

4 March 2019

Re: Implementation of PPSAI Working Group Recommendations

Keith Drazek, GNSO Council Chair
Pam Little, GNSO Council Vice-Chair
Rafik Dammak, GNSO Council Vice-Chair

Dear Keith and GNSO Council Leadership:

I am writing to update you on the status of the ICANN organization's implementation of the Privacy and Proxy Service Provider Accreditation Issues Working Group (PPSAI) recommendations.

As you are no doubt aware, ICANN org's implementation of PPSAI has slowed since the lead-up to and launch of the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data (EPDP). ICANN org believes it is prudent to wait before proceeding to public comment and implementation of PPSAI until the EPDP is complete. This is because the same issues that need to be resolved to finalize PPSAI implementation are under active discussion in the EPDP, such as controller/joint controller/independent controller issues, and providing access to non-public personal contact details consistent with GDPR (e.g. logging requirements, legitimate interests, etc).

Community viewpoints on this course of action are inconsistent, as illustrated most recently in discussions at ICANN63 and communications sent to ICANN org from multiple stakeholder groups and constituencies in 2018. Following consideration of the various viewpoints, ICANN org continues to believe that waiting to proceed to implementation of PPSAI until the completion of the EPDP a prudent course of action. This will allow ICANN org and the broader community to focus resources on ensuring that GDPR-compliant requirements are finalized for existing contracted parties before proceeding to implement similar requirements for a completely new category of contracted parties.

I am writing to update you on this status to provide an opportunity for feedback and discussion, should the GNSO Council believe that ICANN org should take additional steps pending completion of the EPDP in consultation with the Implementation Review Team.

I would also ask you to consider whether ICANN should take any steps at this time related to the Transfer Policy issue that the GNSO Council referred to the PP IRT in November 2016 ([Resolution 20171130-2](#)) for consideration "only after the upcoming PPSAI IRT comment period," given that ICANN org does not anticipate proceeding to public comment on PPSAI in the near future.

We welcome any ongoing dialogue as the Council may find appropriate.

Best regards,



Cyrus K. Namazi
Global Domains Division