

29 April 2026

Urgent Requests for Lawful Disclosure of Nonpublic Registration Data

TO: Tripti Sinha
Chair, ICANN Board of Directors

CC: Nicolas Caballero
Chair, Governmental Advisory Committee

Dear Tripti,

During the first [GNSO Working Session](#) at ICANN85, ICANN Board Members Greg DiBiase and Wes Hardaker joined the GNSO Council to provide an update on urgent requests.

Timeline for Urgent Requests for Lawful Disclosure

Greg and Wes noted that the [public comment period](#) on the timeline for Urgent Requests for lawful disclosure of nonpublic registration data had closed, with feedback generally supporting the proposed timeline and associated policy language. Accordingly, ICANN org is prepared to include the updated policy language in the [Registration Data Policy](#).

The GNSO Council acknowledges that the outstanding question of the timeline for response to urgent requests for lawful disclosure of nonpublic registration data is now concluded, and ICANN org will proceed to publish the updated policy language. The NCSG would like to note its disagreement with this decision.

Absence of Reference to Authentication in Recommendation 18

In providing this update, Greg and Wes flagged a potential gap with respect to the enforcement of the urgent request timeline. Specifically, while the [Board](#), [GAC](#), and [GNSO Council](#) all agree on the importance of authenticating emergency law enforcement requestors in order to respond to urgent requests in an appropriate timeframe, there is no reference to authentication in Rec. 18, which could result in an enforcement gap.

In recognition of this gap, Greg and Wes suggested options to address the gap, including (a) GNSO Council could confirm that completing additional authentication work fulfills the implementation of Rec. 18 and no further policy development work is needed, (b) GNSO Council could incorporate additional efforts on authentication in its work on Supplemental Recommendations for EPDP Phase 2 (SSAD), or (c) the Board could un-adopt a subsection of Rec. 18.

During the GNSO Council meeting on 16 April 2026, the Council agreed to continue discussion of authentication as part of its work on the SSAD Supplemental Recommendations. The Council has requested the support of an ICANN Board liaison(s) for the Council SSAD Supplemental Recommendations Team and looks forward to the Board's input to the process.

Public Safety Working Group (PSWG) Work on Authentication

The GNSO Council appreciates the ongoing work of the Public Safety Working Group (PSWG) on authentication. During ICANN85, some members of the ICANN community suggested that discussions about a viable technical mechanism for authenticating emergency law enforcement requestors should be more transparent. While this suggestion does not take away from the Council's appreciation for the work done by the PSWG to date, the Council does support further work on advancing requirements development and proof-of concept testing discussions in a transparent process, with regular opportunities for feedback from the ICANN community.

Lastly, the Council wanted to take the time to thank both Greg and Wes for bringing this issue to the Council's attention. We very much appreciate the opportunity to engage in an informal dialogue and discuss how to make progress on important issues to both the ICANN Board and GNSO Council.

Sincerely,

Susan Payne
GNSO Chair