GNSO gTLD Registries Stakeholder Group Statement

Issue: Inventory of WHOIS Service Requirements Initial Report

Date: May 17, 2010

Issue Document URL: http://gnso.icann.org/issues/ (See WHOIS)

Regarding the issue noted above, the following statement represents the views of the ICANN GNSO gTLD Registries Stakeholder Group (RySG) as indicated. The RySG statement was arrived at through a combination of RySG email list discussion and RySG meetings (including teleconference meetings).

The RySG expresses appreciation for what we believe is very constructive report. We believe that it provides an excellent basis for additional definition of WHOIS service requirements for the future.

We submit the following comments with the intent of identifying possible areas of improvement in future versions of the report.

RySG Comments

The Initial Report contains "Inventory Items" (the first is R1 on page 16). It would help to further clarify the purpose of these for readers, and to standardize their wording in a consistent fashion. Some are stated as suggestions or options, while others are phrased as policy directives or conclusions (such as Items R-8.2 and 4-10). At this time none are "requirements" – rather they are possible or proposed requirements, and the actual requirements will be determined later. Inventory Items phrased as policy directives and conclusions seem confusing since "the report is a technical inventory and does not intend to define or suggest the policies or operational rules that should apply."

The Initial Report says "In this document, unless otherwise specified, when we refer to WHOIS, we mean the WHOIS services that include the WHOIS clients of all kinds and WHOIS servers that implement the protocol as well as the databases that store the domain registration data" (section 3.1). We note that the veracity of "truthfulness" of data is often completely separate from and non-dependent upon the WHOIS service and WHOIS protocol.

Bulk WHOIS is a "WHOIS service" as per the RAA and registry contracts, and should be mentioned in the Initial Report (such as in "4.1: WHOIS Service at the Registry Level" and "4.2: WHOIS Service at the Registrar Level"). The Initial Report should not assume that port 43 WHOIS should be the only means to provide WHOIS information, or that port 43 (or a successor protocol) is the one or best tool for solving all business or technical needs.

Content of registration data provided via WHOIS may differ across TLDs. Some gTLD registry agreements, such as .tel, have provisions in place that in certain circumstances exclude personal information from the public WHOIS. For example, .tel WHOIS output for individuals may only mention registrant's name with no other contact information. We recommend that these sorts of special provisions be mentioned in the report.

3. Background and Terminology

Bulk WHOIS is a "WHOIS service" as per the RAA and registry contracts, and should be mentioned in the Initial Report (including in sections 3: "Background and Terminology," "4.1: WHOIS Service at the Registry Level," and "4.2: WHOIS Service at the Registrar Level"). The Initial Report should not assume that port 43 WHOIS should be the only means to provide WHOIS information, or that port 43 (or a successor protocol) is the one or best tool for solving all business or technical needs.

3.2 Usage of Whois

The third bullet on page 8 says, ". . . WHOIS queries provide information that is often useful in resolving a registration ownership issue". We suggest deleting the word "ownership" because it has implications that do not apply to domain name registrations.

Section 3.2 says "Miscreants allegedly use WHOIS….." This should be changed to "Miscreants use WHOIS….." These uses are not theoretical and have been well-substantiated by SSAC 023, security firms, law enforcement, and registries and registrars.

4.1 Whois Service at the Registry Level

The third sentence of the first paragraph on page 12 says, "A thin registry only includes data sufficient to identify the sponsoring registrar, status of the registration, and creation and expiration dates for each registration in its WHOIS data store." Note that thin registries also include "name server data, and may provide other fields such as "Last Updated." This should be corrected in this sentence as well as in the next-to-last sentence in the same paragraph.

5, New Requirements

As the community moves forward with regard to new WHOIS requirements an important question for inclusion in the Initial Report is which of the proposed requirements in this section involve Internet standards issues that are the responsibility of the Internet Engineering Task Force (IETF). It is possible that some of them have already been dealt with by the IETF. It could also be the case that additional standards work needs to be done regarding some of the requirements. Whatever the case, we recommend that any standards work that may be needed be identified and steps taken to initiate the any needed standards development work as soon as possible so as to avoid possible delays later when additional WHOIS policy work may occur.

5.1 Mechanism to find Authoritative Whois Servers

The first sentence of this section on page 15 says, "Currently each registry, and for thin registries each registrar also, maintains its own WHOIS server." Should this be changed to "Currently each registry, and for thin registries, each registrar also maintains its own authoritative WHOIS server?"

The second sentence says, "There is no easy way to find out the domain names and IP addresses of the WHOIS servers for a given TLD or registrar, although whois.nic.TLD is a common host naming convention for WHOIS servers." It should be noted that the IANA maintains a root zone database that includes the WHOIS server location data for each TLD. As an example, see the following URL for the .com delegation record: http://www.iana.org/domains/root/db/com.html.

We are not sure of the significance of the IP addresses of WHOIS servers. It is generally inadvisable for users to go to an IP rather than a server URI because service providers occasionally need to change their IPs.

5.5 Standardized Set of Query Capabilities

Searches by registrant name, contact postal address, etc. were what Bulk WHOIS access was designed to provide. This should be noted.

The Initial Report mentions benefits/beneficiaries of contact searches. Drawbacks and challenges should be mentioned as well. These include:

- The paper is incorrect in saying that such contact searches are "not particularly challenging technically for thick registries." Such searches do pose significant technical issues, and indeed it

might not be possible to deliver such searches under the contractual SLAs that gTLD registries are obligated to deliver to ICANN.
- Contact searches may facilitate malicious activities.
- Current practice in both gTLDs and ccTLDs is to not provide such contact searches. There are probably both social and technical reasons for this current state of the industry, and it may be worth noting in the Initial Report that this should be explored further.

We note that the papers cited in 5.5 are eight years old – ancient in ICANN and Internet terms. The question is whether the observations and recommendations in them are still relevant. We assume that such questions will be explored in the processes to come.

5.6 Quality of domain registration data

The third full paragraph on page 21 says, "Finally, **Currency** is a database attribute. Are the collected registration data current? Are these data maintained in an appropriate cycle to provide the most accurate picture of the registrant possible? Sometimes the WHOIS data can be quite outdated. From a technical perspective, one way to inform the currency of the WHOIS data is to add a time stamp in the WHOIS data that shows when the field was last verified or updated." We note that an 'Inventory Item' was not included for this. Was that intentional? If so, why?

We note that the currency and the accuracy of WHOIS data are not necessary equivalent.

5.8.1 Authentication

A current example of a "WHOIS-WHOIS" authentication service is the .name premium name Whois service.

5.8.2 Access Control (authorization)

The first paragraph on page 24 refers to the "financial services" proposal but there is no reference information. What is this?

5.9 Thick vs. thin Whois

At the bottom of page 25, the Initial report says, "Registrars set their own conventions and standards for submission and display, archival/restoration and security (of) registrant information….. Today, for example, WHOIS data submission and display conventions vary among registrars." It should be noted that the RAA is clear about registrar escrow and what WHOIS fields that registrars must display.

That section also brings up matters separate from WHOIS display – such as how registrars operate their Web sites ("standards for submission"), disaster recovery ("archival/restoration"), and how registrars execute their IT security ("security of registrant information"). These seem out of scope.

The first full paragraph on page 26 says the following: "Like other centralized databases, a thick WHOIS model offers attractive archival and restoration properties. If a registrar were to go out of business or experience long term technical failures rendering them unable to provide service, registries maintaining thick WHOIS have all the registrant information at hand and could transfer the registrations to a different (or temporary) registrar so that registrants could continue to manage their domain names." It should be noted that data escrow is the primary means for dealing with such a situation. The need to fall back on registry data occurs if the registrar has failed to escrow its data, which is a contractual compliance problem.

Inventory item R-9 on page 26 says, "All new TLDs should operate a thick WHOIS. Consistent with these recommendations for future WHOIS services, new or legacy registries should consider evolving to a thick WHOIS [12]." It seems like it would be useful to point out that this would be a significant undertaking for

gTLDs like .com with well over 80 million registrations. In that regard, on the technical side, what would be the impact to EPP commands and service level requirements? On the service side, what would be the impact on registrants and registrars? Some discussion of these issues would probably be a good idea.

5.11 Registrar Abuse Point of Contact

The Issues Report says: "The new gTLD malicious conduct report follows up on SSAC's recommendation and requires that a Registry Operator shall provide a single abuse point of contact for all domains with the TLD [etc.]." That malicious conduct report contains a variety of assertions, but it is ancillary/extra-contractual and "requires" nothing. Staff needs to re-examine the second paragraph of 5.11.

6. Draft Compilation of Requirements

Here are some possible additional requirements that could be considered:
- Ensuring consistency of data between registries and registrars (for thin registries)
- Accommodating privacy services in a manner that effectively provides access to information
- Mitigating impacts to SLAs and EPP commands in migrations from thin to thick WHOIS data.

RySG Level of Support

1. **Level of Support of Active Members**: Supermajority

    1.1. # of Members in Favor: 10

    1.2. # of Members Opposed: 0

    1.3. # of Members that Abstained: 0

    1.4. # of Members that did not vote: 3

2. **Minority Position**(s): N/A

General RySG Information

- Total # of eligible RySG Members[1]: 14

- Total # of RySG Members: 13

- Total # of Active RySG Members[2]: 13

- Minimum requirement for supermajority of Active Members: 9

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[1] All top-level domain sponsors or registry operators that have agreements with ICANN to provide Registry Services in support of one or more gTLDs are eligible for membership upon the "effective date" set forth in the operator's or sponsor's agreement (RySG Articles of Operation, Article III, Membership, ¶ 1). The RySG Articles of Operation can be found at <http://gnso.icann.org/files/gnso/en/improvements/registries-sg-proposed-charter-30jul09-en.pdf>. The Universal Postal Union recently concluded the .POST agreement with ICANN, but as of this writing the UPU has not applied for RySG membership.

[2] Per the RySG Articles of Operation, Article III, Membership, ¶ 6: Members shall be classified as "Active" or "Inactive". A member shall be classified as "Active" unless it is classified as "Inactive" pursuant to the provisions of this paragraph. Members become Inactive by failing to participate in a RySG meeting or voting process for a total of three consecutive meetings or voting processes or both. An Inactive member shall have all rights and duties of membership other than being counted as present or absent in the determination of a quorum. An Inactive member may resume Active status at any time by participating in a RySG meeting or by voting.

- Minimum requirement for majority of Active Members: 7

- # of Members that participated in this process: 13

- Names of Members that participated in this process: 13

    1. Afilias (.info & .mobi)
    2. DotAsia Organisation (.asia)
    3. DotCooperation (.coop)
    4. Employ Media (.jobs)
    5. Fundació puntCAT (.cat)
    6. Museum Domain Management Association – MuseDoma (.museum)
    7. NeuStar (.biz)
    8. Public Interest Registry - PIR (.org)
    9. RegistryPro (.pro)
    10. Societe Internationale de Telecommunication Aeronautiques – SITA (.aero)
    11. Telnic (.tel)
    12. Tralliance Registry Management Company (TRMC) (.travel)
    13. VeriSign (.com, .name, & .net)

- Names & email addresses for points of contact
    o Chair: David Maher, dmaher@pir.org
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    o Secretariat: Cherie Stubbs, Cherstubbs@aol.com
    o RySG representative for this statement: Chuck Gomes, cgomes@verisign.com