

# At-Large Workspace: Initial Report of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data Team – PHASE 2A

Public Comment Close	Statement Name	Status	Assigned Working Group	Assignee (s)	Call for Comments Open	Call for Comments Close	Vote Open	Vote Close	Date of Submission	Staff Contact and Email
19 July 2021	Initial Report of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data Team – PHASE 2A	ADOPTED 15Y, 0N, 0A	CPWG	Hadia Elminiawi Alan Greenberg	30 June 2021	05 July 2021	19 July 2021	22 July 2021	19 July 2021	Caitlin Tubergen Policy-staff@icann.org

Hide the information below, please click [here](#) >>

## Brief Overview

**Purpose:** This Public Comment proceeding seeks to obtain input on the Initial Report of the Phase 2A EPDP on the Temporary Specification for gTLD Registration Data Team. Phase 2A was tasked to address the following two topics: 1) the differentiation of legal vs. natural persons' registration data and 2) the feasibility of unique contacts to have a uniform anonymized email address.

**Current Status:** This Initial Report is being posted for Public Comment as foreseen in the EPDP Team's charter and EPDP Manual.

**Next Steps:** The EPDP Team will analyze the public comments received and update its recommendations accordingly for inclusion in its Final Report that will be submitted to the GNSO Council for its consideration.

## Section I: Description and Explanation

The EPDP Team Phase 2A was tasked by the GNSO Council to focus on two specific topics, namely: 1) the differentiation of legal vs. natural persons' registration data and 2) the feasibility of unique contacts to have a uniform anonymized email address. This Initial Report outlines the team's thinking to date and is intended to serve as a tool to solicit community input especially on areas where there remains significant divergence. Although preliminary recommendations have been included in the Initial Report, these need to be considered in combination with a set of questions the EPDP Team is looking for input on before it is able to finalize its report and conduct a formal consensus call. **Please review chapter 3 of the Initial Report for further details on the preliminary recommendations as well as questions for community input.**

Commenters are strongly encouraged to use the following form which is intended to facilitate your input by focusing on those aspects that the EPDP Team is looking for particular input on, as well as subsequent review by the EPDP Team: [https://docs.google.com/forms/d/e/1FAIpQLSdV6-Ed9LcywF7XLD70YHAXQ87L4nmWQAr5D2-8VN4GA4oI5Q/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLSdV6-Ed9LcywF7XLD70YHAXQ87L4nmWQAr5D2-8VN4GA4oI5Q/viewform?usp=sf_link). To facilitate off-line work, or for those who may not have access to the form, you can download an off-line version of the form here: <https://www.icann.org/en/system/files/files/epdp-phase-2a-initial-report-public-comment-input-form-02jun21-en.pdf>. Please note that similar to other Public Comment proceedings, all responses will be made public. If, for any reason, you are unable to submit your comment using the Google Form, or you encounter a technical issue when submitting your comment, please submit your comment to [policy-staff@icann.org](mailto:policy-staff@icann.org), and a member of the EPDP Support Staff Team will assist you.

Community input will be carefully reviewed and used to support development of final responses to charter questions, as well as recommendations and implementation guidance in the form of a Final Report that is to be submitted to the GNSO Council for its consideration. Following approval of the proposal(s) by the GNSO Council, it will be submitted to the ICANN Board for its consideration.

## Section II: Background

On 17 May 2018, the ICANN Board approved the Temporary Specification for generic top-level domain (gTLD) Registration Data to allow contracted parties to comply with existing ICANN contractual requirements while also complying with the European Union's General Data Protection Regulation (GDPR). This Board action triggered the GNSO Council initiation of the PDP on 19 July 2018. The PDP was conducted in two phases: Phase 1 was chartered to confirm, or not, the Temporary Specification by 25 May 2019; Phase 2 was chartered to discuss, among other elements, a standardized access model to nonpublic registration data (SSAD).

The GNSO Council adopted the Final Report for Phase 2 during its meeting on 24 September 2020; however, in response to a request from some EPDP Team members, the GNSO Council asked the EPDP Team to continue work on two topics: 1) the differentiation of legal vs. natural persons' registration data and 2) the feasibility of unique contacts to have a uniform anonymized email address. These two topics constitute the focus of Phase 2A.

More specifically, the EPDP Team was provided with the following instructions:

1. Legal vs. natural persons – the EPDP Team is expected to review [the study](#) undertaken by ICANN org (as requested by the EPDP Team and approved by the GNSO Council during Phase 1) together with the [legal guidance](#) provided by Bird & Bird as well as the substantive input provided on this topic during the [public comment forum on the addendum](#) and answer:
  - a. Whether any updates are required to the EPDP Phase 1 recommendation on this topic ("Registrars and Registry Operators are permitted to differentiate between registrations of legal and natural persons, but are not obligated to do so");
  - b. What guidance, if any, can be provided to Registrars and/or Registries who differentiate between registrations of legal and natural persons.
2. In relation to feasibility of unique contacts to have a uniform anonymized email address, the EPDP Team is expected to review the [legal guidance](#) and consider specific proposals that provide sufficient safeguards to address issues flagged in the legal memo. Groups that requested additional time to consider this topic, which include ALAC, GAC and SSAC, will be responsible to come forward with concrete proposals to address this topic. This consideration is expected to address:
  - a. Whether or not unique contacts to have a uniform anonymized email address is feasible, and if feasible, whether it should be a requirement.
  - b. If feasible, but not a requirement, what guidance, if any, can be provided to Contracted Parties who may want to implement uniform anonymized email addresses.

## Section III: Relevant Resources

[EPDP Phase 2A Initial Report](#)

[Google form](#)

[Google form offline template](#)

## Section IV: Additional Information

[EPDP Wiki](#)

## Section V: Reports

## FINAL VERSION SUBMITTED (IF RATIFIED)

*The final version to be submitted, if the draft is ratified, will be placed here by upon completion of the vote.*



AL-ALAC-ST-0721-02-01-EN.pdf

## FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

*The final draft version to be voted upon by the ALAC will be placed here before the vote is to begin.*



AL-ALAC-ST-0721-02-00-EN.pdf

---

## DRAFT SUBMITTED FOR DISCUSSION

*The first draft submitted will be placed here before the call for comments begins. The Draft should be preceded by the name of the person submitting the draft and the date/time. If, during the discussion, the draft is revised, the older version(S) should be left in place and the new version along with a header line identifying the drafter and date/time should be placed above the older version(s), separated by a Horizontal Rule (available + Insert More Content control).*

See: [Google Doc \(comment-only\)](#)



AL-ALAC-ST-0721-01-00-EN.pdf