

Data Redaction:

Based on the discussions that took place at ICANN63, the below language is currently included in the draft Initial Report (note that this language aims to reflect the deliberations and different positions, but has not been confirmed yet by the EPDP Team).

In reviewing the draft language, please keep the following questions in mind:

1. Are there any concerns or issues in relation to the proposed language for inclusion in the Initial Report? If so, please indicate concerns or issues with proposed modification, taking into account the deliberations to date (e.g. if your position is not in line with what is reflected here, please provide language that can be added to reflect your position instead of proposing changes that are unlikely to be supported by the rest of the group based on previous discussions).
2. In relation to registrant contact mechanism, should Temporary Specification requirements remain in place (“Registrar must provide an email address or a web form to facilitate email communication with the relevant contact”)? If not, please provide your rationale and indicate what improvements / changes could be considered.
3. Is the proposed modification by the NCSG acceptable for inclusion in the Final Report?

f) *Publication of data by registrar/registry:*

f1) Should there be any changes made to registrant data that is required to be redacted? If so, what data should be published in a freely accessible directory?

f2) Should standardized requirements on registrant contact mechanism be developed?

f3) Under what circumstances should third parties be permitted to contact the registrant, and how should contact be facilitated in those circumstances?

EPDP Team considerations and deliberations in addressing the charter questions included:

- *The EPDP Team considered the input provided by each group in response to the triage surveys and the responses to the request for early input.*
- *The EPDP Team discussed which data elements are to be published in a freely accessible directory and which data elements are to be redacted. As a starting point, the EPDP Team considered the existing data-redaction list in the Temporary Specification (see Appendix A). There was some disagreement as to whether the following elements should be redacted (as they contain personally identifiable information) or published:*
 - *Organization,*
 - *City,*
 - *Postal Code and*
 - *Email Address.*
- *In the context of the Organization field, the EPDP Team noted there is currently a lack of consistency in relation to how this field is used by the Registered Name Holder, so there may be instances where it contains personally identifiable information. Similarly, the EPDP Team observed that this data field, when published in combination with other information, might reveal personally identifiable information¹. As such, the NCSG [add others as appropriate] does not support not redacting this information. Assuming that the intended content for this field is to*

¹ See Recital 26 of the GDPR as well as <https://gnso.icann.org/en/drafts/wsg-icann-memorandum-25sep17-en.pdf> - response to question 3.

denote a legal person, the EPDP Team intends to seek clarification about the potential liability should a Registered Name Holder provide personally identifiable information within the Organization field and that field is published in a freely accessible directory. Such a request would include information regarding other GDPR-compliant regimes and input from DPAs regarding how similar data fields are handled. Following this clarification, the EPDP Team may review Preliminary Recommendation #[include reference] in relation to the Organization data element.

- In the context of postal code and city, the EPDP Team discussed the role these data elements might play in narrowing down jurisdiction. Specifically, the IPC [and BC] believe the City data element is critical information in determining venue for legal proceedings and contacting local law enforcement, and thus should remain unreacted. The EPDP Team also observed that this data field, when published in combination with other information, might reveal personally identifiable information.
- IPC, BC, GAC and ALAC also noted that registrars need not redact these data if they are able to determine that the registrant is a legal person.
- In the context of email address, the EPDP Team considers that [to be completed].

EPDP Team Preliminary Rec #1.

The EPDP Team recommends that redaction must be applied as follows to the data elements that are collected. Data elements not redacted must appear in a freely accessible directory:

Data Element	Redacted
Domain Name	No
Registrar Whois Server	No
Registrar URL	No
Updated Date	No
Creation Date	No
Registry Expiry Date	No
Registrar Registration Expiration Date	No
Registrar	No
Registrar IANA ID	No
Registrar Abuse Contact Email	No
Registrar Abuse Contact Phone	No
Reseller	No
Domain Status	No
Registrant Fields	
• Name	Yes
• Organization (opt.)	No
• Street	Yes
• City	Yes ²
• State/province	No

² The IPC and BC representatives on the EPDP Team are of the view that this data element should be unredacted.

<i>Data Element</i>	<i>Redacted</i>
• <i>Postal code</i>	<i>Yes</i>
• <i>Country</i>	<i>No</i>
• <i>Phone</i>	<i>Yes</i>
• <i>Email</i>	<i>Yes⁴</i>
• <i>Anonymized email / link to web form</i>	<i>No</i>
<i>Tech Fields</i>	
• <i>Name</i>	<i>Yes</i>
• <i>Phone</i>	<i>Yes</i>
• <i>Email</i>	<i>Yes⁵</i>
• <i>Anonymized email / link to web form</i>	<i>No</i>
<i>NameServer(s)</i>	<i>No</i>
<i>DNSSEC</i>	<i>No</i>
<i>Name Server IP Address</i>	<i>No</i>
<i>Last Update of Whois Database</i>	<i>No</i>

EPDP Team Preliminary Rec #2.

The EPDP Team recommends that registrars provide guidance to Registered Name Holders concerning the information that is to be provided within the Organization field.

EPDP Team Preliminary Rec #3.

In relation to facilitating email communication between third parties and the registrant, the EPDP Team recommends that [current requirements in the Temporary Specification that specify that a Registrar MUST provide an email address or a web form to facilitate email communication with the relevant contact, but MUST NOT identify the contact email address or the contact itself, remain in place. [[[Other to be decided]]].

⁴ Per the current temp spec requirement: 2.5.1. Registrar MUST provide an email address or a web form to facilitate email communication with the relevant contact, but MUST NOT identify the contact email address or the contact itself.

⁵ Per the current temp spec requirement: 2.5.1. Registrar MUST provide an email address or a web form to facilitate email communication with the relevant contact, but MUST NOT identify the contact email address or the contact itself.

Input provided to date:

From NCSG (Ayden): I wish to propose a small modification to the language in Recommendation 8 for clarity.

The current text reads as follows:

The EPDP Team recommends that redaction must be applied as follows to the data elements that are collected. Data elements not redacted must appear in a freely accessible directory:

I request it be modified to read:

*The EPDP Team recommends that redaction must be applied as follows to the data elements that are collected. Data elements **neither** redacted **nor anonymized** must appear in a freely accessible directory:*

In the table itself, for the field of email, "No" should be revised to "Yes. Anonymized Email Address OR Web Form to be provided."

In addition, I request that footnote 7 be revised from:

*Per the current temp spec requirement: 2.5.1. Registrar **MUST** provide an email address or a web form to facilitate email communication with the relevant contact, but **MUST NOT** identify the contact email address or the contact itself*

So to read:

The EPDP Team recommends that the 17 May 2018 temp spec requirement that a Registrar **MUST** provide an email address or a web form to facilitate email communication with the relevant contact, but **MUST NOT** identify the contact email address or the contact itself, **continue to be in effect.**