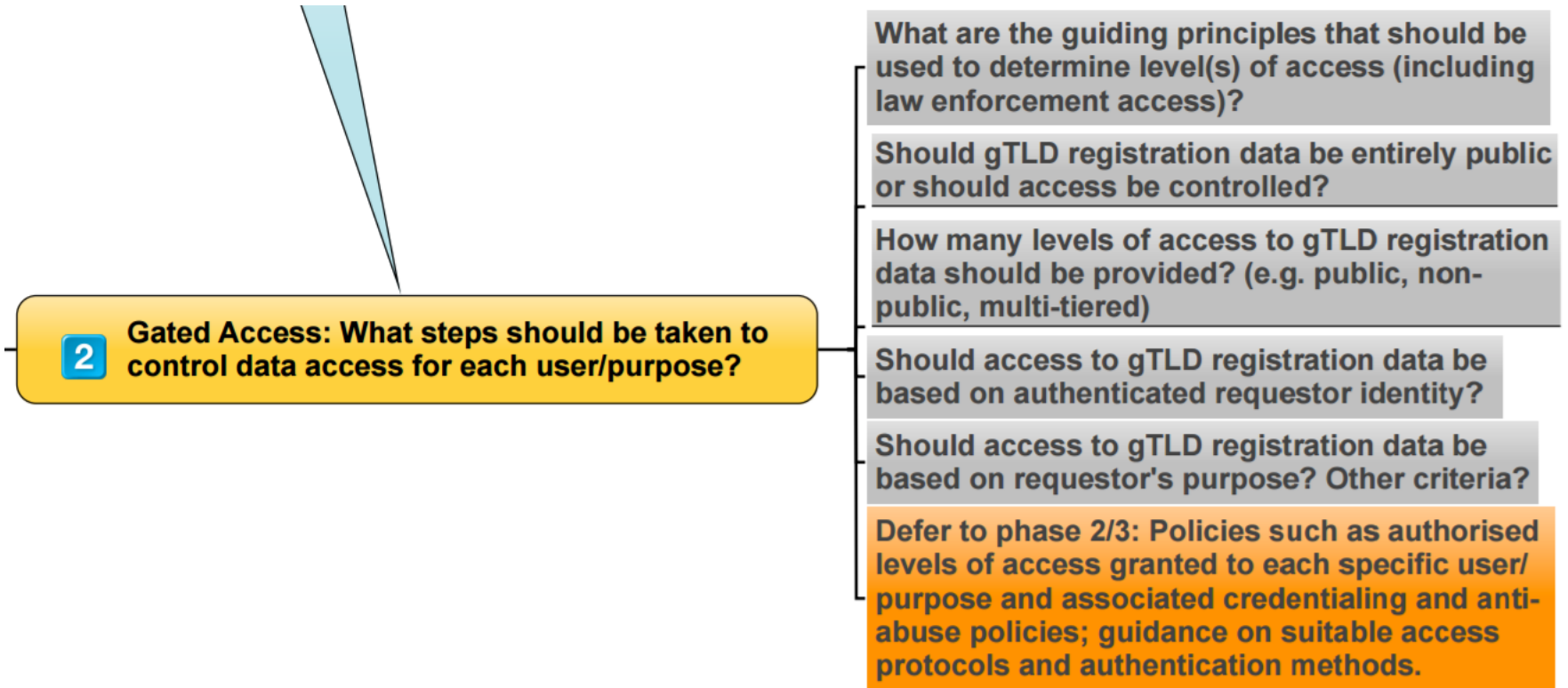


# Charter Question 5: Gated Access



[Source: RDS-PDP-Phase1-FundamentalQs-SubQs-MindMap-2May 2016.pdf](#)

## Subquestion 5.1: *Should gTLD registration "thin data" be entirely public or should access be controlled?*

WHOIS provides anonymous public access to registration data about gTLD domain names, without requiring requestor identification, authentication, or statement of purpose:

### “Thin Data” Elements, for example

Domain Name: ANVILWALRUSDEN.COM  
Registrar: TUCOWS DOMAINS INC.  
Sponsoring Registrar IANA ID: 69  
Whois Server: whois.tucows.com  
Referral URL: <http://www.tucowsdomains.com>  
Name Server: NS1.SYSTEMDNS.COM  
Name Server: NS2.SYSTEMDNS.COM  
Name Server: NS3.SYSTEMDNS.COM  
Status: clientTransferProhibited  
<https://icann.org/epp#clientTransferProhibited>  
Status: clientUpdateProhibited  
<https://icann.org/epp#clientUpdateProhibited>  
Updated Date: 17-jan-2017  
Creation Date: 30-jun-2010  
Expiration Date: 30-jun-2017

### Plus “Thick Data” Elements, for example

Registrant Name: Contact Privacy Inc. Customer 0124230102  
Registrant Organization: Contact Privacy Inc. Customer 0124230102  
Registrant Street: 96 Mowat Ave  
Registrant City: Toronto  
Registrant State/Province: ON  
Registrant Postal Code: M6K 3M1  
Registrant Country: CA  
Registrant Phone: +1.4165385457  
Registrant Phone Ext:  
Registrant Fax:  
Registrant Fax Ext:  
Registrant Email: [anvilwalrusden.com at contactprivacy.com](mailto:anvilwalrusden.com@contactprivacy.com)  
Admin Name...  
Tech Name...

**Rough Consensus WG Agreement reached in 2 May WG Call and Poll:**  
**“gTLD registration "thin data" should be accessible without requiring inquirers to identify themselves or state their purpose.”**

## Continue deliberation on Charter Question 5:

### *What steps should be taken to control “thin data” access?*

Using 2 May Poll responses to identify possible requirements for further deliberation:

1. When querying gTLD “thin data” elements, **Requestor Identification** should be
  - a) Disallowed,
  - b) Allowed but not required , or
  - c) Required
2. When querying gTLD “thin data” elements, **Requestor Authentication** should be
  - a) Disallowed,
  - b) Allowed but not required, or
  - c) Required
3. **Rate Limiting** for all gTLD “thin data” queries should be
  - a) Disallowed,
  - b) Allowed but not required, or
  - c) Required
4. **CAPTCHA** for all gTLD “thin data” web queries should be
  - a) Disallowed,
  - b) Allowed but not required, or
  - c) Required

Note: Above statements are offered as a starting point for WG deliberation

# Related Input Materials

[Final Issue Report \[PDF\]](#) (7 October 2015), especially

- Section 4.2, Gated Access
- Annex C, Charter – Gated Access Question, Phase 1 Goals (Page 70)

[EWG Recommendations for a Next-Generation RDS](#), especially

- Section 4b, Principles for Unauthenticated and Gated Data Access
- Annex E, Unauthenticated and Gated Access Examples
- Video FAQs “[Does the RDS eliminate free public access to data?](#)” and “[What would I need to do to access gated RDS data?](#)”
- [EWG Tutorial](#) Pages 15-21, 42-60

Question 5: <https://community.icann.org/download/attachments/64078601/ICANN58-DataProtectionExpert-Responses-7April2017-plus-Intro.pdf>

<https://community.icann.org/display/gTLDRDS/Phase+1+Documents>

- [KeyConceptsDeliberation-WorkingDraft-21April2017.pdf](#), Section 5
- All WG decisions are added to this document during deliberation

# **EXCERPTS FROM INPUT MATERIALS FOR REFERENCE AS-NEEDED**

# Relevant Question/Answer from ICANN58 Data Protection Experts

5. Below is an example of “thin data” elements made publicly accessible in today’s WHOIS system for every registered gTLD domain name. Do you believe that any of the following data elements are considered personal information under the General Data Protection Directive, and why?

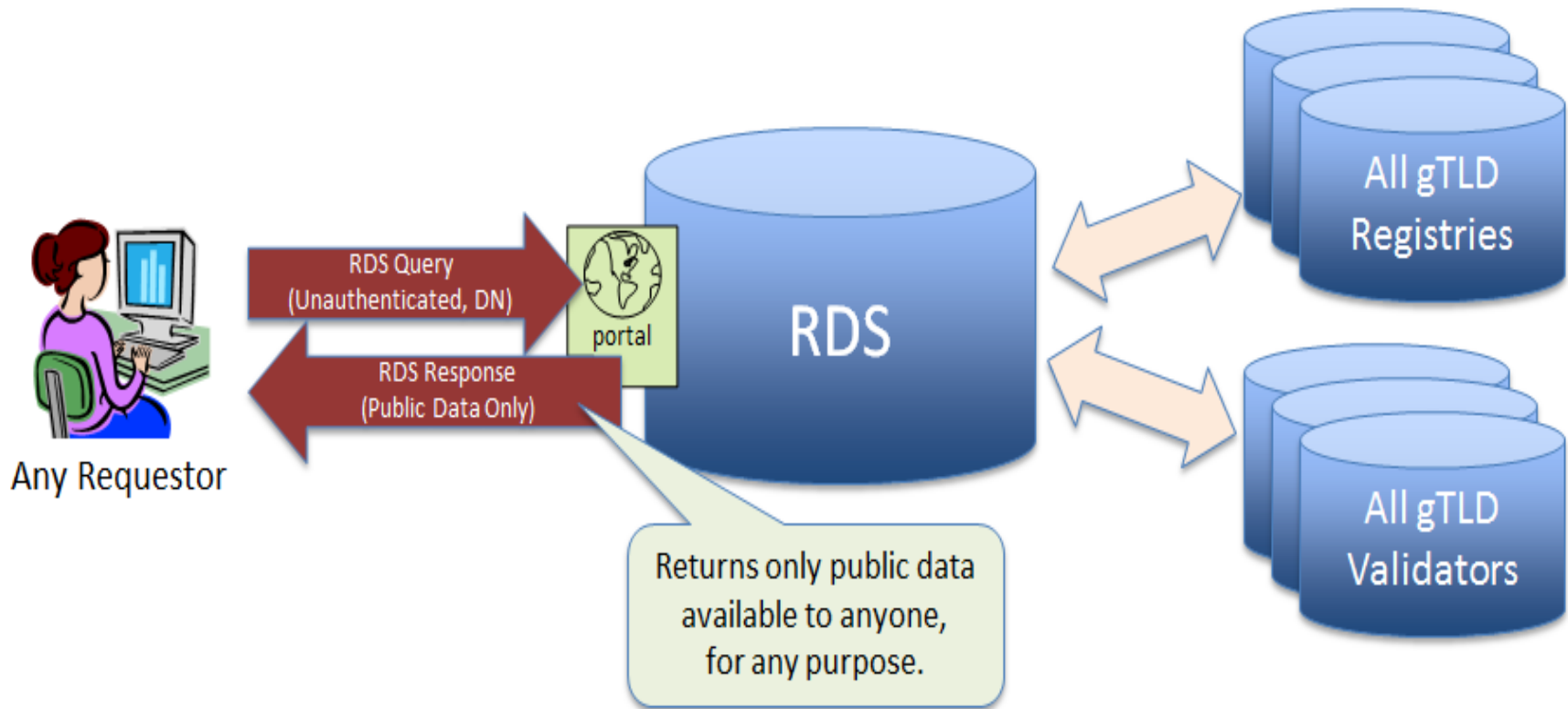
Domain Name: CNN.COM  
Registrar: CSC CORPORATE DOMAINS, INC.  
Sponsoring Registrar IANA ID: 299  
Whois Server: whois.corporatedomains.com  
Referral URL: <http://www.cscglobal.com/global/web/csc/digital-brand-services.html>  
Name Server: NS-1086.AWSDNS-07.ORG  
Name Server: NS-1630.AWSDNS-11.CO.UK  
Status: clientTransferProhibited <https://icann.org/epp#clientTransferProhibited>  
Status: serverDeleteProhibited <https://icann.org/epp#serverDeleteProhibited>  
Status: serverTransferProhibited <https://icann.org/epp#serverTransferProhibited>  
Status: serverUpdateProhibited <https://icann.org/epp#serverUpdateProhibited>  
Updated Date: 15-feb-2017  
Creation Date: 22-sep-1993  
Expiration Date: 21-sep-2018

This information can be easily combined with other data sets freely or easily accessible, then yes, it is “personal data”. Google itself is offering look up services, reverse look up services (for free). Besides there are websites which are harvesting data from whois.corporatedomains.com and making them accessible freely with personal data as on WHOIS Servers there is personal data. (see: [www.who.is](http://www.who.is) for instance). As long as the identification of a person behind this information and numbers is possible, it is considered as personal data.

Source: <https://community.icann.org/download/attachments/64078601/ICANN58-DataProtectionExpert-Responses-7April2017-plus-Intro.pdf>

Answer to 5.1 given by the [EWG Report](#), Pages 61-62:

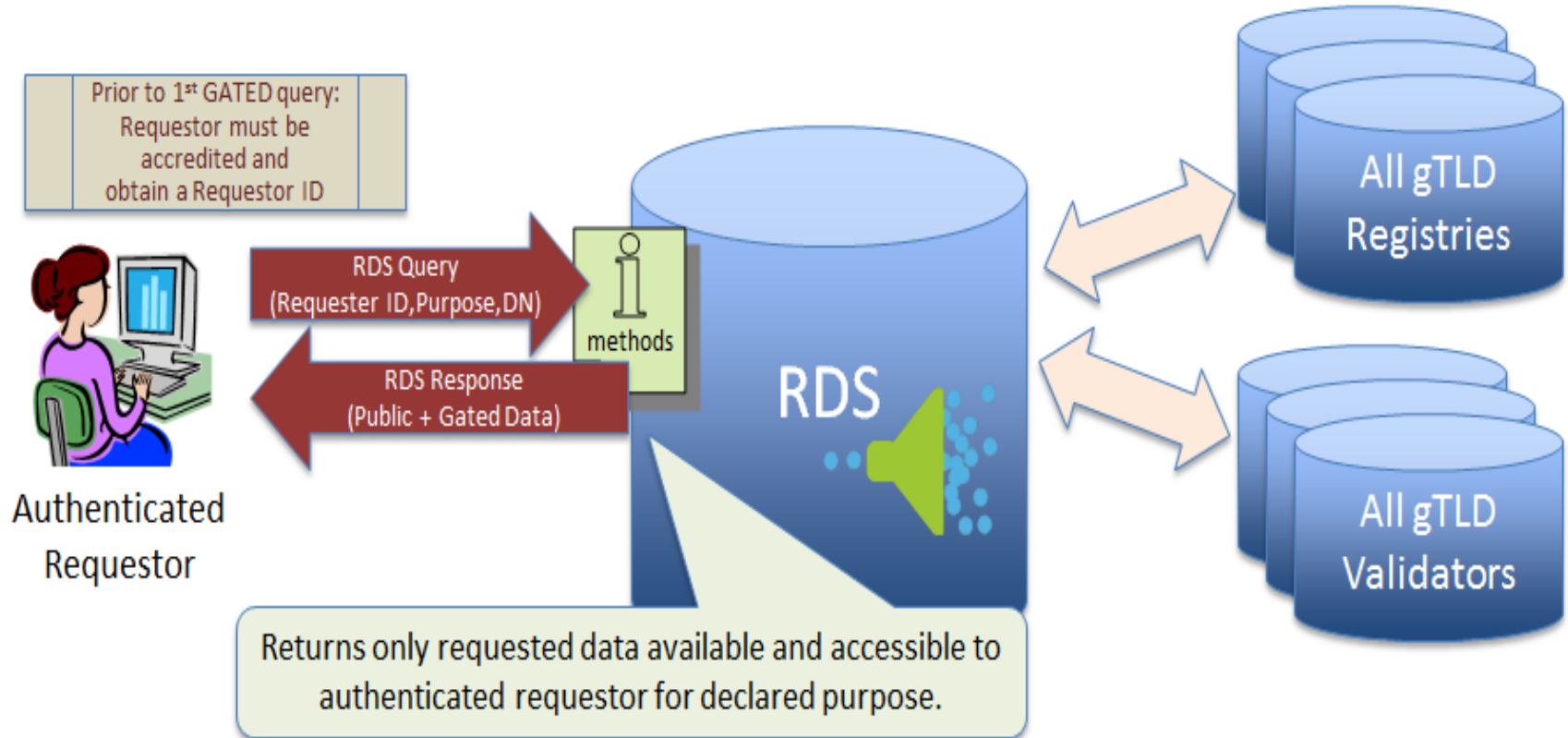
*As depicted in the following figure, public data elements can still be requested from the RDS by anyone, with or without authentication.*



*A minimum set of data elements, at least in line with the most stringent privacy regime, must be accessible by unauthenticated RDS users.*

Answer to 5.1 given by the [EWG Report](#), Pages 61-62:

*As depicted in the following figure, gated data elements can also be requested via the RDS. To do so, requestors must first be accredited. Thereafter, requestors may submit authenticated queries requesting data elements for a stated purpose.*

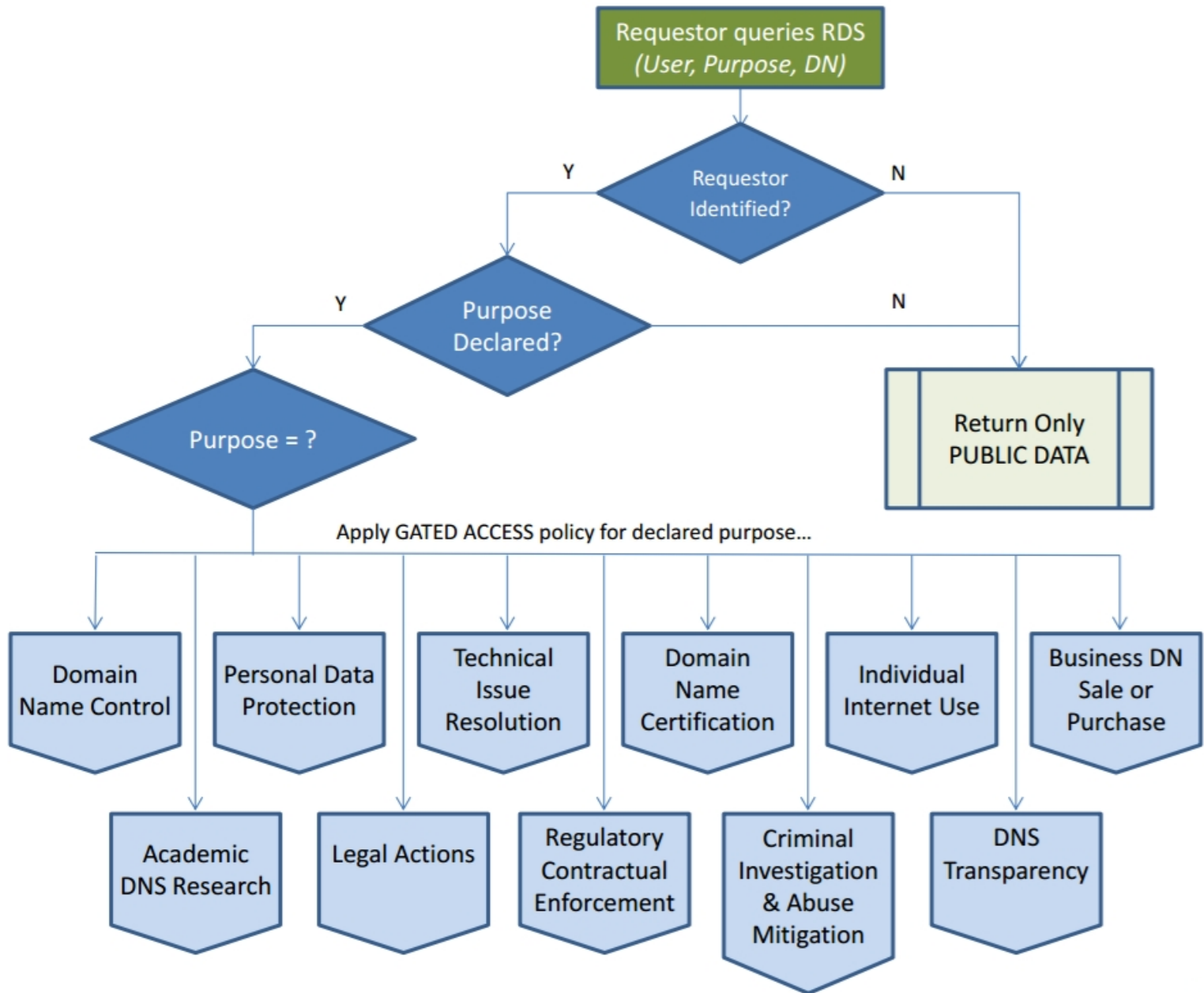


*Multiple levels of authenticated data access must be supported, consistent with stated permissible purposes.*



# How does this differ from WHOIS?

- The EWG Report split RDS Data Elements into categories
  - **Minimum Public Data Set** (includes today's "thin data" elements)
  - **Gated Data** (includes most of today's "thick data" elements)
  - See [EWG Report](#) for definitions and criteria
- Requestors optionally IDENTIFY and AUTHENTICATE themselves
  - Anonymous RDS queries return ONLY **Minimum Public Data Set**
  - Authenticated RDS queries may or may not return **Gated Data Subset**
- Requestors optionally state a PURPOSE
  - Users can be ACCREDITED for one or more purposes
  - Accredited users are AUTHORIZED to access **Minimum Public Data Set + Gated Data Subset** AS NEEDED BY PURPOSE & LIMITED BY APPLICABLE LAW
- Requestors optionally ACCREDITED for RDS access, for example
  - Self-accreditation for purposes authorized to access to low-risk data
  - Third-party accreditation for purposes with access to higher-risk data
- No identification or authentication? No purpose?
  - Such queries return ONLY **Minimum Public Data Set**
- Anti-abuse measures such as RATE LIMITING apply to all kinds of RDS access



[Source: EWG Tutorial](#)

# Additional Slides from Tutorial

## Minimum Public Data

Registration Status: x	Domain Name: EXAMPLE.TLD
DNSSEC Delegation: signedDelegation	Name Server: NS01.EXAMPLE-REGISTRAR.TLD
Client Status: DeleteProhibited, RenewProhibited, TransferProhibited	Registrant Type: UNDECLARED
Server Status: DeleteProhibited, RenewProhibited, TransferProhibited	Registrant Contact ID: xxxx-xxxx
Registrar: EXAMPLE REGISTRAR LLC	Registrant Contact Validation Status: Operationally-Validated
Reseller: EXAMPLE RESELLER	Registrant Contact Last Validated Timestamp: x
Registrar Jurisdiction: EXAMPLE JURISDICTION	Registrant Email: EMAIL@EXAMPLE.TLD
Registry Jurisdiction: EXAMPLE JURISDICTION	Registrant Country: AA
Registration Agreement Language: ENGLISH	Administrator Contact ID: xxxx-xxxx
Creation Date: 2000-10-08T00:45:00Z	Tech Contact ID: xxxx-xxxx
Original Registration Date: 2000-10-08T00:45:00Z	Legal Contact ID: xxxx-xxxx
Registrar Registration Expiration Date: 2010-10-08T00:44:59Z	Abuse Contact ID: xxxx-xxxx
Updated Date: 2009-05-29T20:13:00Z	Business Contact ID: xxxx-xxxx
Registrar URL: http://www.example-registrar.tld	Privacy/Proxy Contact ID: xxxx-xxxx
Registrar IANA Number: 5555555	
Registrar Abuse Contact Email: email@registrar.tld	
Registrar Abuse Contact Phone: +1.1235551234	
URL of the Internic Complaint Site: http://wdprs.internic.net/	

Minimum<sup>‡</sup> registration data that is publicly available to anyone, for any permissible purpose, without authentication\* (grey = not applicable for every domain name)

\* Except where prohibited by data protection laws

‡ Gated Registrant Data can also be made Public at the Registrant's discretion

Technical Issue Resolution  
(Requestor = x, DN = y)

Authentic Requestor  
"x"?

Allow self-accreditation  
for this common purpose?  
(e.g., identify self and  
agree to ToS)

Gated Registrant  
Data  
Requested?

Return Error

Return Requested  
Public Data + Tech PBC  
for DN "y"

Registration Status: x
DNSSEC Delegation: signedDelegation
Client Status: DeleteProhibited, RenewProhibited, TransferProhibited
Server Status: DeleteProhibited, RenewProhibited, TransferProhibited
Registrar: EXAMPLE REGISTRAR LLC
Reseller: EXAMPLE RESELLER
Registrar Jurisdiction: EXAMPLE JURISDICTION
Registry Jurisdiction: EXAMPLE JURISDICTION
Registration Agreement Language: ENGLISH
Creation Date: 2000-10-08T00:45:00Z
Original Registration Date: 2000-10-08T00:48:00Z
Registrar Registration Expiration Date: 2010-10-08T00:44:59Z
Updated Date: 2009-05-29T20:13:00Z
Registrar URL: http://www.example-registrar.tld
Registrar IANA Number: 5555555
Registrar Abuse Contact Email: email@registrar.tld
Registrar Abuse Contact Phone: +1.1235551234
URL of the Intermic Complaint Site: http://wdprs.intermic.net

Domain Name: EXAMPLE.TLD
Name Server: NS01.EXAMPLE-REGISTRAR.TLD
Registrant Type: UNDECLARED
Registrant Contact ID: XXXX-XXXX
Registrant Contact Validation Status: Operationally-Validated
Registrant Contact Last Validated Timestamp: x
Registrant Email: EMAIL@EXAMPLE.TLD
Registrant Country: AA
Administrator Contact ID: XXXX-XXXX
Tech Contact ID: XXXX-XXXX
Legal Contact ID: XXXX-XXXX
Abuse Contact ID: XXXX-XXXX
Business Contact ID: XXXX-XXXX
Privacy/Proxy Contact ID: XXXX-XXXX

Technical Contact (PBC) ID: XXXX-XXXX
PBC Validation Status: Operationally Validated
PBC Last Validated Timestamp: x
PBC Name: EXAMPLE TECH
PBC Organization: EXAMPLE ORG
PBC Street Address: 123 Street Road
PBC City: AnyTown
PBC State/Province: CA
PBC Postal Code: 12345
PBC Country: AA
PBC Phone + Ext: +1.1235551234
PBC Alt Phone + Ext: +1.5556661234
PBC Email Address: tech@example.tld
PBC Alt Email Address: tech-119@isp.net
PBC Fax + Ext: +1.1235551234
PBC SMS: +1.12355551212
PBC IM: @exampletech
PBC Social Media: socialsite.com/example
PBC Alt Social Media: socialsite.com/example2
PBC Contact_URL: example.tld/contact_us.html
PBC Abuse_URL: example.tld/report_abuse.html

Criminal Investigation and  
DNS Abuse Mitigation  
(Requestor = x, DN = y)

