

Response to Documentary Information Disclosure Policy Request

To: Mr. George Kirikos

Date: 26 July 2013

Re: Request No. 20130626-1

Thank you for your Request for Information dated 26 June 2013 (the “Request”), which was submitted through the Internet Corporation for Assigned Names and Numbers’ (ICANN) Documentary Information Disclosure Policy (DIDP). For reference, a copy of your Request is attached to the email forwarding this Response.

Items Requested

Your Request seeks the following documents relating to the Expert Working Group on gTLD Directory Services (the “EWG”):

1. Input/Responses to an online questionnaire (powered by Survey Monkey) seeking public input regarding the initial report published by the EWG on 24 June 2013 titled “Initial Report from the Expert Working Group on gTLD Directory Services: A Next Generation Registrar” (the “Initial Report”), available at <https://www.icann.org/en/groups/other/gtld-directory-services/initial-report-24jun13-en.pdf>;
2. Archived public comments submitted by email to the EWG at input-to-ewg@icann.org regarding the recommendations set forth in the Initial Report;
3. Recordings and/or transcripts of EWG sessions referenced on page 48 of the Initial Report; and
4. All mailing list contents or other intersession communications of the EWG.

Response

The EWG was formed in December 2012 to help resolve the more than decade-long deadlock within the ICANN community on how to resolve issues with the current Whois system, which is widely regarded as “broken.” The mandate of the EWG, described in further detail at <https://www.icann.org/en/groups/other/gtld-directory-services/initial-report-24jun13-en.pdf>, is to reexamine and define the purpose of collecting and maintaining gTLD directory services, consider how to safeguard the data, and propose a next generation solution that will better serve the needs of the global Internet community. The framework of the EWG and its methodology are discussed in the EWG’s Initial Report (“Initial Report”). (See pages 8-20 of Initial Report available at

<https://www.icann.org/en/groups/other/gtld-directory-services/initial-report-24jun13-en.pdf>).

As described in the Initial Report, the EWG’s mode of operation consists of a series of in-person and telephonic conference calls, including multiple all-day, face-to-face sessions, held in Los Angeles, Beijing and London. (*See id.* at page 48). The EWG also sought input from the ICANN community at its session in Beijing. The meetings and intense work sessions resulted in draft proposals set forth in the Initial Report. Following the publication of the Initial Report, the EWG sought further community input on its initial recommendations through four different mechanisms: an online questionnaire, a webinar session conducted on 8 July 2013, a public consultation session on 15 July 2013 in Durban, South Africa, and email submissions to the mailing list input-to-ewg@icann.org. The community input period is currently ongoing through 12 August 2013. (*See* <https://www.icann.org/en/news/announcements/announcement-3-24jun13-en.htm>). Once all public input has been received and considered, the EWG will finalize its recommendations, and bring its work to a conclusion.

The EWG has made available information about its meetings and activities on the public wiki page at <https://community.icann.org/pages/viewpage.action?pageId=40175189>.

Request No. 1 seeks the disclosure of the results from the online questionnaire that was launched on 24 June 2013 seeking input from the public to initial recommendations set forth in the Initial Report. The online questionnaire comment period is currently ongoing through 12 August 2013. The survey results submitted to date are available at <http://www.icann.org/en/groups/other/gtld-directory-services/responses-27jun13-en.htm>. ICANN will continue to update postings of the survey results through the end of the survey period as additional comments are received.

Request No. 2 seeks the disclosure of “public comments” submitted by email to input-to-ewg@icann.org. All public input received to date through this email address is available at <http://mm.icann.org/pipermail/input-to-ewg/>. Input received through this email list will continue to be publicly available as submitted.

Request No. 3 seeks the disclosure of recordings and/or transcripts of telephonic and in person EWG sessions referenced on page 48 of the Initial Report. All available recordings and transcripts of EWG sessions have been publicly posted. These include recordings, transcripts, and presentation materials from the Beijing Public Session held on 8 April 2013 (available at <https://community.icann.org/display/WG/Consultation+with+ICANN+Community+in+Beijing>), the EWG webinar session held on 8 July 2013 (available at <https://community.icann.org/pages/viewpage.action?pageId=41896908>), and the Durban Public Session held on 15 July 2013 (available at <http://audio.icann.org/meetings/durban2013/rds-15jul13-en.mp3>, https://community.icann.org/download/attachments/41892060/Discussion_Document_for_Durban.pdf?version=1&modificationDate=1372172223000, <http://durban47.icann.org/meetings/durban2013/presentation-rds-discussion-24jun13->

[en.pdf](#)). No other recordings or transcripts of meetings or telephonic or in-person EWG sessions exist.

Request No. 4 seeks the disclosure of any and all EWG mailing list contents or intersession communications. To the extent it is appropriate for public dissemination, ICANN has made available all currently existing EWG intersession communications that are appropriate for public disclosure on the public EWG wiki site at <https://community.icann.org/pages/viewpage.action?pageId=40175189>, including reports of EWG intersession meetings from 26-27 February 2013, 21-22 March 2013, 7-10 April 2013, and 19-21 May 2013 and the contents from EWG webinar session conducted on 8 July 2013 (see <https://community.icann.org/pages/viewpage.action?pageId=41896908>).

To the extent additional information currently exists that is responsive to this request, such information is not appropriate for disclosure pursuant to the DIDP Defined Conditions of Nondisclosure set forth below. As discussed above, the EWG's work is currently ongoing. Due to the mandate and purpose of the EWG, the disclosure of the group's work product and internal communications prior to the completion its work would be premature and may compromise the integrity of the group's deliberative and decision-making process by inhibiting the candid exchange of ideas and communications critical to the EWG's charge.

The applicable Defined Conditions of Nondisclosure are:

- Internal information that, if disclosed, would or would be likely to compromise the integrity of ICANN's deliberative and decision-making process by inhibiting the candid exchange of ideas and communications, including internal documents, memoranda, and other similar communications to or from ICANN Directors, ICANN Directors' Advisors, ICANN staff, ICANN consultants, ICANN contractors, and ICANN agents.
- Information exchanged, prepared for, or derived from the deliberative and decision-making process between ICANN, its constituents, and/or other entities with which ICANN cooperates that, if disclosed, would or would be likely to compromise the integrity of the deliberative and decision-making process between and among ICANN, its constituents, and/or other entities with which ICANN cooperates by inhibiting the candid exchange of ideas and communications.
- Information provided to ICANN by a party that, if disclosed, would or would be likely to materially prejudice the commercial interests, financial interests, and/or competitive position of such party or was provided to ICANN pursuant to a nondisclosure agreement or nondisclosure provision within an agreement.
- Drafts of all correspondence, reports, documents, agreements, contracts, emails, or any other forms of communication.

About DIDP

ICANN's DIDP is limited to requests for information already in existence within ICANN that is not publicly available. In addition, the DIDP sets forth Defined Conditions of Nondisclosure. To review a copy of the DIDP, which is contained within the ICANN Accountability & Transparency: Framework and Principles please see <http://www.icann.org/en/about/transparency/didp>. ICANN makes every effort to be as responsive as possible to the entirety of your Request.

We hope this information is helpful. If you have any further inquiries, please forward them to didp@icann.org.