

Registries Stakeholder Group Statement



Registration Data Consensus Policy for gTLDs

Date statement submitted¹: **21 November 2022**

Reference url:

<https://www.icann.org/en/public-comment/proceeding/registration-data-consensus-policy-for-gtlds-24-08-2022>

Background²

The public comment proceeding is seeking input on two matters:

- **The draft Registration Data Consensus Policy for gTLDs, which sets out Consensus Policy requirements concerning the collection, transfer, and publication of gTLD registration data.**
Document: [Draft Registration Data Consensus Policy for gTLDs](#)
- **Updates to the policies and procedures that were impacted by the Registration Data Consensus Policy due to EPDP-TempSpec Phase 1 Recommendation 27**
Document: [EPDP-TempSpec Phase 1 Recommendation 27 \(pdf, 40.24 KB\)](#)

Registries Stakeholder Group Comment

The Registries Stakeholder Group (RySG) appreciates the opportunity to comment on the Draft Registration Data Consensus Policy for gTLDs. The RySG has noted a few areas where we believe slight changes will provide beneficial clarity for those implementing the policy.

Further, the RySG did not specifically weigh in on each impacted policy in Part II of this comment as several are specific to individual operators, but are generally supportive of the work.

The RySG appreciates the time and effort put forth by every participant across the community to craft this draft policy. We are supportive of the policy and believe it provides an important baseline for registration data processing that will provide Registry Operators certainty and flexibility.

¹ This is a copy of the text submitted via the ICANN Public comment platform.

² Background: intended to give a brief context for the comment and to highlight what is most relevant for RO's in the subject document – it is not a summary of the subject document.

Part 1 : draft Registration Data Consensus Policy for gTLDs

The goal of Part 1 of this guided submission form is to lead respondents through the sections and requirements of the Registration Data Consensus Policy for Generic Top-Level Domains (gTLDs) and identify if they accurately reflect the intent of the Expedited Policy Development Process (EPDP) on the Temporary Specification (TempSpec) for gTLD Registration Data Phase 1 and Phase 2 Priority 2 Consensus Policy recommendations. Please limit your feedback to the implementation of the policy recommendations and not the policy recommendations themselves.

Section 1 of the Registration Data Consensus Policy

This section pertains to the [Introduction](#) to the Registration Data Consensus Policy.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Section 2 of the Registration Data Consensus Policy

This section pertains to the [scope](#) of the Registration Data Consensus Policy.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Section 3 of the Registration Data Consensus Policy

This section pertains to the *definitions and interpretations* used within the Registration Data Consensus Policy.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Unless there is a compelling reason, all definitions in the policy should reside in this section. For example, Section 9.2.2. Defines “Redact”, and Implementation Note H defines “Creation Date”. For clarity, these definitions should be moved to Section 3.

Section 4 of the Registration Data Consensus Policy

This section pertains to the *date of when the Registration Data Consensus Policy will be required to be implemented* by Contracted Parties.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Section 5 of the Registration Data Consensus Policy

This section pertains to the [Data Protection Agreements with the ICANN organization and Contracted Parties](#).

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Section 6 of the Registration Data Consensus Policy

This section pertains to the [Collection of Registration Data](#).

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

The RySG is aware that the global legislative environment continues to evolve and believes that a slight addition to Section 6.7 would add clarity to what is allowable as part of this section.

Suggested amendment (additional text in italics):

6.7. Registrar MAY collect additional data elements as required by its Registry-Registrar Agreement and/or the Registry Operator's Registration Policy, *including if required by law.*

Section 7 of the Registration Data Consensus Policy

This section pertains to the *Transfer of Registration Data from Registrar to Registry Operator*.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Section 8 of the Registration Data Consensus Policy

This section pertains to the *Transfer of Registration Data to Data Escrow Providers*.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Section 9 of the Registration Data Consensus Policy

This section pertains to the *Publication of Domain Name Registration Data*.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*

- (C) does not accurately reflect the intent of the Registration Data Consensus Policy.
(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)
- (D) Additional concern or issue identified in the Section. (Please describe further.)

If B, C, or D, please elaborate:

For clarity, 9.2.1. should be separated into two separate sections as follows:

9.2.1: Registry Operator and Registrar MUST apply the ~~following requirements~~ **requirements of this Section 9** in RDDS if redaction of Personal Data contained in Registration Data is required in order to comply with applicable laws.

9.2.2: **Where redaction of Personal Data contained in Registration Data is not required by law**, Registry Operator and Registrar MAY apply the ~~following requirements~~ **requirements of this Section 9** IF (i) they have a commercially reasonable purpose to do so; OR (ii) where it is not technically feasible to limit application of the requirements of this section. In determining whether to apply the following requirements, Registry Operator and Registrar MAY, but are not required to, consider (i) whether Registration Data pertains to a legal person or contains Personal Data; and (ii) the geographic location of the Registered Name Holder or relevant contact.

Section 10 of the Registration Data Consensus Policy

This section pertains to *Disclosure Requests*.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. (Please provide the suggested language change.)
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy.
(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)
- (D) Additional concern or issue identified in the Section. (Please describe further.)

If B, C, or D, please elaborate:

Section 10. Requires “Registrar and Registry Operator **MUST** publish on their homepage a direct link to a page where the mechanism and process for submitting Disclosure Requests is Detailed”. The relevant source recommendation, Recommendation 18, refers to the fact that “Registrars and Registry Operators must publish, in a publicly accessible section of their website, the mechanism and process for submitting Reasonable Requests for Lawful Disclosure”. The policy recommendations deliberately do not use the word “homepage” as this is not always the best or most appropriate place to provide the link. Some flexibility should be given to Registrars and Registry operators to make that determination.

Section 11 of the Registration Data Consensus Policy

This section pertains to *maintaining Log Files*.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Section 12 of the Registration Data Consensus Policy

This section pertains to the *Retention of Registration Data*.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Addendum I of the Registration Data Consensus Policy

This section pertains to the [implementation of Whois \(available via port 43\) and web-based Whois directory services](#).

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Addendum II of the Registration Data Consensus Policy

This section pertains to the [Registrant Organization Field](#).

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Implementation Notes of the Registration Data Consensus Policy

Implementation notes are not considered policy requirements but are included to provide [guidance on how to best implement the requirements described in sections 5 -12](#).

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Background section of the Registration Data Consensus Policy

This section pertains to the *general background of the Registration Data Consensus Policy*.

- (A) accurately reflects the policy recommendations with no issues.
- (B) accurately reflects the policy recommendations; however, the following clarification(s) are suggested. *(Please provide the suggested language change.)*
- (C) does not accurately reflect the intent of the Registration Data Consensus Policy. *(Please provide an explanation including Recommendations from the EPDP-TempSpec Phase 1 or Phase 2 Final Report where there are inconsistencies and the suggested change to make this section consistent.)*
- (D) Additional concern or issue identified in the Section. *(Please describe further.)*

If B, C, or D, please elaborate:

Part 2: Updates to the policies and procedures that were impacted by the Registration Data Consensus Policy due to EPDP-TempSpec Phase 1 Recommendation 27

The goal of Part 2 of this guided submission form is to lead respondents through the review of existing policies and procedures impacted by the Registration Data Consensus Policy for gTLDs. Please review each policy or procedure thoroughly and provide input on whether the suggested redlined changes accurately reflect the intent and scope of the Registration Data Consensus Policy for gTLDs.

Additional Whois Information Policy (AWIP)

Please review the Redlined AWIP.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the AWIP correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Expired Registration Recovery Policy (ERRP).

Please review the Redlined ERRP.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the ERRP correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Protection of International Governmental Organization (IGO) and International Non-Governmental Organization (INGO) Identifiers in all gTLDs Policy.

Please review the Redlined Protection of IGO and INGO Identifiers in all gTLDs Policy.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the Protection of IGO and INGO Identifiers in all gTLDs Policy correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Registry Registration Data Directory Services Consistent Labeling and Display (CL&D) Policy
Please review the Redlined CL&D Policy.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the CL&D Policy correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Restored Names Accuracy Policy (RNAP)
Please review the Redlined RNAP.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the RNAP correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Revised ICANN Procedure for Handling Whois Conflicts with Privacy Law
Please review the Redlined Revised ICANN Procedure for Handling Whois Conflicts with Privacy Law.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the Revised ICANN Procedure for Handling Whois Conflicts with Privacy Law correct?

- Yes

- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Thick Whois Transition Policy for .COM, .NET, and .JOBS

Please review the Redlined Thick Whois Transition Policy.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the Thick Whois Transition Policy correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Transfer Form of Authorization (FOA) Confirmation of Registrar Transfer Request

Please review the Redlined Transfer FOA Confirmation.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the Transfer FOA Confirmation correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Transfer FOA Initial Authorization for Registrar Transfer

Please review the Redlined Transfer FOA Initial Authorization.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the Transfer FOA Initial Authorization correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Transfer Dispute Resolution Policy (TDRP)

Please review the Redlined TDRP.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the TDRP correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Transfer Policy

Please review the Redlined Transfer Policy.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the Transfer Policy correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Uniform Domain Name Dispute Resolution Policy (UDRP).

Please review the Redlined UDRP Policy.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the UDRP correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

UDRP Rules

Please review the Redlined UDRP Rules.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the UDRP Rules correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Uniform Rapid Suspension System (URS) Procedure

Please review the Redlined URS Procedure.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the URS Procedure correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

URS Rules

Please review the Redlined URS Rules.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the URS Rules correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

URS High Level Technical Requirements for Registries and Registrars

Please review the Redlined URS High Level Technical Requirements.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the URS Requirements correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Whois Data Reminder Policy (WDRP)

Please review the Redlined WDRP.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the WDRP correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Whois Marketing Restriction Policy

Please review the Redlined Whois Marketing Restriction Policy.

Based on the requirements outlined in the Registration Data Consensus Policy, are the proposed redlined changes identified in the Whois Marketing Restriction Policy correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

New Advisory: Clarifications to the Registry and Registrar Requirements for Whois Data Directory Services

Please review the New Advisory: Clarifications to the Registry and Registrar Requirements for Whois Data Directory Services.

Based on the requirements outlined in the Registration Data Consensus Policy, is the proposed Advisory Clarifications to the Registry and Registrar Requirements for Whois Data Directory Services correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Registration Data Access Protocol (RDAP) Technical Implementation Guide

Please review the Redlined and Clean RDAP Technical Implementation Guide.

Based on the requirements outlined in the Registration Data Consensus Policy, is the proposed the RDAP Technical Implementation Guide correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

RDAP Response Profile

Please review the Redlined and Clean RDAP Response Profile.

Based on the requirements outlined in the Registration Data Consensus Policy, is the proposed RDAP Response Profile correct?

- Yes
- No

If no, please explain why the suggested changes are incorrect and provide any suggested changes.

Summary of Submission:*

The Registries Stakeholder Group (RySG) appreciates the opportunity to comment on the Draft Registration Data Consensus Policy for gTLDs. The RySG has noted a few areas where we believe slight changes will provide beneficial clarity for those implementing the policy but overall, the RySG is supportive of the policy.

Further, the RySG did not specifically weigh in on each impacted policy in Part II of this comment as several are specific to individual operators, but are generally supportive of the work.

The RySG appreciates the time and effort put forth by every participant across the community to craft this draft policy. We believe it provides an important baseline for registration data processing that will provide Registry Operators certainty and flexibility.