# ICANN Specific Reviews Q4 2022 Quarterly Report

- Competition, Consumer Trust, and Consumer Choice Review (CCT)
- Second Registration Directory Service Review (RDS-WHOIS2)
- Third Accountability and Transparency Review (ATRT3)
- Second Security, Stability, and Resiliency of the DNS Review (SSR2)

31 December 2022

### **Purpose of This Document**

The purpose of this document is to provide an update on the status of Specific Reviews at the end of the last calendar quarter of 2022, including but not limited to:

- The status of, and progress made in implementing, Board-approved Specific Reviews recommendations.
- The status of recommendations pending prioritization.
- The status of recommendations pending Board consideration.

This report contains information on the implementation strategy and plans for those recommendations in "in progress" and "not started" status.

The quarterly report complements the Annual Reviews Implementation Report (included in the <u>Annual Report</u>) and serves to capture implementation highlights as the ICANN organization (org) progresses through implementation.

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### **Specific Reviews**

ICANN's four <u>Specific Reviews</u> are anchored in <u>Article 4.6</u> of ICANN's Bylaws<sup>1</sup> and serve to assess how certain aspects of the ICANN ecosystem are performing, including how the ICANN org, Board, and community fulfill various commitments. Specific Reviews are critical to maintaining a healthy multistakeholder model.

The review efforts are conducted by community members and supported by ICANN org. The Operating Standards for Specific Reviews provide more information on the Reviews process.

Accountability and Transparency Review  ATRT	Periodic review of ICANN's execution of its commitment to maintain and improve robust mechanisms for public input, accountability, and transparency so as to ensure that the outcomes of its decision-making reflect the public interest and are accountable to the Internet community.
Competition, Consumer Trust, and Consumer Choice Review  CCT	Review of the extent to which the expansion of generic top-level domains (gTLDs) has promoted competition, consumer trust, and consumer choice. It also assesses the effectiveness of the New gTLD Round's application and evaluation process, as well as the safeguards put in place to mitigate possible issues arising from the New gTLD Round.
Registration Directory Service Review RDS	Periodic review of the effectiveness of the gTLD registry directory service and whether its implementation meets the legitimate needs of law enforcement, promotes consumer trust, and safeguards registrant data.
Security, Stability, and Resiliency Review  SSR	Periodic review of ICANN's execution of its commitment to enhance the operational stability, reliability, resiliency, security, and global interoperability of the systems and processes that are affected by the Internet's system of unique identifiers that ICANN coordinates.

The ICANN Board of Directors performs oversight of all Specific Reviews through its Organizational Effectiveness Committee (OEC). The OEC is supported by Board caucus groups dedicated to each Review.

As summarized in the table below, ICANN org has conducted multiple iterations of the Specific Reviews over the years. The most recent four review efforts have now concluded, and the Board has taken action<sup>2</sup> on all final reports.

<sup>&</sup>lt;sup>1</sup> Specific Reviews originate from the <u>Affirmation of Commitments</u> (AoC) document ICANN org signed with the United States Department of Commerce in 2009. Further to a recommendation made by the Cross-Community Working Group on Enhancing ICANN Accountability (Work Stream 1), AoC Reviews were incorporated into ICANN's Bylaws in May 2016 as a result of the IANA Stewardship Transition.

<sup>&</sup>lt;sup>2</sup> As stipulated in <u>Section 4.6</u> of ICANN's Bylaws, the Board is required to take action on a review team's final report within six months of receipt.

The Board has placed a set of recommendations from some Specific Reviews in pending status, as documented below. The Board is committed to taking further action on the pending recommendations as soon as data and/or information required to inform Board action (as respectively documented in the scorecards<sup>3</sup> associated with Board actions) have been collected, or dependencies have been appropriately resolved or addressed.

Review	Iteration	# of Board- Approved Recommendations	# of Recs. Pending Board Consideration	
	ATRT3	15	N/A	
Accountability and Transparency Review	ATRT2 [ARCHIVED]			
	ATRT1 [ARCHIVED]			
Competition, Consumer Trust, and Consumer Choice Review	ССТ	17	6	
Registration Directory Service <sup>4</sup>	RDS-WHOIS2	15	4	
Review	WHOIS1 [ARCHIVED]			
Security, Stability, and Resiliency Review	SSR2	23	10	
	SSR1 [ARCHIV	ED]		

### **Prioritization**

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In its <u>Final Report</u> submitted to the Board on 29 May 2020, the ATRT3 Review Team included "Recommendations, Suggestions, and Observations Related to the Prioritization and Rationalization of Activities, Policies, and Recommendations." The ATRT3's Recommendation 5, in part, echoed a conversation<sup>5</sup> started in 2019 between the ICANN Board and leadership of all Specific Review Teams on the need to enhance the effectiveness of review recommendations and their implementation, with a focus on resourcing and prioritization of community recommendations.

To address the need for prioritization, ICANN org launched the Planning Prioritization Framework project to serve as a guide for the step of prioritization during the annual

<sup>&</sup>lt;sup>3</sup> When taking action on consensus recommendations emerging from a Specific Review, Board action structures its determination and rationale for each recommendation via a scorecard that allows for ease of reference.

<sup>&</sup>lt;sup>4</sup> The Registration Directory Service Review was formerly known as "WHOIS Policy Review," shortened to "WHOIS." For any subsequent review effort, as appropriate, the review effort will be renamed to RDS with RDS3 being the new acronym.

<sup>&</sup>lt;sup>5</sup> This dialogue, at the time, had led to a draft proposal titled <u>Resourcing and Prioritization of Community Recommendations</u>, which was shared with the community in October 2019.

planning process. As part of this project, ICANN org held a total of 17 webinars and consultations with the community from April 2021 through January 2022, and released a <u>Draft Planning Prioritization Framework Version 1</u> in February 2022 as a suggested tool to use in the planning process.

To test the processes and methodologies developed in the draft framework and identify gaps for further improvement, ICANN org organized a <u>pilot</u> with selected community members in April–May 2022. A set of Board approved Specific Reviews recommendations were the activities prioritized during the pilot. Given the timing of the pilot, the output of the pilot was used by org as input for the FY23 operating planning process.

The <u>FY23 Pilot Prioritization</u> consisted of a series of sessions facilitated by ICANN org's Planning team. The community group was invited to focus on recommendations eligible for prioritization<sup>6</sup> and to rate them using the "Urgency-Importance Matrix" technique. To assist the group, the repository of recommendations for prioritization included ICANN org guidance (proposed level with an associated rationale). ICANN org received the results of the <u>FY23</u> Pilot Prioritization in the format of a list.

Following the conclusion of the pilot in early May 2022, ICANN org's Planning team released the <u>Planning Prioritization Framework Version 2</u> in August 2022 that includes feedback and lessons learned from the pilot.

The Planning Prioritization Framework was used during the prioritization effort in October–November 2022 to inform the <u>FY24 Operating Plan and Budget cycle</u>. Lessons learned from this cycle are reflected in a version 3 of the Planning Prioritization Framework that org is planning to issue in early 2023.

ICANN org is committed to including community prioritization in any future annual operating and financial planning cycles to inform decision-making for the annual and five-year planning process.

The number of Board-approved Specific Reviews recommendations pending prioritization is set out in the table below. Recommendations in this category, including rationale for status, are stated in the relevant review sections below.

Review	Iteration	Total # of Board- Approved Recs.	# of Board-Approved Recs. Pending Prioritization
	ATRT3	15	/
Accountability and Transparency Review  ATRT2 [ARCHIVED]		ARCHIVED]	
	ATRT1 [A	RCHIVED]	
Competition, Consumer Trust, and Consumer Choice Review	ССТ	17	1(currently ineligible for prioritization)

<sup>&</sup>lt;sup>6</sup> The prioritization effort did not include recommendations considered complete or tied to a dependency.

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Registration Directory Service Review	RDS- WHOIS2	15	4 (currently ineligible for prioritization)	
	WHOIS1 [ARCHIVED]			
Security, Stability, and Resiliency Review	SSR2	23	4 (including two ineligible for prioritization)	
	SSR1 [ARCHIVED]			

## Implementation Status of Specific Reviews

To focus and strengthen the org's implementation work, ICANN org convened an internal cross-functional team of subject matter experts in June 2022, within a month of the <a href="FY23">FY23</a> Pilot Prioritization, to work through the recommendations in light of the priorities assigned by the community group during the pilot.

Using the priority <u>list</u> as input, the cross-functional project team completed an assessment of the resource requirements, to inform the need for use of the <u>Supplemental Fund for Implementation of Community Recommendations</u> (SFICR).

The SFICR serves to establish resources to "increase the capacity of the organization to address projects that are multi-year and focus on community recommendations (for policies or resulting from reviews and cross-community working groups) that are approved by the Board but do not fit within the annual Budget."

The cross-functional project team worked on establishing the implementation design and handbook. This entailed describing the implementation strategy, accompanying it with a rationale for the chosen path, articulating deliverables for implementation and associated Key Performance Indicators, running an inventory of existing work that can be leveraged, identifying stakeholders with interests and concerns, building out the work plan, as well as evaluating risks and dependencies that may affect the timeline. Furthermore, during this step, ICANN org evaluated possible dependencies among the prioritized recommendations and between the recommendations and other work or projects.

The final implementation handbook was then translated into a cross-functional work plan that forms the basis of this report.

The cross-functional project team is documenting implementation of recommendations marked complete and is monitoring, and resolving where/when appropriate and possible, dependencies to move Board-approved recommendations to prioritization.

On 16 November 2022, the Board took <u>action</u> to use SFICR funds toward the implementation of prioritized Specific Reviews recommendations. This Board resolution will further support the cross-functional project team in its work.

Implementation status, and associated color-coding, of recommendations should be understood as follows:

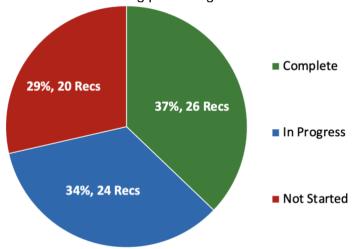
• Complete: a recommendation implemented in full and for which implementation documentation is available.

- In progress: a recommendation for which work has started to address deliverables identified during the implementation design.
- Not started: Work has not started because of a dependency on another recommendation and/or process.

The table below provides an overview of the status of prioritized and non-prioritized Specific Reviews recommendations, at a glance:

Implementation Status of Board- Approved Specific Reviews Recommendations / Recommendation Components – Q4-2022 Status	ATRT3	ССТ	RDS- WHOIS2	SSR2	# of Recs.
Implementation complete	4	4	8	10	26
Implementation in progress	5	11	2	6	24
Implementation not started	6	2	5	7	20
Number of Recommendations / Recommendation Components	15	17	15	23	70

This progress translates into the following percentage:



Implementation Status of Board-Approved Specific Reviews Recommendations (December 2022)

In terms of the review efforts:

Board-Approved Specific Reviews Recommendations - Recommendation Components
Q4-2022 Status

Complete<sup>7</sup>
(26 Recs.)

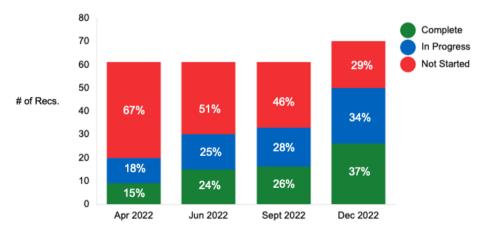
Third Accountability and Transparency Review: 1.1, 1.2, 3.1, 3.3

<sup>&</sup>lt;sup>7</sup> Recommendations with a hyperlink are those for which implementation documentation is available.

	Competition, Consumer Trust, Consumer Choice Review: 16, 17, 18, 31			
	Second Registration Directory Service Review: 1.1, 1.2, 1.3, 11.2, 15.1, LE.1, LE.2, CC.3			
	Second Security, Stability, and Resiliency of the DNS Review: 3.2, 3.3, <u>4.1</u> , 7.1, 7.2, 7.3, <u>9.1</u> , 11.1, 24.1, 24.2			
	Third Accountability and Transparency Review: 2, 3.2, 3.4, 3.5, 5			
In Progress	Competition, Consumer Trust, Consumer Choice Review: 1, 7, 8, 11, 13, 20, 21, 23, 24, 26, 30			
(24 Recs.)	Second Registration Directory Se	ervice Review: 3.1, CC.2		
	Second Security, Stability, and Resiliency of the DNS Review: 1.1, 10.1, 16.1, 21.1, 22.1, 23.2			
		Third Accountability and Transparency Review: 3.6, 4.1, 4.2, 4.3, 4.4, 4.5		
		Competition, Consumer Trust, Consumer Choice Review: 6, 22		
Not	To Begin (16 Recs.)	Second Registration Directory Service Review: 3.2, SG.1, CC.1		
Started (20 Recs.)		Second Security, Stability, and Resiliency of the DNS Review: 5.3, 5.4, 7.5, 22.2, 23.1		
	Due to Dependencies (2 Recs.)	Second Registration Directory Service Review: 10.2, 12.1		
	To Be Considered Implemented Once Dependency Is Resolved (2 Recs.)	Second Security, Stability, and Resiliency of the DNS Review: 5.1, 5.2		

The tables and charts below capture implementation status of recommendations:

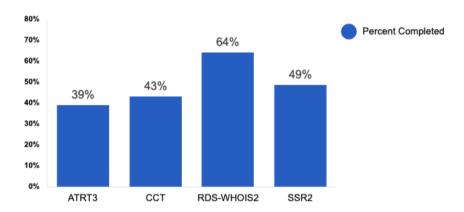
- Prior to the kickoff of the FY23 Pilot Prioritization (April 2022).
- After the FY23 Pilot Prioritization (June 2022).
- At the end of third quarter (September 2022), followed by the fourth quarter (December 2022).



Implementation Status of Board-Approved Specific Reviews Recommendations (December 2022)

Status of Board-Approved Specific Reviews Recommendations - Q4 2022 Status	Apr 22	Jun 22	Sept 22	Dec 22
Complete	9	15	16	26
In Progress	11	15	17	24
Not Started	41	31	28	20
Number of Recommendations	61	61	61	70 <sup>8</sup>

While a number of recommendations have moved to "complete" or "in progress" since the <u>FY23 Pilot Prioritization</u>, a number of Specific Reviews recommendations remain to be implemented by ICANN org.



Progress of Completion<sup>9</sup> per Specific Review (December 2022)

In some instances, community input is needed to conduct the implementation work, as detailed in sections below.

Recommendations, in some instances, were divided into tasks to focus on the implementation effort at hand, while others were regrouped into implementation buckets to streamline efforts and centralize requests made to the ICANN community. Tables below reflect the regroupings and components that were isolated.

The following table provides an overview of the anticipated tentative completion dates for recommendations and recommendation components in "in progress" or in "not started" status on, as recorded in the cross-functional project plan.

Board-Approved Specific Reviews Recommendations - Recommendation Components <sup>10</sup> – Q4-2022 Status		
Prioritized by the Community Group as P1 = Highest Priority – Urgent/Important		
Specific Review Recommendations/ Q4 2022 Status Tentative Completion		

<sup>&</sup>lt;sup>8</sup> On 16 November 2022, the Board took <u>action</u> on 21 SSR2 recommendations Board consideration.

<sup>&</sup>lt;sup>9</sup> This measures the percentage of effort toward completion of the recommendations.

<sup>&</sup>lt;sup>10</sup> Note that in subsequent iterations of this report, the table will include the status of the past quarter as a point of reference and that any alterations to the tentative completion date will be reported on.

	Components		
ATRT3	3.2	In progress	Q4 2025
ATRT3	3.4	In progress	Q4 2025
ATRT3	3.5	In progress	Q4 2025
ССТ	1	In progress	Q2 2024
ССТ	8, 11, 13 (items 1, 2, 4 in part)	In progress	Q3 2023
SSR2	10.1	In progress	Q2 2023
SSR2	21.1	In progress	Q1 2024
SSR2	23.2	In progress	Q2 2023
Prioritized by the	Community Group as F	P2 = Less Urgent/Import	ant
Specific Review	Recommendations/ Components	Q4 2022 Status	Tentative Completion
ATRT3	3.6	Not started	Q4 2023
ATRT3	4.1	Not started	Q2 2024
ATRT3	4.2	Not started	Q2 2024
ATRT3	4.3	Not started	Q2 2024
ATRT3	4.4	Not started	Q2 2024
ATRT3	4.5	Not started	Q2 2024
ССТ	6	Not started	Q3 2023
ССТ	13 item 3	In progress	Q3 2023
ССТ	13 (items 4 in part, 5), 20, 23 (items A, C in part, D), 24 (item B)	In progress	Q2 2023
ССТ	21 item 2	In progress	Q3 2023
ССТ	22	Not started	Q1 2024
ССТ	23 item B	Not started	Q2 2023
ССТ	26	Not started	Q4 2023
RDS-WHOIS2	SG.1	Not started	Q4 2023

Prioritized by the Community Group as P3 = Urgent/Less Important			
Specific Review	Recommendations/ Components	Q4 2022 Status	Tentative Completion
SSR2	16.1	In progress	Q1 2023
SSR2	23.1	Not started	Q4 2024
Prioritized by the	Community Group as F	P4 = Less <i>Urgent/Less II</i>	mportant
Specific Review	Recommendations/ Components	Q4 2022 Status	Tentative Completion
ATRT3	2	In progress	Q1 2023
CCT	7	In progress	Q3 2023
RDS-WHOIS2	3.1	Not started	Q4 2023
RDS-WHOIS2	CC.1	Not started	Q3 2024
SSR2	1.1	In progress	Q1 2023
SSR2	5.4	Not started	To be determined – implementation design in progress
SSR2	22.1	Not started	Q4 2023
SSR2	22.2	Not started	Q4 2023
Prioritized			
Specific Review	Recommendations/ Components	Q4 2022 Status	Tentative Completion
ATRT	5	In progress	Q1 2023
Subject to Prioritiz	zation		
Specific Review	Recommendations/ Components	Q4 2022 Status	Tentative Completion
SSR2	5.3	Not started	To be determined – implementation design in progress
SSR2	7.5	Not started	To be determined – implementation design in progress
Not Eligible for Prioritization			

ССТ	30	In progress
RDS-WHOIS2	3.2	Not started
RDS-WHOIS2	10.2	Not started
RDS-WHOIS2	12.1	Not started
RDS-WHOIS2	CC.2	In progress
SSR2	5.1	Not started
SSR2	5.2	Not started

## Third Accountability and Transparency Review (ATRT3)

#### Status of ATRT3 Review

On 30 November 2020, the Board took <u>action</u> to approve the five recommendations (including all 15 components) contained in the Third Accountability and Transparency Review Team (ATRT3)'s <u>Final Report</u>. See the Board <u>Scorecard</u> for more information.

All recommendations were approved subject to prioritization with the exception of Recommendation 5. Recommendation 5 required the development of the prioritization process and was therefore considered prioritized.

The ATRT3 recommendations called for updates to the requirements of ICANN's Public Comment proceedings, the creation of a community-led entity tasked with operating a prioritization process, as well as changes to Specific and Organizational Reviews, including the creation of a new Holistic Review of ICANN, and evolution of Organizational Reviews into Continuous Improvement Programs.

Board Action on ATRT3 – 5 Recommendations (divided into 15 components) Q4-2022 Status				
Approve 1 (Recommendation 5)				
Approve subject to prioritization	4 (14 Recommendation components 1.1, 1.2, 2, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 4.1, 4.2, 4.3, 4.4, 4.5)			

Refer to <u>Appendix A: Board-Approved ATRT3 Recommendations</u> for the full language of Board-approved recommendations.

#### Prioritization Status of ATRT3 Recommendations

As articulated in the table below, a set of 13 recommendation components was put forward for prioritization and prioritized in April–May 2022:

Board Approved ATRT3 Recommendations – 15 Recommendation Components
Q4-2022 Prioritization Status

Rec. / Rec. Component	ICANN Org <u>Proposed</u> <u>Prioritization</u>	Priority Assigned by Community Group in Pilot Prioritization		
1.1	P4 = Lowest Priority-Less Urgent/Important	P2 = Less Urgent/Important		
1.2	P4 = Lowest Priority-Less Urgent/Important	P2 = Less Urgent/Important		
2	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important		
3.1	P1 = Highest Priority-Urgent/ Important	P1 = Highest Priority-Urgent/ Important		
3.2	P1 = Highest Priority-Urgent/ Important	P1 = Highest Priority-Urgent/ Important		
3.4	P1 = Highest Priority-Urgent/ Important	P1 = Highest Priority-Urgent/ Important		

3.5	P1 = Highest Priority-Urgent/ Important	P1 = Highest Priority-Urgent/ Important			
3.6	P1 = Highest Priority-Urgent/ Important	P2 = Less Urgent/Important			
4.1	P2 = Less Urgent/Important	P2 = Less Urgent/Important			
4.2	P2 = Less Urgent/Important	P2 = Less Urgent/Important			
4.3	P2 = Less Urgent/Important	P2 = Less Urgent/Important			
4.4	P2 = Less Urgent/Important	P2 = Less Urgent/Important			
4.5	P2 = Less Urgent/Important P2 = Less Urgent/Important				
N/A					
Rec. / Rec. Component					
3.3	Recommendation complete. See implementation documentation.				
5	Recommendation prioritized.				

Refer to <u>Appendix A: Board-Approved ATRT3 Recommendations</u> for recommendation language and to <u>Implementation Status of ATRT3 Recommendations</u> for information on the status of the recommendations.

#### Implementation Status of ATRT3 Recommendations

This section presents updates on implementation status of Board-approved ATRT3 Recommendations, including estimated implementation completion dates, where available, and links to implementation documentation produced by ICANN org.

The following table shows the pre-prioritization status of a recommendation and its status in Q4 2022. In the next quarterly reports, the status of the previous quarter will be used as a point of reference against which ICANN org will report any amendments to the tentative completion date.

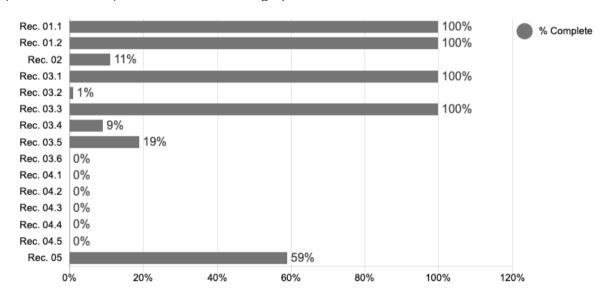
"P. Label" in the table below corresponds to the prioritization label assigned by the community group. Any recommendation or recommendation component that was not included in the prioritization process for reasons articulated in the <a href="Prioritization of Board-Approved ATRT3">Prioritization of Board-Approved ATRT3</a> Recommendations section is recorded as N/A in the "P. Label" column.

<u>Appendix A: Board-Approved ATRT3 Recommendations</u> contains the full text of each recommendation.

Board-Approved ATRT3 Recommendations – Recommendation Components Q4-2022 Status						
Rec. / Rec. Component	P. Label	Pre-FY23 Prioritization	Q4 2022 Implementation Status	Implementation Information/ Estimated Completion Date		
1.1	P2	Not started	Complete	Implementation Documentation		
1.2	P2	Not started	Complete	Implementation Documentation		

2	P4	Not started	In progress	Q1 2023
3.1	P1	Not started	Complete	Implementation Documentation
3.2	P1	Not started	In progress	Q4 2025
3.3	N/A	Complete	Complete	Implementation Documentation
3.4	P1	Not started	In progress	Q4 2025
3.5	P1	In progress	In progress	Q4 2025
3.6	P2	Not started	Not started	Q4 2023
4.1	P2	Not started	Not started	Q2 2024
4.2	P2	Not started	Not started	Q2 2024
4.4	P2	Not started	Not started	Q2 2024
4.4	P2	Not started	Not started	Q2 2024
4.5	P2	Not started	Not started	Q2 2024
5	N/A	In progress	In progress	Q1 2023
■ Complete 27%, 4 Recs				
40%, 6 Recs 33%, 5 Recs			n Progress Not Started	Progress of Completion – Current vs. Planned <sup>11</sup> : 5%

The overall implementation progress of Board-approved ATRT3 recommendations (December 2022) is summarized in the graph below 12.



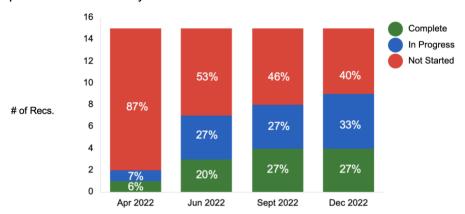
Since prioritization concluded in May 2022, progress of implementation status over past

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<sup>&</sup>lt;sup>11</sup> The progress of completion current vs. planned is an indicator that is measuring "on-time delivery" by indicating whether the work is progressing according to the time frame set when the work plan was developed. This indicator is impacted by progress of the work as well as by changes to the work plan. The indicator shows negative if less work has been completed than originally time-planned. The indicator shows positive if the work completed is ahead of the original plan/schedule.

<sup>&</sup>lt;sup>12</sup> This chart is not indicative of the difference in level of effort for each recommendation.

quarters in calendar year 2022 is as follows:



Implementation Status of Board-Approved ATRT3 Recommendations (December 2022)

Status of Board-Approved ATRT3 Recommendation Components - Q4 2022 Status	May 22	Jun 22	Sept 22	Dec 22
Complete	1	3	4	4
In Progress	1	4	4	5
Not Started	13	8	7	6

Four out of the 15 Board-approved ATRT3 recommendation components are complete:

- Labeled as P2 by the community group during prioritization, ATRT3
   Recommendations 1.1 and 1.2 identify improvements needed for collecting community feedback. During implementation design, the cross-functional project team determined ATRT3 Recommendations 1.1 and 1.2 to be complete to the extent possible, primarily through the Information Transparency Initiative launch of the new Public Comment proceeding features. Implementation activities were documented accordingly in ATRT3 1.1–1.2 Implementation Documentation.
- Prioritized as P1 by the community group, ATRT3 Recommendation 3.1 calls for future RDS Reviews to be suspended until the next ATRT can consider the future of these reviews. In September 2022, the ICANN Board deferred the third RDS Review to allow the community and ICANN org sufficient time to plan for and implement pertinent ATRT3 recommendations that were prioritized for implementation. Recognizing the Bylaws requirement that the RDS Review should be conducted every five years, the Board suspended RDS3 until the next ATRT can make a determination on future RDS reviews, as recommended in ATRT3 Recommendation 3.1. The Board will oversee the implementation of ATRT3 recommendations and determine whether the timing of the RDS3 should be re-examined based on the changing environment, including various dependencies such as the ongoing work related to the EPDP Phase 2 Final Report recommendations, including the proposed System for Standardized Access/Disclosure (SSAD) (now WHOIS Disclosure System). ATRT3 Recommendation 3.1 was moved to complete accordingly. ATRT3 3.1 Implementation Documentation includes additional information and detail.
- ATRT3 Recommendation 3.3, which recommends suspending future Security, Stability, and Resiliency (SSR) Reviews until the next ATRT can consider the future of these reviews, was completed in March 2022, and therefore, not included in the

FY23 prioritization. Activities and rationale toward the deferral of the SSR3 Review are detailed in the ATRT3 3.3 Implementation Documentation.

Four of the 15 ATRT3 recommendation components are in progress:

- Prioritized as P4 during the FY23 prioritization, ATRT3 Recommendation 2 calls for ICANN org to re-examine ATRT3 implementation in light of the ATRT3 assessment, and to complete implementation subject to prioritization. Work started in June 2022 to address ATRT3 Recommendation 2. With the gap analysis now complete, subject matter experts are being engaged on re-labeling the implementation status of ATRT2 recommendations with accompanying rationale, and in identifying new actions, as required. ICANN org foresees the conclusions of these activities to be released in a report in Q1 2023. Any action resulting from this work will be subject to prioritization, as recommended by the ATRT3.
- In this quarter, work began to address modifications needed to Section 4.6 of the ICANN Bylaws to amend the timing, duration, and occurrence of the next CCT Review, as articulated in ATRT3 Recommendation 3.2. To the extent possible, the implementation of this recommendation, prioritized by the community group as P1, will be coordinated with the other modifications to the ICANN Bylaws pertaining to Specific Reviews, specifically ATRT3 recommendations 3.5 (Holistic Review) and 3.6 (Evolving Organizational Reviews into a Continuous Improvement Program). Once Bylaws amendments are approved, ICANN org will update the Operating Standards for Specific Reviews to make the required adjustments. The implementation activities of ATRT3 Recommendations 3.5 and 3.6 (see details below) may have an impact on outcomes of ATRT3 Recommendation 3.2. To help streamline the Bylaws amendments process, the current estimated completion date for ATRT3 Recommendation 3.2 is Q4 2025.
- Similar to ATRT3 Recommendation 3.2, ATRT3 Recommendation 3.4 prompts amendments to ICANN's Bylaws. Work kicked off in June 2022 to begin drafting enhancements identified by the ATRT3 to the ATRT. The improvements will need to be mirrored into the Operating Standards for Specific Reviews once the Bylaws amendments are approved. The implementation activities of ATRT3 Recommendations 3.5 and 3.6 (see details below) may have an impact on outcomes of ATRT3 Recommendation 3.4 which was prioritized as a P1 recommendation. The estimated completion date for ATRT3 Recommendation 3.4 is Q4 2025.
- Work is in progress to identify a way forward for the first Pilot Holistic Review derived from Board action on ATRT3 Recommendation 3.5. In March 2022, a Pilot Holistic Review Terms of Reference (ToR) Team, consisting of ATRT3 Implementation Shepherds<sup>13</sup>, former ATRT3 members, and members of the ICANN Board, was assembled to draft the ToR with ICANN org's support (see the project workspace). The team worked collaboratively over four months to draft a ToR that addressed the information gaps identified by the ICANN Board, was in line with the ATRT3's vision for the Holistic Review and was operationally feasible. At the direction of the Board, the draft ToR was published in a Public Comment proceeding that ended in Q4 2022 (see the Public Comment report). The Board's OEC is considering the comments and the concerns raised by the community to determine an appropriate course of action to propose to the Board.

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<sup>&</sup>lt;sup>13</sup> Implementation shepherds remain available, upon request, to provide input and advice on any recommendation and implementation matters.

As noted in the <u>Background</u> section under <u>Prioritization</u> of Board-Approved Specific Reviews Recommendations, work has been underway to address ATRT3 **Recommendation 5**, and its suggested prioritization process, since April 2021. Recommendation 5, given its nature and content, was considered prioritized from the start by ICANN org. ICANN org has worked to build prioritization into the Planning cycle through the planning prioritization framework which incorporates input received during multiple community consultations. Org ran a FY23 pilot in May 2022, a FY24 prioritization process in October-November 2022 and is working on producing a version 3 of the Planning Prioritization Framework at the time of writing this report to capture lessons learned from past iterations. Prioritization is now an integrated component into the annual planning process and will run on a set cadence. ATRT3 Recommendation 5 also suggests the establishment of a process for retiring recommendations. The process for retiring recommendations is being handled separately from prioritization to allow for it to be triggered when there is a valid need. i.e. when specific criteria are met. At the time of writing this report, ICANN org is holding internal discussions to define an appropriate retirement process that can be used for non-policy work, and potentially expanded to policy work or advice.

Five ATRT3 recommendations are in "not started" status, including one which has a dependency on an ongoing initiative:

• Prioritized as P2 by the community group, the ATRT3 Recommendation 3.6 calls for organizational reviews<sup>14</sup> to be evolved into a Continuous Improvement Program. The Board directed ICANN org to initiate the development of a project plan to implement a pilot Continuous Improvement Program to ensure it yields the outcomes intended by the ATRT3 before a Bylaws amendment is completed. The cross-functional project team has determined that a work plan might be premature at this juncture, and that progression on the Pilot Holistic Review should be monitored to elaborate on, and tailor, the design and planning for the Pilot Continuous Improvement Program. This determination is based on several dependencies and considerations noted by the Board in November 2020 action (see the <a href="Scorecard">Scorecard</a>). These include bandwidth, work plan alignment, and developing standardized measures for Continuous Improvement Program.

A set of four ATRT recommendations is scheduled for implementation:

• Labeled as P2 by the community group during prioritization, ATRT3 Recommendations 4.1, 4.2, 4.3, 4.4, and 4.5 suggest enhancements to the accountability and transparency of ICANN's Strategic and Operating Plans. This implementation is expected to develop over multiple years and to entail assessing and leveraging the reporting mechanisms that are already complete and/or in progress to address certain elements of the recommendations. This will include the evaluation of metrics and targeted outcomes currently embedded in the Strategic and Operating Plan process and their refinement/expansion. Once the analysis is conducted, work shall be planned out, and input sought, from the org, Board Strategic Planning Committee, full Board, and community, on a proposed framework to introduce and implement a strategic planning progress measurement and reporting process for ICANN. Work on addressing ATRT3 Recommendations 4.1, 4.2, 4.3, and 4.4 is expected to begin in Q1 2023.

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<sup>&</sup>lt;sup>14</sup> Organizational Reviews are anchored in Article 4.4. of the ICANN Bylaws to assess the effectiveness of ICANN's supporting organizations and advisory committees.

## Competition, Consumer Trust, and Consumer Choice Review (CCT)

#### Status of CCT Review

On 1 March 2019, the Board took <u>action</u> on the CCT Review Team's 35 consensus recommendations contained in the <u>Final Report</u>, as documented in the <u>associated March</u> 2019 Scorecard.

The Board-approved six recommendations, subject to costing and implementation considerations. In January 2020, the Board directed ICANN org to commence implementation of the approved CCT recommendations, as proposed in the <u>Plan for Implementation</u> prepared by ICANN org, with a note that any recommendations requiring significant resources and budget would be included in the operational planning and budgeting processes, allowing for appropriate community consideration and prioritization, as applicable, of planned work.

Informed by the "Informing Board Action on CCT Pending Recommendations," assessment, the Board subsequently took action on 22 October 2020 to approve 11 of the 17 recommendations that were initially placed in pending, subject to prioritization, as detailed in the October 2020 Scorecard.

The Board-approved CCT recommendations entail requests for improved data collection, suggested reforms relating to transparency and data collection within ICANN Contractual Compliance, as well as engagement work.

Board Action on CCT – 35 Recommendations Q4-2022 Status			
Approve (in whole or in part) subject to prioritization	17 (Recommendations 1, 6, 7, 8, 11, 13, 16 in part, 17, 18, 20 in part, 21, 22, 23, 24, 26, 30, 31)		
Pending Board consideration	6 (Recommendations 2, 3, 4, 5, 14, 15)		
Pass-through (in whole or in part) <sup>16</sup> to community groups	14 (Recommendations 9, 10, 12, 16 in part, 19, 20 in part, 25, 27, 28, 29, 32, 33, 34, 35)		

Refer to <u>Appendix B: Board-Approved CCT Recommendations</u> for the full language of Board-approved recommendations.

### Status of CCT Recommendations Pending Board Consideration

<sup>&</sup>lt;sup>15</sup> A proposed plan for implementation and set of next steps was submitted for <u>Public Comment</u> to inform Board approval of the plan.

<sup>&</sup>lt;sup>16</sup> "In passing these recommendations through, the Board is neither accepting, nor rejecting the recommendations. For each of these recommendations, [...], the Board is careful to respect the remit and roles of the different part of the ICANN community and is not directing Board or ICANN org action that would usurp another group's remit. Each of these recommendations, either in whole or in part, calls for work or outcomes that are outside of the Board's remit to direct, and are contingent on community work. The Board is not in a position to direct that the community groups come to any particular outcome, nor is the Board initiating any policy development work."

To inform Board action on Recommendations 2, 3, 4, and 5, which call for data collection on pricing and market, ICANN org commissioned a study, as directed by the ICANN Board, "to identify what types of data would be relevant in examining the potential impacts on competition and, whether that data is available, and how it could be collected in order to benefit the work of future CCT Review Teams." Results of the study, including org's determination, will be made available, including identification of what information is already available, in March 2023.

Recommendation 14 calls for the inclusion of provisions in Registry Agreements to provide incentives to adopt proactive anti-abuse measures. Recommendation 15 calls for amendments to the Registrar Accreditation Agreement (RAA) and Registry Agreement (RA) to include provisions aimed at preventing systemic use of specific registrars or registries for DNS security abuse. Both were placed in pending status in consideration of ongoing community discussions on DNS abuse. ICANN org is working on streamlining and aligning on DNS-abuse-related efforts, processing the two CCT recommendations along with other relevant Specific Reviews recommendations and advice to the Board. Q3 2023 is the tentative timeline for Board consideration of the set of DNS-abuse-related items.

#### Prioritization Status of CCT Recommendations

Board Approved CCT Recommendations – 17 Recommendations

As articulated in the table below, a set of 20 recommendation components was put forward for prioritization and prioritized in April–May 2022. Recommendations, in some instances, were sliced into components and regrouped into implementation buckets in an effort to streamline efforts and centralize requests made to the ICANN community. The <a href="Implementation Status of CCT Recommendations">Implementation Status of CCT Recommendations</a> offers more information on the regrouping.

	Q4-2022 Prioritization Status					
Rec. / Rec. Component	ICANN Org Proposed Prioritization	Priority Assigned by Community Group in Pilot Prioritization				
1	P1 = Highest Priority-Urgent/ Important	P1 = Highest Priority-Urgent/ Important				
6	P3 = Urgent/Less Important	P2 = Less Urgent/Important				
7	P2 = Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important				
8	P1 = Highest Priority-Urgent/ Important	P1 = Highest Priority-Urgent/ Important				
11	P1 = Highest Priority-Urgent/ Important	P1 = Highest Priority-Urgent/ Important				
13 (items 1, 2, 4 in part)  P1 = Highest Priority-Urgent/ Important		P1 = Highest Priority-Urgent/ Important				
13 (item 3)	P3 = Urgent/Less Important	P2 = Less Urgent/Important				
13 (items 4 in part, 5)	P2 = Less Urgent/Important	P2 = Less Urgent/Important				
20	P2 = Less Urgent/Important	P2 = Less Urgent/Important				
21 (item 2)	P2 = Less Urgent/Important	P2 = Less Urgent/Important				
22	P2 = Less Urgent/Important	P2 = Less Urgent/Important				
23 (items A, C	P2 = Less Urgent/Important	P2 = Less Urgent/Important				

in part, D)					
23 item B	P2 = Less Urgent/Important	P2 = Less Urgent/Important			
24 item B	P2 = Less Urgent/Important	P2 = Less Urgent/Important			
26	P2 = Less Urgent/Important	P2 = Less Urgent/Important			
Not Eligible f	or Prioritization Due to Dependencie	s			
Rec. / Rec. Component	Rationale				
30	Engaging potential applicants in diverse region engagement plan for a potential next round of o				
N/A					
Rec. / Rec. Component	Rationale				
16	16 Recommendation complete. See <u>implementation documentation</u> .				
17	Recommendation complete. See implementation documentation.				
18	18 Recommendation complete. See <u>implementation documentation</u> .				
21 (items 1, 3, 4, 5, 6)	, 3, Recommendation components complete. Implementation documentation to be produced when full recommendation completes.				
23 (items C in part, E)	Recommendation components complete. Implementation documentation to be produced when full recommendation completes.				
24 (item A)	Recommendation component complete. Implementation documentation to be produced when full recommendation completes.				
31	Recommendation complete. See <u>implementation documentation</u> .				

Refer to <u>Appendix B: Board-Approved CCT Recommendations</u> for recommendation language and to <u>Implementation Status of CCT Recommendations</u> for information on the status of the recommendations.

### Implementation Status of CCT Recommendations

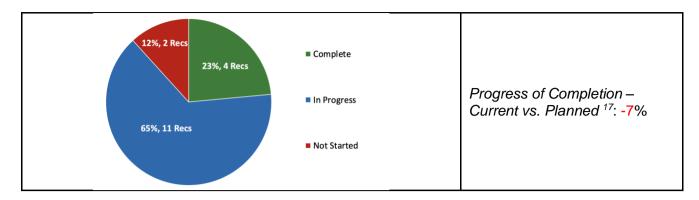
This section provides an update on Board-approved CCT Recommendations, including estimated implementation completion dates, where available, and links to implementation documentation produced by ICANN org.

The following table shows the pre-prioritization status of a recommendation and its status in Q4 2022. In the next reports, quarterly progress will be measured and shown against the status of the previous quarter.

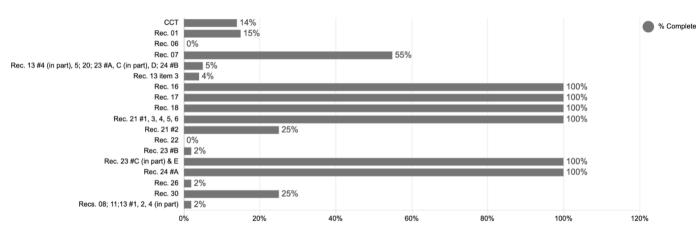
"P. label" noted in the table below corresponds to the prioritization label assigned by the community group. In some instances, recommendations were divided into components to focus on the implementation effort at hand, while others were regrouped into implementation buckets to streamline efforts and centralize requests made to the ICANN community. Any recommendation or recommendation component that was not included in the prioritization process for reasons articulated in the Prioritization of CCT Recommendations section is recorded as N/A in the "P. Label."

Appendix B: Board-Approved CCT Recommendations contains the full text of each recommendation.

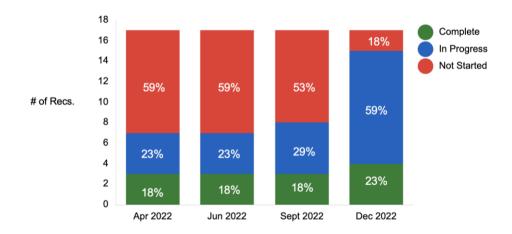
Board-Approved CCT Recommendations – Recommendation Components Q4-2022 Status					
Rec. / Rec. Component	P. Label	Pre-FY23 Prioritization	Q4 2022 ImplementationS Implementation Information Inf		
1	P1	Not started	In progress	Q2 2024	
6	P2	Not started	Not started	Q3 2023	
7	P4	In progress	In progress	Q3 2023	
8	P1	Not started	In progress	Q3 2023	
11	P1	Not started	In progress	Q3 2023	
13 items 1, 2, 4 (in part)	P1	Not started	In progress	Q3 2023	
13 item 3	P2	Not started	In progress	Q3 2023	
13 items 4 (in part), 5	P2	Not started	In progress	Q2 2023	
16	N/A	Complete	Complete	Implementation Documentation	
17	N/A	Complete	Complete	Implementation Documentation	
18	N/A	Complete	Complete	Implementation Documentation	
20	P2	Not started	In progress	Q2 2023	
21 items 1, 3, 4, 5, 6	N/A	Complete	Complete	Will be documented as soon as 21 item 2 completes.	
21 item 2	P2	In progress	In progress	Q3 2023	
22	P2	Not started	Not started	Q1 2024	
23 items A, C (in part), D	P2	Not started	In progress	Q2 2023	
23 item B	P2	Not started	Not started	Q2 2023	
23 items C (in part, E	N/A	Complete	Complete	Will be documented as soon as 23 items A, B, C (in part), D complete	
24 item A	N/A	Complete	Complete	Will be documented as soon as 24 item B completes	
24 item B	P2	Not started	In progress	Q2 2023	
26	P2	Not started	In progress	Q4 2023	
30	N/A	Not started	In progress	Dependency – see below for more information.	
31	N/A	Not started	Complete	Implementation Documentation	



The overall implementation progress of Board-Approved CCT Recommendations (December 2022) is summarized in the graph below<sup>18</sup>.



For Board approved CCT Recommendations, implementation progress over the past quarters translates as follows.



Implementation Status of Board-Approved CCT Recommendations (December 2022)

<sup>&</sup>lt;sup>17</sup> The progress of completion current vs. planned is an indicator that is measuring "on-time delivery" by indicating whether the work is progressing according to the time frame set when the work plan was developed. This indicator is impacted by progress of the work as well as by changes to the work plan. The indicator shows negative if less work has been completed than originally time-planned. The indicator shows positive if the work completed is ahead of the original plan/schedule.

<sup>&</sup>lt;sup>18</sup> This chart is not indicative of the difference in level of effort for each recommendation.

Status of Board-Approved CCT Recommendations Q4 2022 Status	May 22	Jun 22	Sept 22	Dec 22
Complete	3	3	3	4
In Progress	4	4	5	10
Not Started	10	10	9	3

Three out of the 17 Board-approved CCT Recommendations are complete in full:

- CCT Recommendation 16 calls for studying the relationship between specific registry operators, registrars, and DNS security abuse by commissioning ongoing data collection. ICANN org has been operating the Domain Abuse Activity Reporting (DAAR) and publishing the results for more than three years. Moreover, ICANN org has established a group within the Office of the CTO dedicated to researching SSR-related issues, including a focus on DNS security threats. Efforts within this group include the Domain Name Security Threat Information Collection and Reporting (DNSTICR). Data collected from the DAAR system is currently being used to generate monthly reports. In alignment with the CCT Recommendation 16, DAAR currently uses a documented set of reputation list providers to identify and track reported domain names associated with a specific set of security threats and abuse behavior across all generic and some country code top-level domain registries. ICANN org will continue to evaluate the security threat landscape and make adjustments to data analysis as the landscape changes. More information can be found in the CCT 16 Implementation Documentation.
- CCT Recommendation 17 calls for collecting, and publicizing, data regarding a
  chain of parties responsible for gTLD domain name registrations. As noted in the
  CCT 17 Implementation Documentation, reseller information is already displayed
  within the WHOIS, and this recommendation has been implemented to the extent
  possible within the current policy requirements.
- CCT Recommendation 18 called for specific data to be gathered to inform the RDS-WHOIS2 review effort on data accuracy. The data was provided by ICANN org's Contractual Compliance. As a result, CCT Recommendation 18 was considered complete as articulated in the <a href="CCT Recommendation">CCT Recommendation</a> 18 Implementation
   Documentation.

There is a set of CCT components which are considered complete. Given the unique nature of the implementation of CCT, where components of recommendations are divided into components and regrouped into relevant implementation efforts and incubators, the items listed here were not put forward for prioritization. The recommendation to which these components belong will be marked complete once all its items have been effectively addressed:

CCT Recommendation 21 items 1, 3, 4, 5, and 6 data points, namely on the
class/type of abuse, the safeguard that is at risk, an indication of whether complaints
relate to the protection of sensitive health or financial information, what type of
contractual breach is being complained, were already available on ICANN
Contractual Compliance's reporting page at the time of Board action on the CCT

Final Report. The data point on resolution status of the complaints, including action details, was subsequently added in August 2019.

- In January 2018, ICANN Contractual Compliance started publishing the volume and nature of complaints received from gTLDs in highly regulated sectors and continues to do so on a monthly basis, thereby addressing CCT Recommendations 23 items C (in part). This data can be found on the monthly dashboard. Regarding the audit on registration practices, which the CCT Recommendation 23 item E recommends, ICANN Contractual Compliance conducts audits twice a year as per the existing Registry Agreement and Registrar Accreditation Agreement. The Board directed ICANN org to continue to monitor complaint trends in this area, and to plan for an audit if any risk is identified.
- ICANN org currently reports on the data point identified in **CCT Recommendation 24 item A** ("complaints for a registry operator's failure to comply with either the safeguard related to gTLDs with inherent governmental functions or the safeguard related to cyberbullying") on a monthly basis.

Eleven recommendations out of 35 are in progress. In addition to the components enumerated above:

- Categorized by the community group as P1, CCT Recommendation 1 calls for formalizing and promoting ongoing data collection. ICANN org intends to develop a model to guide and support data-collection activities to inform future community work in an appropriate manner, and to contribute to effective policy development processes. Work has begun to identify the mission, vision, and scope for the model including the organizational context and mandate, relevant stakeholder use cases, desired functions and services. Community feedback will be sought on the proposed model. The model is expected to be in place in Q2 2024.
- CCT Recommendation 7 recommends collecting data to understand the implication of parked domains. ICANN org plans to contract with a vendor to collect the requested data. Prior to doing so, it is necessary to have a clear understanding of the meaning of "parking" and "parked domains." To accomplish this, ICANN org has begun investigating existing definitions of parking, including the CCT definition and its data collection methodologies, along with other potential data sources, in order to provide a definition of parking for community review and discussion in Q2 2023, and a transparent methodology and process for data collection. Without a community aligned definition, ICANN org will not be able to deliver the appropriate data to the community. The estimated completion date for this work is Q4 2023.
- CCT Recommendations 8 and 11 call for ICANN org to conduct periodic surveys of both registrants and end-users to better understand consumer choice and trust as it relates to new gTLDs. CCT Recommendation 13 items 1, 2, and 4 (in part) seek to obtain data about consumer awareness of registration restrictions and consumer trust levels in TLDs with restrictions compared to TLDs without restrictions. ICANN org is grouping these recommendations together to allow for a single survey to be conducted. The combined survey approach reduces the cost of drafting and conducting registrant and end-user surveys, and alleviates the burden of having to collect and manage multiple datasets. Implementation of efforts requires close collaboration with the community to ensure buy-in and agreement on the approach and purpose of the survey and interpreting results. Work on implementing these recommendations is in the initial stages and is expected to complete in Q3 2023.

- CCT Recommendation 13 item 3 requires collecting information on the correlation between lower abuse rates and gTLDs that impose stricter registrations policies. ICANN org plans a study similar to the approach taken in the Statistical Analysis of DNS Abuse in gTLDs Study and is in the initial stages of identifying a contractor to collect the data. ICANN org expects the work on CCT Recommendation 13 item 3 to complete in Q2 2023.
- ICANN org will conduct a voluntary pilot survey to gather the data requested by CCT Recommendations 13 items 4 (in part) and 5 (costs and benefit of registration restrictions on contracted parties, including whether and how these are enforced or challenged); CCT Recommendation 20 (whether tools to report and process complaints have helped fight DNS abuse); CCT Recommendation 23 items A (in part), C, and D (new gTLDs operating in highly regulated sectors); and CCT Recommendation 24 item B (whether registries receive complaints related to cyberbullying and misrepresenting a governmental affiliation, and how they enforce safeguards). To conduct the survey, ICANN org would engage with contracted parties regarding the intent and extent of the survey to ensure the contracted parties are agreeable to participating in the survey. Once the survey is complete, results and participation rates in the survey will be reviewed to assess whether data brings valuable insights to ICANN org and the community, and should be run at regular intervals. The anticipated completion date is Q4 2023.
- CCT Recommendation 21 proposes that ICANN Contractual Compliance collect and provide reports on the abuse reported to registry and registrars with a granularity that allows identification of origin, type, form, and nature of abuse or alleged illegal use of the DNS. While ICANN org already collects the data requested in CCT Recommendation 21 item 2 of the recommendation "the gTLD that is target of the abuse," ICANN org believes the Registries Stakeholder Group's input on the release of such data is essential. Work is in progress to prepare for this discussion. This work and therefore, CCT Recommendation 21 are expected to complete in Q3 2023.
- CCT Recommendation 26 recommends repeating a study at regular intervals to ascertain the impact of the New gTLD Program on the costs required to protect trademarks in the expanded DNS. The Board action noted an opportunity to collaborate with relevant partners to gain a deeper insight into the effects of the New gTLD Program on trademark enforcement, using a combination of qualitative and quantitative research. ICANN org has begun initial discussions and identified a potential opportunity to collaborate with the International Trademark Association (INTA). INTA previously indicated its availability to investigate new approaches to collect relevant information as well as to increase survey response rates. It would like ICANN org to provide more clarification and guidance to define future scope, and whether other cost categories of trademark defense should be considered to assess what additional costs and efforts are required to protect trademarks in the DNS. As such, there could be an opportunity to work collaboratively with INTA.
- CCT Recommendation 30 recommends improving outreach to specific regions of
  the world as it relates to new gTLDs. Engaging potential applicants in diverse regions
  is dependent on the communications and engagement plan for potential future
  rounds of gTLDs. The Operational Design Assessment (ODA) on Subsequent
  Procedures was <u>published</u> and provided to the Board on 12 December 2022.
  Community <u>webinars</u> were delivered on 14 December 2022. Next steps on this
  recommendation will be determined following consideration by the ICANN Board in
  Q1 2023.

Two out of the 35 CCT recommendations have not started. Focusing on recommendation components, the list is as follows:

- **CCT Recommendation 6** requires collecting TLD-related data through partnerships. ICANN org has presented a plan to partner with qTLD and ccTLD registration data providers to obtain the requested data. However, the plan notes that obtaining the ccTLD registration data may be difficult as ICANN does not hold agreements with ccTLD operators. Moreover, national laws could also affect ICANN's ability to obtain the data. To address this work, ICANN org plans to conduct outreach to potential ccTLD and gTLD data providers. Dependencies may arise from ongoing work on RDS policies related to gTLDs and national laws that affect RDS data access and availability at the ccTLD level. The extent of analysis possible will depend on the overall availability of RDS data. CCT Recommendation 6 is currently scheduled to be completed in Q3 2023.
- **CCT Recommendation 22** requires engagement with stakeholders to discuss best practices implemented to offer appropriate security measures when dealing with sensitive information such as health or financial. Activities to support implementation of this recommendation include development of an engagement plan (including identification of the relevant stakeholders, opportunities and objectives. methodologies and requirements for data collection), executing the plan (which may include meetings and consultations in various forms), and providing the results to the Board for consideration of next steps. Implementation of this project will require working closely and together with external stakeholders to ensure buy-in and agreement on the approach and purpose of the engagement. Success is conditioned on the participation of relevant stakeholders and their willingness to provide the requested information. This work is currently estimated to be completed in Q1 2024.
- **CCT Recommendation 23 item b** calls for a review of a sample of websites within highly regulated sectors. Though no formal initiative exists to collect contact information, sample domain website data will be collected internally using contractual information to determine whether a domain website is within a highly regulated sector. This implementation design helps reduce the need for Contracted Parties to provide additional information. This portion of CCT Recommendation 23 is estimated to be completed in Q2 2023.

## **Second Registration Directory Service Review (RDS-WHOIS2)**

#### Status of RDS-WHOIS2 Review

On 25 February 2020, the Board took <u>action</u> on each of the 22 recommendations, included in the RDS-WHOIS2 <u>Final Report</u>, as documented in an associated <u>Scorecard</u>, and approved 15 recommendations in whole or in part, subject to prioritization.

The RDS-WHOIS2 Review recommendations are, in part, built on the RDS-WHOIS2 Review Team's assessment of the implementation of the previous Directory Service Review recommendations.

Board Action on RDS-WHOIS2 – 22 Recommendations Q4-2022 Status		
Approve (in whole or in part) subject to prioritization	15 (Recommendations 1.1, 1.2, 1.3, 3.1, 3.2, 10.2, 11.2, 12.1, 15.1, LE.1, LE.2, SG.1, CC.1 [in part] CC.2, CC.3)	
Pending Board consideration	4 (Recommendations 4.1, 4.2, 5.1, 10.1)	
Pass through (in whole or in part)	2 (Recommendations CC.1 [in part], CC.4)	
Reject	2 (Recommendations 11.1, BY.1)	

Refer to <u>Appendix C: Board-Approved RDS-WHOIS2 Recommendations</u> for the full language of Board-approved recommendations.

#### Status of RDS-WHOIS2 Recommendations Pending Board Consideration

Recommendations 4.1, 4.2 and 5.1, that relate to data accuracy, remain in "pending" in light of the following dependencies:

- Board consideration of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data Phase 2 recommendations 1–18 and the Operational Design Assessment (ODA) for the SSAD (now WHOIS Disclosure System).
- The Registration Data Accuracy Scoping Team's work on the effects of the EU's General Data Protection Regulation on Registration Data accuracy requirements and the WHOIS Accuracy Reporting System.

Recommendation 10.1, that relates to the implementation of the Privacy & Proxy Services Accreditation Issues policy, was addressed through Recommendation 19 of the Board-approved <a href="EPDP Phase 2 Final Report">EPDP Phase 2 Final Report</a>. Recommendation 19 is currently in process of implementation and was included in the <a href="Public Comment proceeding">Public Comment proceeding</a> on the draft Registration Data Consensus Policy for gTLDs.

It is anticipated that ICANN org may begin to work on the impact assessment of the outcomes of ongoing community work in Q1 2023 to inform Board action of Recommendation 10.1.

#### Prioritization of RDS-WHOIS2 Recommendations

As articulated in the table, a set of eight recommendation components was put forward for prioritization and prioritized in April–May 2022:

## **Board-Approved RDS-WHOIS2 Recommendations – 15 Recommendation Components Q4-2022 Prioritization Status**

Rec. / Rec. Component	ICANN Org <u>Proposed</u> <u>Prioritization</u> <sup>19</sup>	Priority Assigned by Community Group in Pilot Prioritization	
1.3	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important	
3.1	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important	
11.2	P1 = Highest Priority-Urgent/ Important	P4 = Lowest Priority-Less Urgent/Important	
15.1	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important	
LE.1	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important	
LE.2	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important	
SG.1	P2 = Less Urgent/Important	P2 = Less Urgent/Important	
CC.1	P2 = Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important	
Not Eligible f	or Prioritization Due to Dependencie	s	
Rec. / Rec. Component	Rationale		
3.2	As the EPDP on the Temporary Specification for gTLD Registration Data (and the Registration Data Access Protocol (RDAP) phased implementation could impact the information or the messaging to be delivered by ICANN org to new target groups, work will begin as soon as the dependency on outcomes of the EPDP has been resolved.		
10.2	The ICANN Board <u>deferred</u> the third review of the Registration Directory Service (RDS3) in consideration of the dependency on the ongoing work related to the EPDP Phase 2 Final Report recommendations, including the proposed SSAD (now WHOIS Disclosure System). This action was also to allow the ICANN community and organization sufficient time to plan for, and implement pertinent ATRT3 recommendations that have been prioritized for implementation.		
12.1	The ICANN Board <u>deferred</u> the RDS3 in consideration of the dependency on the ongoing work related to the EPDP Phase 2 Final Report recommendations, including the proposed SSAD now WHOIS Disclosure System). This action was also to allow the ICANN community and organization sufficient time to plan for, and implement pertinent ATRT3 recommendations that have been prioritized for implementation.		
CC.2	This work will be included in the implementation of EPDP Phase 1 – Registration Data Policy for gTLDs, which addresses the collection, transfer, and publication of gTLD registration data. The <a href="Public Comment proceeding">Public Comment proceeding</a> on the implementation plan for the Registration Data Policy was held in Q4 2022, with an estimated implementation time frame beginning in mid 2023.		

<sup>&</sup>lt;sup>19</sup> Proposed ranks were accompanied by a rationale. See the <u>worksheet</u> for more information.

N/A		
Rec. / Rec. Component	Rationale	
1.1	Recommendation complete. See <u>implementation documentation</u> .	
1.2	Recommendation complete. See <u>implementation documentation</u> .	
CC.3	Recommendation complete. See <u>implementation documentation</u> .	

Refer to <u>Appendix C: Board-Approved RDS-WHOIS2 Recommendations</u> for recommendation language and to <u>Implementation Status of RDS-WHOIS2</u> <u>Recommendations</u> for information on the status of the recommendations.

#### Implementation Status of RDS-WHOIS2 Recommendations

This section provides an update on Board-approved RDS-WHOIS2 Recommendations, including estimated implementation completion dates, where available, and links to implementation documentation produced by ICANN org.

The following table shows the pre-prioritization status of a recommendation and the one in Q4 2022. In the next quarterly reports, the status of the previous quarter will be used as a point of reference against which ICANN org will report any alterations to the tentative completion date.

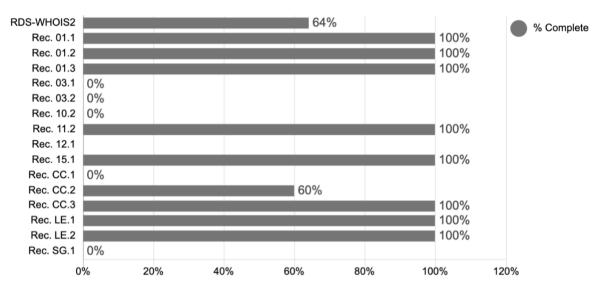
"P. Label" in the table below corresponds to the prioritization label assigned by the community group. Any recommendation or recommendation component that was not included in the prioritization process for reasons articulated in the <a href="Prioritization of RDS-WHOIS2 Recommendations">Prioritization of RDS-WHOIS2 Recommendations</a> section is recorded as N/A in the "P. Label."

<u>Appendix C: Board-Approved RDS-WHOIS2 Recommendations</u> contains the full text of each recommendation.

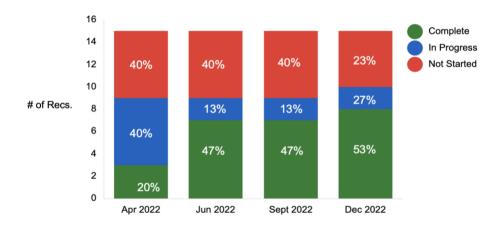
Board-Approved RDS-WHOIS2 Recommendations – Recommendation Components Q4-2022 Status				
Rec. / Rec. Component	P. Label	Pre-FY23 Q4 2022 Implementation Status		Implementation Information/ Estimated Completion Date
1.1	N/A	Complete	Complete	Implementation Documentation
1.2	N/A	Complete	Complete	Implementation Documentation
1.3	P4	In progress	Complete	Implementation Documentation
3.1	P4	In progress	In progress	Q4 2023
3.2	N/A	Not started Not started		Dependency – see below for more information.
10.2	N/A	Not started	Not started	Dependency – see below for more information.
11.2	P4	In progress	Complete	Implementation Documentation
12.1	N/A	Not started Not started Dependency – see more information.		Dependency – see below for more information.

15.1	P4	In progress	Complete	Implementation Documentation
LE.1	P4	In progress	Complete	Implementation Documentation
LE.2	P4	In progress	Complete	Implementation Documentation
SG.1	P2	Not started	Not started	Q4 2023
CC.1	P4	Not started	Not started	Q3 2024
CC.2	N/A	Not started	In progress	Q3 2024
CC.3	N/A	Complete	Complete	Implementation Documentation
Progress of Completion – Current vs. Planned <sup>20</sup> : 27%				

The overall implementation progress of Board Approved RDS-WHOIS2 Recommendations (December 2022) is summarized in the graph<sup>21</sup> below.



Since prioritization concluded in May 2022, progress of implementation status over past quarters in calendar year 2022 is as follows:



Implementation Status of Board-Approved RDS-WHOIS2 Recommendations (December 2022)

**ICANN** 

<sup>&</sup>lt;sup>20</sup> The progress of completion current vs. planned is an indicator that is measuring "on-time delivery" by indicating whether the work is progressing according to the time frame set when the work plan was developed. This indicator is impacted by progress of the work as well as by changes to the work plan. The indicator shows negative if less work has been completed than originally time-planned. The indicator shows positive if the work completed is ahead of the original plan/schedule.

<sup>&</sup>lt;sup>21</sup> This chart is not indicative of the difference in level of effort for each recommendation.

Status of Board-Approved RDS-WHOIS2 Recommendations Q4 2022 Status	May 22	Jun 22	Sept 22	Dec 22
Complete	3	7	7	8
In Progress	6	2	2	3
Not Started	6	6	6	4

Eight of the 15 RDS-WHOIS2 recommendations are complete as described in their respective implementation documentation:

- RDS-WHOIS2 Recommendations 1.1 and 1.2 call for a forward-looking mechanism
  that monitors legislative and policy developments. In its <u>action</u> on the Final Report,
  the Board noted that ICANN org's existing initiative already addresses the concerns,
  thereby concurring with a clarification provided by the RDS-WHOIS2 Implementation
  Shepherds. Given their complete status, the recommendations were not put forward
  for prioritization. ICANN org has produced <u>RDS-WHOIS2 1.1-1.2 Implementation</u>
  <u>Documentation</u> to report on how the recommendations' intent has been addressed.
- In establishing the implementation design for RDS-WHOIS2 Recommendation 1.3 (prioritized as P4), ICANN org noted that the requirement of demonstrating that Board activities on RDS are taking place, as clarified by RDS-WHOIS implementation shepherds, is already being addressed. As detailed in the RDS-WHOIS 1.3 Implementation Documentation, since the time Recommendation 1.3 was issued, the ICANN Board has sustained a significant amount of work dedicated to RDS issues, and the Board's focus on this work remains visible to the ICANN community.
- RDS-WHOIS2 Recommendation 11.2 relates to common interface display of
  information and updates. In refining implementation design for the recommendation
  prioritized as P4, the cross-functional project team came to the determination that the
  RDAP <u>lookup tool</u>, including its designed ability to address any future policy or
  contractual changes, as well as the gTLD RDAP profile that was developed with
  registrars and registries, address requirements of the recommendation. The <u>RDS-WHOIS2 11.2 Implementation Documentation</u> includes the appropriate information.
- RDS-WHOIS2 Recommendation 15.1 calls for improvements to ICANN org's project management and implementation reports. The creation of the Implementation Operations department, as well as the improved project management culture and training provided to org members, have contributed toward improving the way non-policy recommendations are being addressed by org. The Implementation Operations department deployed an approach that includes clarity around status of implementation, enhanced templates to assist with implementation design, and a more frequent and detailed reporting mechanism. Prioritized by the community group as P4, Recommendation 15.1 was marked complete when the Implementation Operations department put together this first quarterly report on Specific Reviews. More details can be found in the RDS-WHOIS2 15.1 Implementation Documentation.
- RDS-WHOIS2 Recommendations LE.1 and LE.2 identify a need for data-gathering
  to inform whether RDS is effective in meeting law enforcement needs. When
  assessing the existing initiatives during implementation design, i.e. the study
  conducted to inform EPDP Phase 2 work along with questionnaires and outreach

conducted to inform work on SSAD ODA, it was determined that both recommendations were implemented to the extent possible, as detailed in the <a href="RDS-WHOIS2 LE.1-LE.2 Implementation">RDS-WHOIS2 LE.1-LE.2 Implementation Documentation</a>. As it relates to defining the cadence of the data collection, this will be addressed through the data collection model recommendation in CCT Recommendation 1, which will be used to formalize and promote data collection.

RDS-WHOIS2 Recommendation CC.3 calls for adequate resources for ICANN
 Contractual Compliance. In its <u>action</u> on the Final Report, the Board noted that the
 recommendation was already part of ICANN org's existing budgeting and planning
 process. Given its complete status, the recommendation was not put forward for
 prioritization. ICANN org has produced <u>RDS-WHOIS2 CC.3 Implementation</u>
 <u>Documentation</u> to report on how the recommendation's intent is addressed.

Two of the 15 RDS-WHOIS2 recommendations are in progress:

• Categorized by the community group as P4, RDS-WHOIS2 Recommendation 3.1 articulates the need for improvements to web information and educational materials on RDS. A number of milestones have already been met to address this recommendation as ICANN org has updated the content and navigation of the registration data look up tool. The information on that page has been reorganized and now appears on the Domain Name Registration Data Policies and Related Requirements page, which contains information regarding existing policies and requirements as well as ongoing policy development work. Moreover, ICANN org's Contractual Compliance has included the links to this information on the Complaint Submission page.

The RDS-WHOIS2 Recommendation 3.1 further requires the involvement of users (potentially focus groups) to ensure requirements are met. ICANN org plans to meet this element of the recommendation through engagement with community members, potentially at ICANN meetings or in other separate fora. The success of this implementation is dependent upon community participation. Given the existing workload of the community, ICANN org plans to develop an engagement plan in Q2 2023, and to deploy it in Q3 2023 with the goal of analyzing results and addressing Recommendation 3.1 in full by Q4 2023.

• RDS-WHOIS2 Recommendation CC.2 requires that all gTLD domain name registration directory entries contain at least one full set of either registrant or administrator contact details. Recognizing that this requirement is fulfilled by the Registration Data Policy for gTLDs, which addresses the collection, transfer, and publication of gTLD registration data, the recommendation was not put forward for prioritization. The improvements suggested by the recommendation will be addressed through implementation of EPDP Phase 1 – Registration Data Policy for gTLDs. The <a href="Public Comment period">Public Comment period</a> on the topic closed in Q4 2022. ICANN org anticipates Recommendation CC.2 to complete once the Registration Data Policy is published in Q2 2023.

Five of the 15 RDS-WHOIS2 Recommendations are in "not started" status, three of which are tied to dependencies:

 RDS-WHOIS2 Recommendation 3.2 calls for RDS-related outreach conducted outside of groups with which ICANN org usually engages. As the EPDP and the RDAP phased implementation could impact the information or the messaging to be delivered by ICANN org to new target groups, this recommendation was not included in the FY23 or FY24 prioritization. Given the changing RDS landscape, it is essential that any awareness campaign reflects the most up-to-date and relevant information. As a result, work on addressing RDS-WHOIS2 Recommendation 3.2 will begin as soon as the dependency on outcomes of the EPDP has been fully resolved.

RDS-WHOIS2 Recommendations 10.2 and 12.1 call for specific areas of work to be addressed by the subsequent review team (RDS3). As the Board had approved ATRT3 recommendation to suspend any further RDS Reviews pending the outcome of the next ATRT, subject to prioritization and community agreement to the related Bylaws changes, Recommendations 10.2 and 12.1 were not included in the prioritization. As reported in Implementation Status of Board-Approved ATRT3 Recommendations, in September 2022 the ICANN Board deferred the third RDS Review to allow the community and ICANN org sufficient time to plan for and implement pertinent ATRT3 recommendations that were prioritized for implementation. Recognizing the Bylaws requirement that the RDS Review should be conducted every five years, the Board suspended RDS3 until the next ATRT can make a determination on future RDS reviews, as recommended in ATRT3 Recommendation 3.1. The Board will oversee the implementation of ATRT3 recommendations and determine whether the timing of the RDS3 should be reexamined based on the changing environment, including various dependencies such as the ongoing work related to the EPDP Phase 2 Final Report recommendations, including the proposed SSAD (now WHOIS Disclosure System). Recommendations 10.2 and 12.1, as a result, cannot be prioritized, or implemented, at this time.

Two recommendations are scheduled for implementation:

- Prioritized by the community group as P2, RDS-WHOIS2 Recommendation SG.1
  recommends that the Board requires ICANN's contracts with contracted parties to
  include uniform and strong requirements for the protection of registrant data. The
  Board directed ICANN org to include this element in a contract negotiation. ICANN
  org will conduct a gap analysis, no later than Q4 2023, between existing contracts
  and policy requirements versus the desired outcomes to prepare for inclusion into the
  list of items for contractual negotiations.
- Categorized as a P4 recommendation by the community group, RDS-WHOIS2 Recommendation CC.1 calls for the Board to initiate action related to treatment of gTLD domain names suspended due to incorrect RDS contact data. Similar to RDS-WHOIS2 Recommendation SG.1, the Board directed ICANN org to include this element in the next round of contract negotiations. ICANN org believes it would be beneficial to better understand the current industry practice in this regard as well as discuss with Registrars the approach as noted in the recommendation. Tentatively, a summary of the implementation approaches taken by leading registrars would be put together in Q1 2024 for enabling discussions, and alignment, with Registrars in Q2 2024. Subsequent to these activities, ICANN org will determine, tentatively in Q3 2024, whether changes to the contract are necessary, and if so, whether any technical development would be required.

For both RDS-WHOIS2 Recommendations SG.1 and CC.1, potential revisions to contracts with contracted parties need to be weighed with other activities related to updating agreements, such as revisions stemming from the Subsequent Procedures Final Report Recommendations.

## Second Security, Stability, and Resiliency Review (SSR2)

#### Status of SSR2 Review

On 22 July 2021, the Board took <u>action</u> on each of the recommendations included in the SSR2 <u>Final Report</u>, as documented in the <u>July 2021 Scorecard</u>. The Board-approved 13 recommendations subject to prioritization.

Informed by further clarification received from the SSR2 Implementation Shepherds and ICANN org assessment, the Board subsequently:

- Took <u>action</u> on 1 May 2022 to approve one recommendation subject to prioritization, and reject two recommendations, as articulated in the <u>May 2022 Scorecard</u>.
- Took <u>action</u> on 16 November 2022 to approve 9 recommendations and reject 12, as noted in the November 2022 Scorecard.

The SSR2 recommendations cover the following areas:

- The extent to which prior SSR Review recommendations have been implemented and whether implementation has resulted in the intended effect.
- SSR within ICANN.
- DNS abuse from a contractual, compliance, and transparency perspective.
- Additional SSR-related concerns regarding the global DNS.

Board Action on SSR2 – 63 Recommendations Q4-2022 Status		
Approve subject to prioritization	14 (Recommendations 1.1, 5.1, 5.2, 5.3, 5.4, 7.5, 10.1, 16.1, 21.1, 22.1, 22.2, 23.1, 23.2, 24.2)	
Approve as fully implemented	9 (Recommendations 3.2, 3.3, 4.1, 7.1, 7.2, 7.3, 9.1, 11.1, 24.1)	
Pending Board consideration, likely to be approved once further information is gathered to enable approval	9 (Recommendations 9.3, 12.1, 12.2, 12.3, 12.4, 13.1, 13.2, 14.2, 17.1)  1 (Recommendation 9.2)	
Pending, holding to seek clarity or further information		
Pending, likely to be rejected unless additional information shows implementation is feasible		
Reject because the recommendations cannot be approved in full	8 (Recommendations 4.2, 8.1, 9.4, 10.2, 10.3, 17.2, 20.1, 20.2)	
Reject	22 (Recommendations 2.1, 2.2, 2.3, 2.4, 3.1, 4.3, 6.1, 6.2, 7.4, 14.1, 14.3, 14.4, 14.5, 15.1, 15.2, 16.2, 16.3, 18.1, 18.2, 18.3, 19.1, 19.2)	

Refer to <u>Appendix D: Board-Approved SSR2 Recommendations</u> for the full language of Board-approved recommendations.

#### Status of SSR2 Recommendations Pending Board Consideration

There are 10 remaining SSR2 recommendations pending Board consideration:

- Additional time is required to address Recommendation 9.2, which relates to contracted parties registration data accuracy, and Recommendation 9.3 on auditing of contractual compliance activities.
- DNS-abuse-related Recommendations 12.1, 12.2, 12.3, 12.4, 13.1, 13.2, and 14.2 were placed in pending status in consideration of ongoing community discussions. ICANN org is working on streamlining and aligning on DNS-abuse-related efforts, as well as on processing these seven SSR2 recommendations along with other relevant Specific Reviews recommendations and advice to the Board. Q3 2023 is the tentative timeline for Board consideration of the set of DNS-abuse-related items.
- Recommendation 17.1, which relates to a framework to characterize the nature and frequency of name collisions and resulting concerns, has dependencies on the Security and Stability Advisory Committee (SSAC)'s studies on name collisions, specifically the Name Collision Analysis Project (NCAP) work. This recommendation will be evaluated after the NCAP Study 2 report is released and could be dependent on further work if the SSAC decides to run an NCAP Study 3. The outcome of these reports will help inform staff of the feasibility and potential implementation of this recommendation.

#### Prioritization of SSR2 Recommendations

A set of nine recommendation components was put forward for prioritization and prioritized in April–May 2022. Subsequently, one recommendation approved by the Board in May 2022 was confirmed by ICANN org as eligible for prioritization and was included in the prioritization effort in October–November 2022.

Furthermore, two recommendations approved by the Board on 16 November 2022 and subject to prioritization were confirmed as eligible for prioritization in Q4 2022.

Board Approved SSR2 Recommendations – Recommendation Components
Q4-2022 Status

Rec. / Rec. Component	ICANN Org Proposed Prioritization <sup>22</sup>	Priority Assigned by Community Group <sup>23</sup>
1.1	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important
5.4	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important
		P1 = Highest Priority-Urgent/ Important
		P3 = Urgent/Less Important

<sup>&</sup>lt;sup>22</sup> Proposed ranks were accompanied by a rationale. See <u>this worksheet</u> for more information on 1.1, 10.1, 16.1, 21.1, 22.1, 22.2, 23.1, 23.2, and 24.2, and this worksheet for information on 5.4.

 $<sup>^{23}</sup>$  See this list for priority assigned by the community group 1.1, 10.1, 16.1, 21.1, 22.1, 22.2, 23.1, 23.2, and 24.2, and this list for priority assigned on 5.4.

21.1	P1 = Highest Priority-Urgent/ Important	P1 = Highest Priority-Urgent/ Important				
22.1	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important				
22.2	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important				
23.1	P3 = Urgent/Less Important	P3 = Urgent/Less Important				
23.2	P2 = Less Urgent/Important	P1 = Highest Priority-Urgent/ Important				
24.2	P4 = Lowest Priority-Less Urgent/Important	P4 = Lowest Priority-Less Urgent/Important				
Eligible for P	Eligible for Prioritization					
Rec. / Rec. Component	Rationale					
5.3	Confirmed as eligible for prioritization in the next cycle.					
7.5	Confirmed as eligible for prioritization in the next cycle.					
N/A						
Rec. / Rec. Component	Rationale					
3.2	Recommendation complete. Implementation documentation in progress.					
3.3	Recommendation complete. Implementation documentation in progress.					
4.1	Recommendation complete. See implementation documentation.					
5.1	There is a dependency on the migration to the U.S. Department of Commerce National Institute of Standards and Technology (NIST) Cybersecurity Framework. Recommendation 5.1, once migration to the NIST Cybersecurity Framework is fully complete, will be considered implemented, as noted in the Board action on the SSR2 Final Report.					
5.2	There is a dependency on the migration to the NIST Cybersecurity Framework.  Recommendation 5.2, once migration to the NIST Cybersecurity Framework is fully complete, will be considered implemented, as noted in the Board action on the SSR2 Final Report.					
7.1	Recommendation complete. Implementation documentation in progress.					
7.2	Recommendation complete. Implementation documentation in progress.					
7.3	Recommendation complete. Implementation documentation in progress.					
9.1	Recommendation complete. See <u>implementation documentation</u> .					
11.1	Recommendation complete. Implementation documentation in progress.					

24.1	Recommendation complete. Implementation documentation in progress.

Refer to <u>Appendix D: Board-Approved SSR2 Recommendations</u> for recommendation language and to <u>Implementation Status of SSR2 Recommendations</u> for information on the status of the recommendations.

## Implementation Status of SSR2 Recommendations

This section provides an update on Board-approved SSR2 Recommendations, including estimated implementation completion dates, where available, and links to implementation documentation produced by ICANN org.

The following table shows the pre-prioritization status of a recommendation and the one in Q4 2022. In the next quarterly reports, the status of the previous quarter will be used as a point of reference against which ICANN org will report any alterations to the tentative completion date.

"P. Label" in the table below corresponds to the prioritization label assigned by the community group. Any recommendation or recommendation component that was not included in the prioritization process for reasons articulated in the <a href="Prioritization of Board-Approved SSR2 Recommendations">Prioritization of Board-Approved SSR2 Recommendations</a> section is recorded as N/A in the "P. Label."

On 1 May 2022, the Board approved Recommendation 5.4 while the <u>FY23 Pilot Prioritization</u> was running. Therefore, Recommendation 5.4 was included in the <u>FY24 Operating Plan and Budget cycle</u> in October–November 2022.

Moreover, on 16 November 2022, an additional set of nine recommendations were approved by the Board. For these recommendations, the table below will show their status per quarter in the ICANN Specific Reviews Implementation Q1 2023 Quarterly Report.

<u>Appendix D: Board-Approved SSR2 Recommendations</u> contains the full text of each recommendation.

Board-Approved SSR2 Recommendations – Recommendation Components Q4-2022 Status						
Recommendation Approved by Board in July 2021						
Rec. / Rec. Component #	P. Label	Pre FY23 Prioritization	Q4 2022 Implementation Status	Implementation Information/ Estimated Completion Date		
1.1	P4	Not started	In progress	Q1 2023		
4.1	N/A	Complete	Complete	Implementation Documentation		
5.1	N/A	Not started	Not started	Dependency – see below for more information.		
5.2	N/A	Not started	Not started	Dependency – see below for more information.		
9.1	N/A	Complete	Complete	Implementation Documentation		
10.1	P1	Not started	In progress	Q2 2023		
16.1	P3	Not started	In progress	Q1 2023		
21.1	P1	Not started	In progress	Q1 2024		
22.1	P4	Not started	In progress	Q1 2023		
22.2	P4	Not started	Not started	Q4 2023		

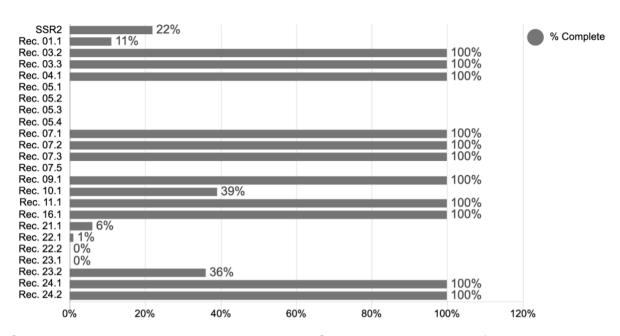
23.1	P3	Not started	Not started	Q4 2024		
23.2	P1	Not started In progress		Q2 2023		
24.2	P4	Not started	Complete	Implementation documentation		
24.2		NOI Started	Complete	in progress.		
Recommendat	ion Approve	ed by Board in May	2022			
Rec. / Rec.	Poc. / Poc. 04 2022					
Component	P. Label	Prioritization	Implementation	Implementation Information/ Estimated Completion Date		
#		FIIOIILIZALIOII	Status	Estimated Completion Date		
5.4	P4	Not started	Not started	Implementation design in		
5.4	Г4	Not Started	Not Started	progress.		
Recommendat	ion Approve	ed by Board in Nove	ember 2022			
Rec. / Rec.				Implementation Information/		
Component	P. Label	Q4 202	22 Status	Estimated Completion Date		
#				Estimated Completion Date		
3.2	N/A	Complete		Implementation documentation		
3.2				in progress.		
3.3	N/A Complete		Implementation documentation			
3.3		Complete		in progress.		
5.3	Danding	Netstantant		Implementation design in		
5.3	Pending	Not started		progress.		
7.4	N/A	Complete		Implementation documentation in progress.		
7.1						
7.0	N/A	0		Implementation documentation in progress.		
7.2		Complete				
7.0	N/A	Complete		Implementation documentation		
7.3				in progress.		
				Implementation design in		
7.5	Pending	Not started		progress.		
44.4	N/A			Implementation documentation		
11.1	-, -	Complete		in progress.		
	N/A	Complete		Implementation documentation		
24.1	, .			in progress.		
Progress of Co	ompletion –	Current vs. Planne	d <sup>24.</sup> 0%	9 9.		

The overall implementation progress of Board Approved SSR2 Recommendations (December 2022) is summarized in the graph<sup>25</sup> below.

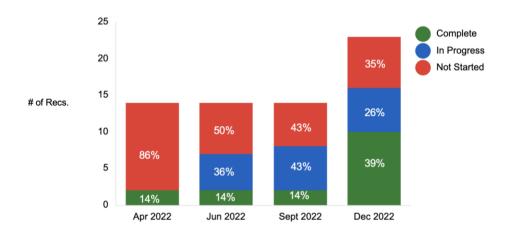
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<sup>&</sup>lt;sup>24</sup> The progress of completion current vs. planned is an indicator that is measuring "on-time delivery" by indicating whether the work is progressing according to the time frame set when the work plan was developed. This indicator is impacted by progress of the work as well as by changes to the work plan. The indicator shows negative if less work has been completed than originally time-planned. The indicator shows positive if the work completed is ahead of the original plan/schedule.

<sup>&</sup>lt;sup>25</sup> This chart is not indicative of the difference in level of effort for each recommendation.



Since prioritization concluded in May 2022 and October 2022, progress of implementation status over past quarters in calendar year 2022 is as follows:



Implementation Status of Board-Approved SSR2 Recommendations (December 2022)

Status of Board-Approved SSR2 Recommendations Q4 2022 Status	May 22	Jun 22	Sept 22	Dec 22
Complete	2	2	2	9
In Progress	0	5	6	6
Not Started	12	7	6	8

Ten of the 23 SSR2 recommendations are complete, two of which are accompanied by implementation documentation:

- SSR2 Recommendation 3.2 suggests that budget items related to the performance of SSR functions be linked to ICANN Strategic Plan goals and objectives, while SSR2 Recommendation 3.3 calls for transparency and opportunity to comment on SSR budgeting. Recognizing the existing transparency and Public Comment framework around the organization's planning and budgeting cycle (more specifically, ICANN org's Operating and Financial Plans for FY 22–26 (Five-Year) and FY22 (One-Year) includes "Appendix C: ICANN Security, Stability, and Resiliency (SSR) of the Unique Internet Identifiers" and extensive public consultation activities are in place with regard to the Five-Year Operating and Financial Plan and Annual Operating Plan and Budget, and the Five-Year Strategic Plan), the Board-approved Recommendations 3.2 and 3.3 as fully implemented. Implementation documentation for SSR2 3.2–3.3 will be made available in Q1 2023. Periodic communication on SSR activities is part of the ongoing operations and will be continuously enhanced, as directed by the Board.
- SSR2 Recommendation 4.1 calls for centralizing risk management and for the Security Risk Management Framework to be articulated and mapped to the org's objectives. In its <u>action</u> on the Final Report, the Board-approved the recommendation as already fully implemented, and called for no further action. The Board noted that ICANN org already had policies, plans and programs in place. Given its complete status, SSR2 Recommendation 4.1 was not put forward for prioritization. ICANN org has produced <u>SSR2 4.1 Implementation Documentation</u> to report on how the recommendation is addressed.
- The set of SSR2 Recommendations 7.1, 7.2, and 7.3 relates to Business Continuity (BC) and Disaster Recovery (DR) plans. In its <u>action</u> the Board noted that ICANN org follows the Contingency Planning Guide for Federal Information Systems (NIST SP 800-34 Rev 1) which is a more integrated approach with, and given, ICANN org's remit. The recommendations, as such, were approved by the Board as fully implemented. Implementation documentation for SSR2 Recommendations 7.1, 7.2, and 7.3 will be released in Q1 2023.
- SSR2 Recommendation 9.1 recommends monitoring, and enforcing, compliance of contracted parties to abuse-related obligations in agreements, contracts and policies. As this recommendation's success measures are in alignment with Contractual Compliance's existing work, SSR2 Recommendation 9.1 was approved by the Board as fully implemented. More information can be found in the SSR2 9.1 Implementation Documentation.
- SSR2 Recommendation 11.1 pertains to the access to Centralized Zone Data Service (CZDS) data. The Board determined in its <u>action</u> that the ongoing and completed work to date, conducted to address <u>SAC097</u>: <u>SSAC Advisory Regarding</u> <u>the CZDS and Registry Operator Monthly Activity Reports</u>, meets the requirements of Recommendation 11.1. Implementation documentation for SSR2 Recommendation 11.1 will be released in Q1 2023.
- SSR2 Recommendation 24.1 suggests performing end-to-end testing of the full Emergency Back-End Registry Operator (EBERO) and to publish the results. As noted in ICANN org agreements with the EBERO service providers, there is a provision which allows for EBERO readiness exercises to be conducted annually. This recommendation, as such, was approved by the Board as fully implemented. Implementation documentation for SSR2 Recommendation 24.1 will be made available in Q1 2023.

Listed as a P4 recommendation by the community group, SSR2 Recommendation 24.2 calls for a link to the Common Transition Process Manual to be added to the EBERO webpage on icann.org. On 21 December 2022, ICANN org published a link to the Common Transition Process Manual to ICANN org's EBERO webpage. A link to a PDF copy of the Common Transition Process Manual can be found in the "Additional Agreement Information" section of the webpage. Implementation documentation for SSR2 Recommendation 24.2 will be released in Q1 2023.

Six of the 23 SSR2 recommendations are in progress:

- Categorized as P4 during the FY23 prioritization, SSR2 Recommendation 1.1 calls for reviewing SSR1 implementation and executing a new plan of action. ICANN org has conducted an assessment of the implementation of SSR1 recommendations and verified status of SSR1 recommendations to determine the appropriate status (complete, incomplete, partially complete, or superseded). With the Board taking action on a set of pending SSR2 recommendations in this quarter, the gap analysis was refreshed and refined accordingly. Subject matter experts are being engaged on re-labeling the implementation status of SSR1 recommendation with accompanying rationale, and in identifying new actions, as required. ICANN org foresees the conclusions of these activities to be released in a report in Q1 2023. Any action resulting from this work will be subject to prioritization, as noted in the ICANN Board action.

DNS abuse/security are concepts in permanent evolution. ICANN org will continue to monitor the threat landscape and adjust the terminology used in the webpage, as necessary. The topic of DNS abuse has been, and continues to be widely discussed and debated within the ICANN community. The topic has the attention of nearly all of the Supporting Organizations and Advisory Committees within the gTLD space and is the subject of ongoing <a href="mailto:community discussion">community discussion</a>. The org plans to update the webpage to include comprehensive information on current abuse-related obligations within the RAA and RA by Q2 2023.

- SSR2 Recommendation 16.1, prioritized as P3, requires consistent crossreferencing on ICANN org to streamline information and improve access to all action
  taken on privacy and data stewardship. ICANN org conducted a diligent review of the
  icann.org pages to identify updates needed and aligned internally on web updates.
  This process was conducted for RDS and data protection/privacy webpages. ICANN
  org expects to complete this recommendation in early January 2023.
- SSR2 Recommendation 21.1, prioritized as P1, requires to move implementation of new Root Zone Management System (RZMS) security measures forward as it relates to the authentication and authorization of requested changes so as to allow TLD

operators the opportunity to use those measures, in particular the Multi-Factor Authentication (MFA) and encrypted email.

The recommendation will be met via the implementation of MFA using Time-Based One-Time Password (TOTP), a technique standardized in the Internet Engineering Task Force. While the initial implementation will focus on TOTP, the system will be architected to allow for alternative authentication mechanisms in the future. The recommendation to implement encrypted email is understood to be driven by the current practice of transmitting sensitive authentication information via email. ICANN org understands that the Internet Assigned Numbers Authority (IANA) has already decided to end this practice in the next generation RZMS, and therefore believes encrypted email is no longer essential to mitigate the security concern. Email notifications will be limited to notifying customers of pending tasks in the system, and they will be required to login to obtain and review sensitive information, with no authentication tokens transmitted in the email. As encrypted email poses significant implementation challenges and extensive customer education, IANA does not plan to implement this aspect of the recommendation at this time in light of the alternative remediation of the security concern. ICANN has begun defining the business requirements, including a document including the Know your Customer requirements and procedures. SSR2 Recommendation 21.1 is estimated to complete in Q1 2024.

- SSR2 Recommendation 22.1 recommends putting together, and publishing, a list of statistics and metrics that reflect the operational status of services (root zone, gTLD, IANA registries). This recommendation was prioritized as P4 and moved to in progress as there is data collected on key systems and services. ICANN org plans to create a new page in context of the Information Transparency Initiative to feature this information in Q2 2023.
- Listed by the community group as a P1 in FY23, SSR2 Recommendation 23.2 recommends developing a consensus plan for future root DNSKEY algorithm rollovers, working with root zone partners and using lessons learned from the 2018 rollover. ICANN understands IANA plans to implement a similar approach to the 2018 root zone key signing key rollover, namely the convening of a community effort to develop recommendations that will inform the parameters associated with root zone algorithm rollovers. A subsequent project would execute algorithm rollovers consistent with the recommendations produced by this activity. Kirei AB has been selected as the vendor to facilitate the development of the requirements. The call for community volunteers for the design team received 28 applications; staff have reviewed this list and expect to formalize the team in January 2023. It is estimated that the consensus plan for future Root DNSKEY Algorithm Rollover will be published in Q2 2023.

Eight of the 23 SSR2 recommendations are in "not started" status, two of which are tied to a dependency on an initiative:

• SSR2 Recommendations 5.1 and 5.2 pertain to information security management systems and security certifications. In its action on the SSR2 Final Report, the Board noted that ICANN org is currently following industry-specific security standards and best practices and is in the process of migrating to the U.S. Department of Commerce National Institute of Standards and Technology (NIST) Cybersecurity Framework, with oversight from the Board Risk Committee. The Board action indicates that once migration to the NIST Cybersecurity Framework is fully completed, Recommendations 5.1 and 5.2 will be considered implemented. As a result, no prioritization will be required for 5.1 and 5.2.

Two of the eight SSR2 recommendations in "not started" status are scheduled for implementation but they depend on completion of another SSR2 recommendation:

- Listed as a P4 by the community group, SSR2 Recommendation 22.2 is in continuation of SSR2 Recommendation 22.1, as described above, and requires collecting community feedback on measurements on an annual basis, and publicly summarizing it. To implement this, ICANN org will generate an email address linked to a ticketing system that will allow the community to provide feedback and suggestions on a continuous basis. The annual report will include data that shows frequency and content of feedback provided through this mechanism (if any). Recommendation 22.2 is estimated to complete in Q4 2023 line with the release of the Annual Report.
- SSR2 Recommendation 23.1, a P3 recommendation, calls for PTI operations to update the DNSSEC Practice Statement (DPS) to allow the transition from one digital signature algorithm to another. SSR2 Recommendation 23.2, as noted in the Board action on the SSR2 Final Report, must be completed before the DNSSEC Practice Statement can be updated. Updating the DPS is standard practice anytime there is modification to any standard operating procedures involving DNSSEC. Recognizing the dependency on SSR2 Recommendation 23.2, SSR2 Recommendation 23.1 is expected to be completed in Q4 2024.

The cross-functional project team is working on the implementation design for three SSR2 Recommendations:

- **SSR2 Recommendation 5.4**, to which the community group assigned a P4 level in FY24 prioritization, calls for clear reporting of what ICANN org is doing and achieving in the security space.
- SSR2 Recommendation 5.3, which the Board approved in November 2022 subject to prioritization, requires external parties to be compliant with relevant security standards. While CANN org's Engineering & Information Technology (E&IT) function already requires all vendors and service providers to have a risk assessment performed and documented which meets industry-standard requirements, ICANN org plans include a clause on compliance with relevant security standards when renegotiating its one-year based contracts with external service-provider parties, a timing component that will be factored into the implementation design accordingly.
- SSR2 Recommendation 7.5 was approved by the Board in November 2022 subject to prioritization. The recommendation requests the publication of a summary of the BC and DR plans and procedures, and calls for an external audit to verify compliance with plans. The cross-functional project team will work on an appropriate implementation design to publish a summary of the established Contingency and Continuity Plan and the DR plan which cover all ICANN systems and are tested annually by ICANN org's E&IT function.

# Appendix A: Board-Approved ATRT3 Recommendations

**Recommendation 1.1** To maximize the input from each Public Comment proceeding, ICANN org shall update the requirements per the following:

- Clearly identify who the intended audience is.
- Provide a clear list of precise key questions in plain language that the public consultation is seeking answers to from its intended audience.
- Where appropriate and feasible, include translations of the summary, key questions, and responses.
- Include results of these questions in the staff report.

Recommendation 1.2 With regards to other types of public input ICANN org shall:

- Develop and publish guidelines to assist in determining when a Public Comment process is required vs. alternate mechanisms for gathering input.
- Develop and publish guidelines for how alternative mechanisms for gathering input should operate, including producing final reports.
- Develop a system similar to and integrated with the Public Comment tracking system for all uses alternate mechanisms to gather input.
- Publish the complete "Public Comment Guidelines for the ICANN Organization."
- Resolve the issue of blog posts collecting feedback information when the "Public Comment Guidelines for the ICANN Organization" state that they "will not be used as mechanisms for collecting feedback."

**Recommendation 2** ICANN org shall review the implementation of ATRT2 Recommendations in light of ATRT3's assessment and complete their implementation subject to prioritization (see recommendation on the creation of a prioritization process).

#### **Recommendation 3.1** RDS Reviews

Given the final results of the EPDP process will certainly have an impact on any
future RDS Reviews (and could even remove the need for any further Specific
Reviews on this topic) and considering that ATRT3's final report will be published
prior to the EPDP delivering its final report, ATRT3 recommends suspending any
further RDS Reviews until the next ATRT Review can consider the future of RDS
Reviews in light of the final EPDP report recommendations, the results of the Board's
consideration of these, as well as any other developments which affect Directory
Services.

### **Recommendation 3.2 CCT Reviews**

- There should be one additional and clearly scoped CCT Review.
- It shall start within the two years after the first introduction of the (possible) next round of new gTLDs to the root.
- It should be limited to a duration of one year.
- Additionally, a framework of data collection must be in place prior to the next round of gTLDs and the availability of all data sets should be confirmed prior to the selection of the review members and must be provided within 30 days of the review being launched.

### **Recommendation 3.3** SSR Reviews

- Given SSR2 will not be finalized prior to ATRT3 completing its work, ATRT3
  recommends that SSR Reviews shall be suspended until the next ATRT Review (or
  any type of review that include current ATRT duties) which shall decide if these
  should be terminated, amended, or kept as is.
- This review could be re-activated at any time by the ICANN Board should there be a need for this.

#### **Recommendation 3.4** ATRT Reviews

ATRT Reviews should continue essentially as they are currently constituted but with the following enhancements:

- Shall start no later than two years after the approval by the Board of the first recommendation of the Holistic Review.
- Shall maintain responsibility to recommend to the Board the termination or amendment of other periodic reviews and the creation of additional periodic reviews (including reassessing reviews terminated by previous ATRTs).
- All pre-identified documentation that is required for the review, such as the previous ATRT's implementation report, shall be available at the first meeting of the review team.
- Terms of reference shall be established at the first meeting.
- Note: The Operating Standards for Specific Reviews shall be amended to allow review teams to obtain professional services, which is not covered by subject matter experts, should they require such services.

## **Recommendation 3.5** A new Holistic Review of ICANN shall be set up:

- Timing considerations:
  - The first one shall start no later than one year after approval by the Board of the first recommendation by ATRT3.
  - The next Holistic Review shall start no later than every two-and-a-half years after the Board approved the first recommendation from ATRT4). This cadence would ensure a minimum of two continuous improvement assessments for each SO/AC/NC1 prior to holding the next Holistic Review.
  - The launching of any other review activities should be suspended while a Holistic Review is active.
  - Should operate based on Operating Standards for Specific Reviews and should be time limited to a maximum of 18 months.
- Objectives:
  - Review continuous improvement efforts of SO/AC/NC based on good practices.
  - Review the effectiveness of the various inter-SO/AC/NC collaboration mechanisms.
  - Review the accountability of SO/ACs or constituent parts to their members/constituencies (this will include an in-depth analysis of the survey results).
  - Review SO/AC/NC as a whole to determine if they continue to have a
    purpose within the ICANN structure as they are currently constituted, or if any
    changes in structures and operations are desirable to improve the overall
    effectiveness of ICANN as well as ensure optimal representation of
    community views (but taking into consideration any impacts on the Board or
    the Empowered Community).

### **Recommendation 3.6**: Organizational Reviews:

[Board and ICANN org] shall evolve the content of Organizational Reviews into continuous improvement programs in each SO/AC/NC:

- Continuous Improvement Program:
  - ICANN org shall work with each SO/AC/NC to establish a continuous improvement program. Such a continuous improvement program shall have a common base between all SOs, ACs, and the NC but will also allow for customization so as to best meet the needs of each individual SO/AC/NC. All SO/AC/NC shall have implemented a continuous improvement program within 18 months of this recommendation being approved by the Board. These continuous improvement programs will include:
    - Annual satisfaction survey of members/participants:
      - Each SO/AC/NC shall perform a comprehensive annual satisfaction survey, or equivalent mechanism, of its members/participants. The focus of the survey should be on member/constituent's satisfaction (and issue identification) vs their respective SO/AC/NC. It can also include satisfaction with ICANN org services such as staff support, travel services. translation services, etc.
      - For SOs and ACs that are composed of sub-structures this should apply to their individual sub-structures and the results of all sub-structures shall be aggregated to generate a result for the given SO or AC.
      - The results of these would be public and used to support the continuous improvement program as well as input for the Holistic Review. If the survey results note a significant issue. this shall be the trigger to initiate appropriate measures to deal with any such issues.
    - Regular assessment of continuous improvement programs:
      - At least everyone years each SO/AC/NC will undertake a formal process to evaluate and report on its continuous improvement activities which will be published for Public Comment.30 This would allow the Holistic Review to consider a minimum of two assessment reports and related public comments for each SO/AC/NC.
      - Details of the assessments will be defined during the elaboration of the continuous improvement program with each SO/AC/NC. If the SO/AC/NC desires and the budget permits. the assessment can be conducted by an independent contractor or by having an intensive one to five-day workshop.
      - The Board should publish at least every three years a summary of its continuous improvements over that period. These reports would be used as input for the Holistic Review.
    - Funding of the continuous improvement for SO/AC/NC:
      - This continuous improvement program is not meant to be a cost reduction activity vs current overall costs of Organizational Reviews over a 5-year period. ICANN shall ensure that, as a minimum, the same overall budget is available for the continuous improvement efforts of the SO/AC/NC.
      - Regardless of the processes selected by the specific SO/AC/NC, this shall fit in the financial constraints available for such activities.

**Recommendation 4.1**: ICANN org in strategic plans and operational plans shall provide a clear and concise rationale in plain language explaining how each goal, outcome, and operating initiative is critical to achieving the results of the one it is supporting (e.g., For each strategic goal there must be a rationale as to how it is critical for its strategic objective).

**Recommendation 4.2**: ICANN org in its strategic plans and operational plans shall have a clearly articulated, in plain language, specific criteria defining success which shall be S.M.A.R.T (unless appropriately justified) for all goals (strategic or not), outcomes (targeted or not), operating initiatives, etc.

**Recommendation 4.3**: For the FY2021- 2025 Strategic Plan and FY2021 Operating Plan, ICANN org shall, within six months of approving this recommendation, produce a supplementary document using the criteria defining success in reporting on the progress of any relevant goal, outcome, operating initiative, etc. to create a listing of required rationales and specific criteria defining success (as defined by ATRT3 in this recommendation) for each goal (strategic or not), outcome (targeted or not), operating initiatives, etc. that are found in both of these documents and post it for public consultation prior to finalization. Once finalized ICANN org will append these to the FY2021-2025 Strategic Plan and FY2021 Operating Plan and use the criteria defining success in all reporting on the progress of any relevant goal, outcome, operating initiative, etc.

**Recommendation 4.4**: ICANN org shall publish an annual status report on all Strategic Plan and Operating Plan goals, outcomes and operating initiatives. This should clearly assess each of the elements presented in the Strategic and Operating Plans (goals, outcomes etc.) clearly indicating what progress was made vs the target in concise and plain language. Prior to being finalized the report will be submitted for Public Comment.

**Recommendation 4.5**: ICANN org shall publish an overarching report at the conclusion of a strategic plan starting with the 2016-2020 Strategic Plan. This should clearly assess each of the elements presented in the strategic plan; its text (objectives, goals, outcomes) clearly indicate if it was attained or not and justify that assessment in concise and plain language. The report shall conclude with a section distilling the results of the assessments and how this could be applied to following strategic plans or their revisions. Prior to being finalized the report will be submitted for Public Comment.

**Recommendation 5**: ATRT3 recommends the following guidance for ICANN org in the creation of a community-led entity tasked with operating a prioritization process for recommendations made by review teams, cross-community groups, or any other community related budgetary elements the Board or ICANN org feels appropriate:

- ATRT3 recommends that all SO/ACs should have the option of participating in this annual process. Those SO/ACs wishing to participate in the prioritization process shall have one member per SO/AC. Additionally the Board and the org shall also each have a member. The Board shall also take into account the following high-level guidance for the prioritization process:
  - Shall operate by consensus of the individual SO/ACs, Board, and org members that are participating in the prioritization process.
  - Is meant to have a continuous dialogue with ICANN org during the preparation of the budget.
  - Shall consider WS2 recommendations which are required to complete the IANA transition and are subject to prioritization but must not be retired unless this is decided by the Board.
  - Must be conducted in an open, accountable, and transparent fashion and decisions justified and documented.

- Shall integrate into the standard Operating and Financial Plan processes.
- Can prioritize multiyear implementations, but these will be subject to annual reevaluation to ensure they still meet their implementation objectives and the needs of the community.
- Shall consider the following elements when prioritizing recommendations:
  - Relevance to ICANN's mission, commitments, core values, and strategic objectives.
  - Value and impact of implementation.
  - Cost of implementation and budget availability.
  - Complexity and time to implement.
  - Prerequisites and dependencies with other recommendations.
  - Relevant information from implementation shepherds (or equivalents).

# **Appendix B: Board-Approved CCT Recommendations**

**Recommendation 1**: Formalize and promote ongoing data collection.

**Recommendation 6**: Partner with mechanisms and entities involved with the collection of TLD data. As feasible, collect TLD registration number data per TLD and registrar at a country-by-country level in order to perform analysis based on the same methods used in the Latin American and Caribbean DNS Marketplace (LAC) Study.

**Recommendation 7**: Collect domain usage data to better understand the implications of parked domains.

**Recommendation 8**: Conduct periodic surveys of registrants that gathers both objective and subjective information with a goal of creating more concrete and actionable information.

**Recommendation 11**: Conduct periodic end-user consumer surveys. Future review teams should work with survey experts to conceive more behavioral measures of consumer trust that gather both objective and subjective data with a goal toward generating more concrete and actionable information.

**Recommendation 13**: ICANN should collect data in conjunction with its related datacollection activities on the impact of restrictions on who can buy domains within certain new gTLDs (registration restrictions) to help regularly determine and report:

- (1). Whether consumers and registrants are aware that certain new gTLDs have registration restrictions;
- (2). Compare consumer trust levels between new gTLDs with varying degrees of registration restrictions:
- (3). Determine whether the lower abuse rates associated with gTLDs that impose stricter registration policies identified in the "Statistical Analysis of DNS Abuse in gTLDs" study continue to be present within new gTLDs that impose registration restrictions as compared with new gTLDs that do not;
- (4). Assess the costs and benefits of registration restrictions to contracted parties and the public (to include impacts on competition and consumer choice); and
- (5). Determine whether and how such registration restrictions are enforced or challenged.

**Recommendation 16**<sup>26</sup>: Further study the relationship between specific registry operators, registrars, and DNS Security Abuse by commissioning ongoing data collection, including but not limited to, the ICANN Domain Abuse Activity Reporting (DAAR) initiative. For transparency purposes, this information should be regularly published, ideally quarterly and no less than annually, in order to enable identification of registries and registrars that require greater scrutiny, investigation, and potential enforcement action by the ICANN organization. Upon identifying abuse phenomena, ICANN should put in place an action plan to respond to such studies, remedy problems identified, and define future ongoing data collection.

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<sup>&</sup>lt;sup>26</sup> Language in colored font was passed through to community groups identified by the CCT Review Team. See the 1 March 2019 Board action for more information.

**Recommendation 17**: ICANN should collect data about and publicize the chain of parties responsible for gTLD domain name registrations.

Recommendation 18: In order for the upcoming WHOIS Review Team to determine whether additional steps are needed to improve WHOIS accuracy, and whether to proceed with the "identity" phase of the Accuracy Reporting System (ARS) project, ICANN should gather data to assess whether a significant percentage of WHOIS-related complaints applicable to new gTLDs relate to the accuracy of the identity of the registrant. This should include analysis of WHOIS accuracy complaints received by ICANN Contractual Compliance to identify the subject matter of the complaints (e.g., complaints about syntax, operability, or identity). The volume of these complaints between legacy gTLDs and new gTLDs should also be compared. ICANN should also identify other potential data sources of WHOIS complaints beyond those that are contractually required (including, but not limited to, complaints received directly by registrars, registries, ISPs, etc.) and attempt to obtain anonymized data from these sources.

Future CCT Review Teams may then also use these data.

**Recommendation 20**<sup>27</sup>: Assess whether mechanisms to report and handle complaints have led to more focused efforts to combat abuse by determining:

- (1) the volume of reports of illegal conduct in connection with the use of the TLD that registries receive from governmental and quasi-governmental agencies;
- (2) the volume of inquires that registries receive from the public related to malicious conduct in the TLD;
- (3) whether more efforts are needed to publicize contact points to report complaints that involve abuse or illegal behavior within a TLD; and
- (4) what actions registries have taken to respond to complaints of illegal or malicious conduct in connection with the use of the TLD.

Such efforts could include surveys, focus groups, or Community discussions. If these methods prove ineffective, consideration could be given to amending future standard Registry Agreements to require registries to more prominently disclose their abuse points of contact and provide more granular information to ICANN. Once this information is gathered, future review teams should consider recommendations for appropriate follow up measures.

**Recommendation 21**: Include more detailed information on the subject matter of complaints in ICANN publicly available Contractual Compliance reports. Specifically, more precise data on the subject matter of complaints should be included, particularly:

- (1) the class/type of abuse;
- (2) the gTLD that is target of the abuse:
- (3) the safeguard that is at risk;
- (4) an indication of whether complaints relate to the protection of sensitive health or financial information;

<sup>&</sup>lt;sup>27</sup> Language in colored font was passed through to community groups identified by the CCT Review Team. See the 1 March 2019 Board action for more information.

- (5) what type of contractual breach is being complained of; and
- (6) resolution status of the complaints, including action details.

These details would assist future review teams in their assessment of these safeguards.

**Recommendation 22**: Initiate engagement with relevant stakeholders to determine what best practices are being implemented to offer reasonable and appropriate security measures commensurate with the offering of services that involve the gathering of sensitive health and financial information. Such a discussion could include identifying what falls within the categories of "sensitive health and financial information," and what metrics could be used to measure compliance with this safeguard.

**Recommendation 23**: ICANN should gather data on new gTLDs operating in highlyregulated sectors to include the following elements:

- A survey to determine 1) the steps registry operators are taking to establish working relationships with relevant government or industry bodies, and 2) the volume of complaints received by registrants from government and regulatory bodies and their standard practices to respond to those complaints;
- b. A review of a sample of domain websites within the highly-regulated sector category to assess whether contact information to file complaints is sufficiently easy to find;
- c. An inquiry to ICANN Contractual Compliance and registrars/resellers of highlyregulated domains seeking sufficiently detailed information to determine the volume and the subject matter of complaints regarding domains in highly-regulated industries.
- d. An inquiry to registry operators to obtain data to compare rates of abuse between those highly-regulated gTLDs that have voluntarily agreed to verify and validate credentials to those highly-regulated gTLDs that have not.
- e. An audit to assess whether restrictions regarding possessing necessary credentials are being enforced by auditing registrars and resellers offering the highly-regulated TLDs (i.e., can an individual or entity without the proper credentials buy a highly-regulated domain?).

To the extent that current ICANN data collection initiatives and Contractual Compliance audits could contribute to these efforts, the review team recommends that ICANN assess the most efficient way to proceed to avoid duplication of effort and leverage current work.

### Recommendation 24:

- a. Determine whether ICANN Contractual Compliance should report on a quarterly basis whether it has received complaints for a registry operator's failure to comply with either the safeguard related to gTLDs with inherent governmental functions or the safeguard related to cyberbullying.
- b. Survey registries to determine 1) whether they receive complaints related to cyberbullying and misrepresenting a governmental affiliation, and 2) how they enforce these safeguards.

**Recommendation 26**: A study to ascertain the impact of the New gTLD Program on the costs required to protect trademarks in the expanded DNS marketplace should be repeated at regular intervals to see the evolution of those costs over time. The CCT Review Team

recommends that the next study be completed within 18 months after issuance of the CCT final report, and that subsequent studies be repeated every 18 to 24 months. The CCT Review Team acknowledges that the Nielsen survey of INTA members in 2017 was intended to provide insight into this topic but yielded a lower response rate than anticipated. The Team recommends a more user-friendly and perhaps shorter survey to help ensure a higher and more statistically representative response rate.

Recommendation 30: Expand and improve outreach into the Global South.

Recommendation 31: The ICANN organization to coordinate the pro bono assistance program.

# **Appendix C: Board-Approved RDS-WHOIS2 Recommendations**

**Recommendation 1.1**: To ensure that RDS (WHOIS) is treated as a strategic priority, the ICANN Board should put into place a forward-looking mechanism to monitor possible impacts on the RDS (WHOIS) from legislative and policy developments around the world.

**Recommendation 1.2**: To support this mechanism, the ICANN Board should instruct the ICANN organization to assign responsibility for monitoring legislative and policy development around the world and to provide regular updates to the ICANN Board.

**Recommendation 1.3**: The ICANN Board, in drafting the Charter of a Board working group on RDS, should ensure the necessary transparency of the group's work, such as by providing for records of meetings and meeting minutes, to enable future review of its activities.

Recommendation 3.1: The ICANN Board should direct the ICANN organization to update all of the information related to RDS (WHOIS) and by implication other information related to the registration of second-level gTLDs domains. The content should be revised to make the information readily accessible and understandable, and it should provide details of when and how to interact with ICANN organization or contracted parties. Although not the sole focus of this recommendation, interactions with ICANN organization Contractual Compliance, such as when filing WHOIS Inaccuracy Reports, should be a particular focus. The revision of this web documentation and instructional material should not be undertaken as a purely internal operation but should include users and potentially focus groups to ensure that the final result fully meets the requirements. The resultant outward facing documentation of registrant and RDS (WHOIS) issues should be kept up to date as changes are made to associated policy or processes.

Recommendation 3.2: With community input, the ICANN Board should instruct the ICANN organization to identify groups outside of those that routinely engage with ICANN organization, and these should be targeted through RDS (WHOIS) outreach. An RDS (WHOIS) outreach plan should then be developed, executed, and documented. There should be an ongoing commitment to ensure that as RDS (WHOIS) policy and processes change, the wider community is made aware of such changes. WHOIS inaccuracy reporting was identified as an issue requiring additional education and outreach and may require a particular focus. RDS (WHOIS) outreach should be included when considering communications in underserved regions. The need for and details of the outreach may vary depending on the ultimate General Data Protection Regulation (GDPR) implementation and cannot be detailed at this point.

**Recommendation 10.2**: Reviewing the effectiveness of the implementation of WHOIS1 Recommendation #10 should be deferred. The ICANN Board should recommend that review be carried out by the next RDS (WHOIS) Review Team after PPSAI Policy is implemented.

**Recommendation 11.2**: The ICANN Board should direct the ICANN organization to ensure that the common interface displays all applicable output for each gTLD domain name registration as available from contracted parties, including multiple versions when the outputs from registry and registrar differ. The common interface should be updated to address any policy or contractual changes to maintain full functionality.

**Recommendation 12.1**: Reviewing the effectiveness of the implementation of Recs #12-14 should be deferred. The ICANN Board should recommend that review to be carried out by

the next RDS Review Team after RDAP is implemented, and the translation and transliteration of the registration data launches.

**Recommendation 15.1**: The ICANN Board should ensure that implementation of RDS-WHOIS2 Review Team recommendations is based on best practice project management methodology, ensuring that plans and implementation reports clearly address progress, and applicable metrics and tracking tools are used for effectiveness and impact evaluation.

**Recommendation LE.1**: The ICANN Board should resolve that ICANN organization conduct regular data gathering through surveys and studies to inform a future assessment of the effectiveness of RDS (WHOIS) in meeting the needs of law enforcement. This will also aid future policy development (including the current Temporary Specification for gTLD Registration Data Expedited Policy Development Process and related efforts).

**Recommendation LE.2**: The ICANN Board should consider conducting comparable surveys and/or studies (as described in LE.1) with other RDS (WHOIS) users working with law enforcement on a regular basis.

**Recommendation SG.1**: The ICANN Board should require that the ICANN org, in consultation with data security and privacy expert(s), ensure that all contracts with contracted parties (to include Privacy/Proxy services when such contracts exist) include uniform and strong requirements for the protection of registrant data and for ICANN to be notified in the event of any data breach. The data security expert(s) should also consider and advise on what level or magnitude of breach warrants such notification. In carrying out this review, the data security and privacy expert(s) should consider to what extent GDPR regulations, which many but not all ICANN contracted parties are subject to, could or should be used as a basis for ICANN requirements. The ICANN Board should initiate action intended to effect such changes. The ICANN Board should consider whether and to what extent notifications of breaches that it receives should be publicly disclosed.

**Recommendation CC.1**<sup>28</sup>: The ICANN Board should initiate action intended to ensure that gTLD domain names suspended due to RDS (WHOIS) contact data which the registrar knows to be incorrect, and that remains incorrect until the registration is due for deletion, should be treated as follows:

- (1) The RDS (WHOIS) record should include a notation that the domain name is suspended due to incorrect data; and
- (2) Domain names with this notation should not be unsuspended without correcting the data.

**Recommendation CC.2**: The ICANN Board should initiate action intended to ensure that all gTLD domain name registration directory entries contain at least one full set of either registrant or admin contact details comparable to those required for new registrations under the 2013 RAA (or any subsequent version thereof) or applicable policies.

**Recommendation CC.3**: The ICANN Board should take steps to ensure that ICANN Contractual Compliance is adequately resourced factoring in any increase in workload due to additional work required due to compliance with GDPR or other legislation/regulation.

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<sup>&</sup>lt;sup>28</sup> Recommendation CC.1 was approved in part and passed through in part to a designated community group for consideration. See the 25 February 2020 <u>Board action</u> for more information.

# Appendix D: Board-Approved SSR2 Recommendations

**Recommendation 1.1**: The ICANN Board and ICANN org should perform a further comprehensive review of the SSR1 recommendations and execute a new plan to complete the implementation of the SSR1 Recommendations (see Appendix D: Findings Related to SSR1 Recommendations).

**Recommendation 3.2**: The ICANN Board and ICANN org should ensure specific budget items relating to ICANN org's performance of SSR-related functions are linked to specific ICANN strategic plan goals and objectives. ICANN org should implement those mechanisms through a consistent, detailed, annual budgeting and reporting process.

**Recommendation 3.3**: The ICANN Board and ICANN org should create, publish, and request public comment on detailed reports regarding the costs and SSR-related budgeting as part of the strategic planning cycle.

**Recommendation 4.1**: ICANN org should continue centralizing its risk management and clearly articulate its Security Risk Management Framework and ensure that it aligns strategically with the organization's requirements and objectives. ICANN org should describe relevant measures of success and how to assess them.

**Recommendation 5.1**: ICANN org should implement an ISMS and be audited and certified by a third party along the lines of industry security standards (e.g., ITIL, ISO 27000 family, SSAE-18) for its operational responsibilities. The plan should include a road map and milestone dates for obtaining certifications and noting areas that will be the target of continuous improvement.

**Recommendation 5.2**: Based on the ISMS, ICANN org should put together a plan for certifications and training requirements for roles in the organization, track completion rates, provide rationale for their choices, and document how the certifications fit into ICANN org's security and risk management strategies.

**Recommendation 5.3**: ICANN org should require external parties that provide services to ICANN org to be compliant with relevant security standards and document their due diligence regarding vendors and service providers.

**Recommendation 5.4**: ICANN org should reach out to the community and beyond with clear reports demonstrating what ICANN org is doing and achieving in the security space. These reports would be most beneficial if they provided information describing how ICANN org follows best practices and mature, continually-improving processes to manage risk, security, and vulnerabilities.

**Recommendation 7.1**: ICANN org should establish a Business Continuity Plan for all the systems owned by or under the ICANN org purview, based on ISO 22301 "Business Continuity Management," identifying acceptable BC and DR timelines.

**Recommendation 7.2**: ICANN org should ensure that the DR plan for Public Technical Identifiers (PTI) operations (i.e., IANA functions) includes all relevant systems that contribute to the security and stability of the DNS and also includes Root Zone Management and is in line with ISO 27031. ICANN org should develop this plan in close cooperation with the Root Server System Advisory Committee (RSSAC) and the Root Server Operators (RSO).

**Recommendation 7.3**: ICANN org should also establish a DR plan for all the systems owned by or under the ICANN org purview, again in line with ISO 27031.

**Recommendation 7.5**: ICANN org should publish a summary of their overall BC and DR plans and procedures. Doing so would improve transparency and trustworthiness beyond addressing ICANN org's strategic goals and objectives. ICANN org should engage an external auditor to verify compliance with these BC and DR plans.

**Recommendation 9.1**: The ICANN Board should direct the compliance team to monitor and strictly enforce the compliance of contracted parties to current and future SSR and abuse related obligations in contracts, baseline agreements, temporary specifications, and community policies.

Recommendation 10.1: ICANN org should post a webpage that includes their working definition of DNS abuse, i.e., what it uses for projects, documents, and contracts. The definition should explicitly note what types of security threats ICANN org currently considers within its remit to address through contractual and compliance mechanisms, as well as those ICANN org understands to be outside its remit. If ICANN org uses other similar terminology—e.g., security threat, malicious conduct—ICANN org should include both its working definition of those terms and precisely how ICANN org is distinguishing those terms from DNS abuse. This page should include links to excerpts of all current abuse-related obligations in contracts with contracted parties, including any procedures and protocols for responding to abuse. ICANN org should update this page annually, date the latest version, and link to older versions with associated dates of publication.

**Recommendation 11.1**: The ICANN community and ICANN org should take steps to ensure that access to Centralized Zone Data Service (CZDS) data is available, in a timely manner and without unnecessary hurdles to requesters, e.g., lack of auto-renewal of access credentials.

**Recommendation 16.1**: ICANN org should provide consistent cross-references across their website to provide cohesive and easy-to-find information on all actions—past, present, and planned—taken on the topic of privacy and data stewardship, with particular attention to the information around the RDS.

**Recommendation 21.1**: ICANN org and PTI operations should accelerate the implementation of new RZMS security measures regarding the authentication and authorization of requested changes and offer TLD operators the opportunity to take advantage of those security measures, particularly MFA and encrypted email.

**Recommendation 22.1**: For each service that ICANN org has authoritative purview over, including root-zone and gTLD-related services as well as IANA registries, ICANN org should create a list of statistics and metrics that reflect the operational status (such as availability and responsiveness) of that service, and publish a directory of these services, data sets, and metrics on a single page on the icann.org website, such as under the Open Data Platform. ICANN org should produce measurements for each of these services as summaries over both the previous year and longitudinally (to illustrate baseline behavior).

**Recommendation 22.2**: ICANN org should request community feedback annually on the measurements. That feedback should be considered, publicly summarized after each report, and incorporated into follow-on reports. The data and associated methodologies used to measure these reports' results should be archived and made publicly available to foster reproducibility.

Recommendation 23.1: PTI operations should update the DNSSEC Practice Statement (DPS) to allow the transition from one digital signature algorithm to another, including an anticipated transition from the RSA digital signature algorithm to other algorithms or to future post-quantum algorithms, which provide the same or greater security and preserve or improve the resilience of the DNS.

Recommendation 23.2: As a root DNSKEY algorithm rollover is a very complex and sensitive process, PTI operations should work with other root zone partners and the global community to develop a consensus plan for future root DNSKEY algorithm rollovers, taking into consideration the lessons learned from the first root KSK rollover in 2018.

Recommendation 24.1: ICANN org should coordinate end-to-end testing of the full EBERO process at predetermined intervals (at least annually) using a test plan that includes datasets used for testing, progression states, and deadlines, and is coordinated with the ICANN contracted parties in advance to ensure that all exception legs are exercised and publish the results.

Recommendation 24.2: ICANN org should make the Common Transition Process Manual easier to find by providing links on the EBERO website.