

	A	B	C	D	E
1	Topic Area	Relevant Text	Specific Issue(s) for Implementation	Specific Question for IRT	IRT Feedback
2	Data Escrow/Retention		Implementation of data escrow and retention requirements for accredited Providers in light of existing requirements for Registrars.		Discussion on the 24 January 2017 IRT call indicated that escrow and retention requirements should be proposed, but requirements should not be duplicated where a Provider is Affiliated with a Registrar.
3	Data Escrow	<b>2013 RAA Specification on Privacy and Proxy Registrations (expires 1 January 2018):</b> "2.5 Escrow of P/P Customer Information. Registrar shall include P/P Customer contact information in its Registration Data Escrow deposits required by Section 3.6 of the Agreement. P/P Customer Information escrowed pursuant to this Section 2.5 of this Specification may only be accessed by ICANN in the event of the termination of the Agreement or in the event Registrar ceases business operations."	This requirement expires with the interim specification.	See below, rows 6-8	
4		<b>2013 RAA, Section 3.6:</b> "3.6 Data Escrow. During the Term of this Agreement, on a schedule, under the terms, and in the format specified by ICANN, Registrar shall submit an electronic copy of the data described in Subsections 3.4.1.2 through 3.4.1.5 [Section 3.4.1.5 refers to "the name, postal address, e-mail address, and voice telephone number provided by the customer of any privacy service or licensee of any proxy registration service, in each case, offered or made available by Registrar or its Affiliates in connection with each registration"] to ICANN or, at Registrar's election and at its expense, to a reputable escrow agent mutually approved by Registrar and ICANN, such approval also not to be unreasonably withheld by either party. The data shall be held under an agreement among Registrar, ICANN, and the escrow agent (if any) providing that (1) the data shall be received and held in escrow, with no use other than verification that the deposited data is complete, consistent, and in proper format, until released to ICANN; (2) the data shall be released from escrow upon expiration without renewal or termination of this Agreement; and (3) ICANN's rights under the escrow agreement shall be assigned with any assignment of this Agreement. The escrow shall provide that in the event the escrow is released under this Subsection, ICANN (or its assignee) shall have a non-exclusive, irrevocable, royalty-free license to exercise (only for transitional purposes) or have exercised all rights necessary to provide Registrar Services."	This requirement, for Registrars to escrow certain Privacy/Proxy Customer data, does not automatically expire with the expiration of the 2013 RAA Specification on Privacy and Proxy Registrations or with the implementation of the Privacy and Proxy Service Provider Accreditation Program.	See below, rows 6-8	
5	Data Retention	<b>2013 RAA, Section 3.4.1.5:</b> "3.4.1.5 [For each Registered Name sponsored by Registrar within a gTLD, Registrar shall collect and securely maintain, in its own electronic database, as updated from time to time...] the name, postal address, e-mail address, and voice telephone number provided by the customer of any privacy service or licensee of any proxy registration service, in each case, offered or made available by Registrar or its Affiliates in connection with each registration. <b>Effective on the date that ICANN fully implements a Proxy Accreditation Program established in accordance with Section 3.14, the obligations under this Section 3.4.1.5 will cease to apply as to any specific category of data (such as postal address) that is expressly required to be retained by another party in accordance with such Proxy Accreditation Program.</b> " (emphasis added)	This requirement ceases to apply, upon the implementation of the Accreditation Program, as to any specific category of data that is expressly required to be retained by another party.		

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1	Topic Area	Relevant Text	Specific Issue(s) for Implementation	Specific Question for IRT	IRT Feedback
6	Data Escrow/Retention			In light of existing RAA requirements for Registrars' retention and escrow of Privacy and Proxy Service Customer data, and in light of the discussions during the 24 <sup>th</sup> January 2017 Privacy/Proxy Implementation Review Team meeting, the ICANN organization should implement data escrow and retention requirements for accredited Privacy and Proxy Service Providers as follows (choose one):	
7				1. The data escrow and retention requirements for Registrars (with respect to Privacy/Proxy Customer data) should be superseded by new requirements for all accredited Privacy and Proxy Service Providers, so that Registrars would no longer be required to retain or escrow the underlying Customer data associated with Privacy and Proxy Service registrations offered or made available by the Registrar or its affiliates; or	
8				2. ICANN should permit the Registrar and the accredited Privacy and Proxy Service Provider to choose whether the Registrar or the Provider will be responsible for escrow and retention of Customer data.	
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