

B

ICANN PURPOSE:

Maintaining the security, stability and resiliency of the Domain Name System. This will involve the disclosure of existing registration data to legitimate third parties, for the following reasons only: 1) fraud prevention; 2) network and information security; and 3) indicating possible criminal acts, or threats to public security.

Policy recommendation: requirements related to the accuracy of registration data under the current ICANN contracts and consensus policies shall not be affected by this policy.

(Purposes by Actor (B))(TempSpec - 4.4.2, 4.4.8)

Commented [CT1]: Email from Benedict Addis, 16 Oct 2018, Subject Line: Purpose B Small Team

Commented [BC2]: Updated from small team in LA on 27 Sept.

Purpose Rationale:

1) If the purpose is based on an ICANN contract, is this lawful as tested against GDPR and other laws?

Yes, this purpose is lawful under Art.6(1)(f) of the GDPR because although there may be a legitimate interest in disclosing non public RDDS/WHOIS to third parties (such as law enforcement, IP interests, etc.), this disclosure is not technically necessary to perform the registration contract between the registrant and registrar. (Note: the requisite balancing test must be performed for each third-party type of disclosure.)

Commented [CT3]: Lawful basis memo, under Purpose B.

2) Is the purpose in violation with ICANN's bylaws?

No, it is not in violation of ICANN's bylaws.

3) Are there any "picket fence" considerations related to this purpose?

This is within the Picket Fence, as the purpose specially refers to data already collected.

Lawfulness of Processing Test:

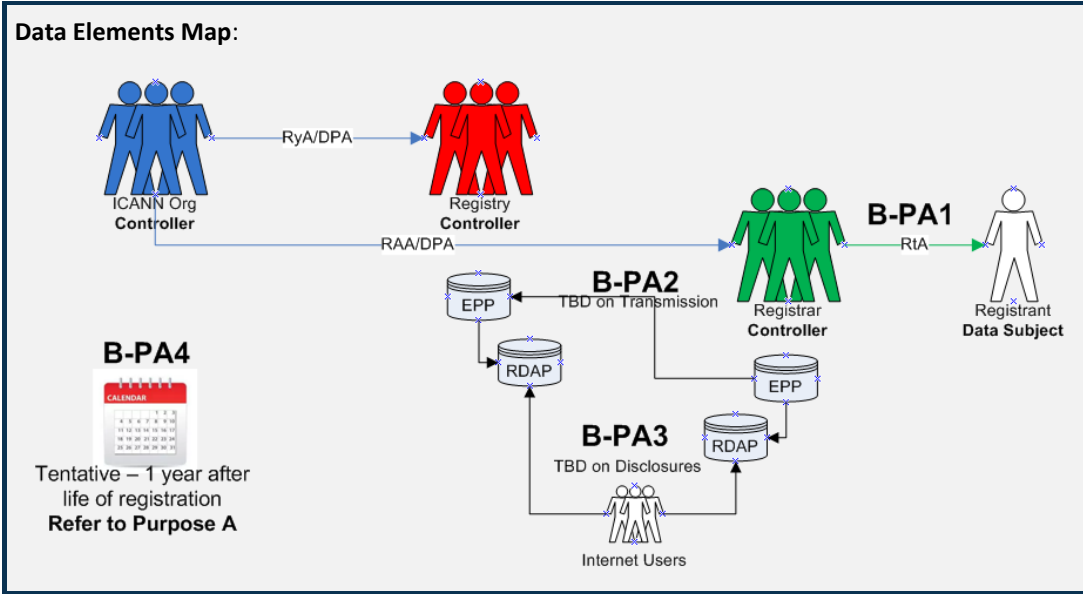
Processing Activity:	Responsible Party: (Charter Questions 3k, 3l, 3m)	Lawful Basis: (Is the processing necessary to achieve the purpose?)
<p>A-PA1: Collection of registration data establishing registrant rights and allocating string to registrant*</p> <p>Note: as this purpose refers to data already collected, please refer to Purpose A Workbook for further information.</p> <p>(Charter Question 2b)</p>	<p>ICANN – Controller Registrars – Controller Registries – Controller</p>	<p>[NOTE: The small Purpose B breakout team agreed to the following; however, this was not agreed to in plenary:</p> <p>3a) Processing activities: Collect of registrant data Disclosure and/or transmission of registrant data</p> <p>3b) Responsible parties: Collection of registration data: Joint Controllers – ICANN, Registry, Registrar Disclosure and/or transmission of registrant data: Joint Controllers – ICANN, Registry, Registrar]</p>
<p>A-PA2: Transmission of registration data from Registrar to Registry</p> <p>(Charter Questions 2c, 2d, 2e, 2i)</p> <p>Note: as this purpose refers to data already collected, please refer to Purpose A Workbook for further information.</p>	<p>TBD</p>	<p>To be determined</p>
<p>A-PA3: Disclosure of non-public, already collected, RDDS/WHOIS to third parties</p> <p>(Charter Questions 2f (gating questions), 2j)</p>	<p>ICANN – Sole Controller Registrar – Processor Registry - Processor</p>	<p>6(1)(f)</p> <p>This is a 6(1)(f) purpose because although there may be a legitimate interest in disclosing non-public RDDS/WHOIS to third parties (such as law enforcement, IP interests, etc.), this disclosure is not technically necessary to perform the registration contract between the registrant and registrar. (Note: the requisite balancing test must be performed for each third-party type of disclosure.)</p>
<p>A-PA4: Retention of registration data by registrar</p> <p>(Charter Questions 2g, ??)</p> <p>Note: as this purpose refers to data already collected, please refer to Purpose A Workbook for further information. (This purpose does not call for additional retention periods.)</p>	<p>ICANN - Controller Registrar – Processor</p>	<p>Please refer to Purpose A Workbook.</p>

Commented [BC4]: 27 Sept – Added by Purpose B break out team

Commented [BC5]: Updated suggested by Emily from Lawful Basis memo – 2 Oct

Commented [CT6]: Lawful Basis Memo, Purpose B

Data Elements Map:



Data Elements Matrix:

"1" = Required "(1)" = Optional "-" = Not Required or Optional

Data Element	Collection B-PA1	Transmission B-PA2	Disclosure B-PA3	Retention B-PA4	TBD B-PA5	TBD B-PA6
Domain Name	1		1		-	-
Registry Domain ID	-	-	-	-	-	-
Registrar Whois Server	1	-	1	-	-	-
Registrar URL	1	-	1	-	-	-
Updated Date	1	-	1	-	-	-
Creation Date	1	-	1	-	-	-
Registry Expiry Date	1	-	1	-	-	-
Registrar Registration Expiration Date	1	-	1	-	-	-
Registrar	1	-	1	-	-	-
Registrar IANA ID	1	-	1	-	-	-
Registrar Abuse Contact Email	1	-	1	-	-	-
Registrar Abuse Contact Phone	1	-	1	-	-	-
Reseller	1	-	1		-	-
Domain Status	1	-	1	-	-	-
Registry Registrant ID	-	-	-	-	-	-
Registrant Fields						
• Name	1	-	1	-	-	-
• Organization (opt.)	-	-	-	-	-	-
• Street	1	-	1	-	-	-
• City	1	-	1	-	-	-

Commented [CT7]: Added by LA breakout Team. Column 3 (disclosure) is exact match as purpose is specifically based on data already collected.

Commented [BC8]: Suggested by staff based on Collection. Needs confirmation

Data Element	Collection B-PA1	Transmission B-PA2	Disclosure B-PA3	Retention B-PA4	TBD B-PA5	TBD B-PA6
• State/province	1	-	1	-	-	-
• Postal code	1	-	1	-	-	-
• Country	1	-	1	-	-	-
• Phone	1	-	1	-	-	-
• Phone ext (opt.)	-	-	-	-	-	-
• Fax (opt.)	-	-	-	-	-	-
• Fax ext (opt.)	-	-	-	-	-	-
• Email	1	-	1	-	-	-
2nd E-Mail address	-	-	-	-	-	-
Admin ID	-	-	-	-	-	-
Admin Fields						
• Name	1	-	1	-	-	-
• Organization (opt.)	(1)	-	(1)	-	-	-
• Street	1	-	1	-	-	-
• City	1	-	1	-	-	-
• State/province	(1)	-	(1)	-	-	-
• Postal code	(1)	-	(1)	-	-	-
• Country	1	-	1	-	-	-
• Phone	1	-	1	-	-	-
• Phone ext (opt.)	(1)	-	(1)	-	-	-
• Fax (opt.)	-	-	-	-	-	-
• Fax ext (opt.)	-	-	-	-	-	-
• Email	1	-	1	-	-	-
Tech ID	-	-	-	-	-	-
Tech Fields						
• Name	1	-	1	-	-	-
• Organization (opt.)	(1)	-	(1)	-	-	-
• Street	1	-	1	-	-	-
• City	1	-	1	-	-	-
• State/province	(1)	-	(1)	-	-	-
• Postal code	(1)	-	(1)	-	-	-
• Country	1	-	1	-	-	-
• Phone	1	-	1	-	-	-
• Phone ext (opt.)	(1)	-	(1)	-	-	-
• Fax (opt.)	-	-	-	-	-	-
• Fax ext (opt.)	-	-	-	-	-	-
• Email	1	-	1	-	-	-
NameServer(s)	1	-	1	-	-	-
DNSSEC	1	-	1	-	-	-
Name Server IP Address	1	-	1	-	-	-
Last Update of Whois Database	1	-	1	-	-	-
Other Data:						
• Field 1	-	-	-	-	-	-
• Field 2	-	-	-	-	-	-

Chain of Custody:

- RAA - <https://www.icann.org/resources/pages/approved-with-specs-2013-09-17-en>
- Temp Spec: Section 4.4.8, Appx A.4, Appx C