Goals of WHOIS studies

- WHOIS policy has been debated for many years

- Many competing interests with valid viewpoints

- GNSO Council hopes that study data will provide objective, factual basis for future policy making

- Council identified several WHOIS study areas to test hypotheses that reflect key policy concerns

- Council asked staff to determine costs and feasibility of conducting those studies

- Staff used an RFP approach to do so

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1. WHOIS Misuse

- Assess whether public WHOIS significantly increases harmful acts and impact of anti-harvesting measures

    1. Survey registrants, registrars, research and law enforcement orgs about past acts.
    2. Measure variety of acts aimed at WHOIS published vs. unpublished test addresses.

- Status
    - 3 RFP responses received and analyzed in March 2010
    - Council decided to proceed with study in September 2010
    - Contract establishment now underway

http://gnso.icann.org/issues/whois/
tor-whois-misuse-studies-25sep09-en.pdf

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2. WHOIS Registrant Identification

- Determine how registrants identify themselves in WHOIS, and to what extent are domains registered by businesses or used for commercial purposes

  1. Are not clearly identified as such in WHOIS; and
  2. Related to use of Privacy & Proxy registration services

- Status
  - 5 RFP responses received and analyzed in March 2010
  - Pending GNSO council motion (if any) to proceed

  http://gnso.icann.org/issues/whois/
  whois-registrant-identification-studies-23oct09-en.pdf

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3. WHOIS Privacy/Proxy Abuse

- Compare broad sample of Privacy & Proxy-registered domains associated with alleged harmful acts to assess

  1. How often "bad actors" try to obscure identity in WHOIS
  2. How this rate of abuse compares to overall P/P use
  3. How this rate compares to alternatives like falsified WHOIS data, compromised machines, and free web hosting

- Status
  - 3 RFP responses received and analyzed in September 2010
  - Pending GNSO council motion (if any) to proceed

  http://gnso.icann.org/issues/whois/
  [gnso-whois-pp-abuse-studies-report-05oct10-en.pdf](http://gnso.icann.org/issues/whois/gnso-whois-pp-abuse-studies-report-05oct10-en.pdf)

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Staff analysis

- Estimated cost/duration -- $150,000, < 1 year to complete

- Live-feed sampling tractable for many activities, including
  - Spam, phishing, malware, software piracy, counterfeit merchandise, money laundering, child pornography, and cyber/typo squatting
- Researchers found some activities irrelevant or too difficult
  - On-line stalking, DoS, DNS poisoning, media piracy, fee fraud
- Unlikely to reliably filter out "false positives"

- Despite limitations, results might be useful to:
  - Supply empirical data on how often alleged bad actors obscure their identity using methods including (but not limited to) P/P abuse
  - If P/P rate is high among bad actors, as compared to a control sample or alternative methods, policy changes may be warranted

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4. WHOIS P/P Relay & Reveal

- Analyze communication relay and identity reveal requests sent for Privacy & Proxy-registered domains:

  1. To explore and document how they are processed, and

  2. To identify factors that may promote or impede timely communication and resolution.

- Status
  - RFP posted 29 September 2010
  - Responses due 30 November from interested bidders

http://www.icann.org/en/announcements/announcement-29sep10-en.htm

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Study Area/Topic	Proposal X-ref	Specific studies defined	Current status	Other Information
1. WHOIS Misuse Studies **Extent to which publicly displayed WHOIS data is misused**	**Study # 1, #14, #21 GAC data set 2**	1. **Experimental: register test domains and measure harmful messages resulting from misuse** 2. **Descriptive: study misuse incidents reported by registrants, researchers/ law enforcement**	**Council decided 8 Sept 2010 to proceed with this study.** **Cost: 150,000** **Time estimate: 1 year**	▪ **Can count and categorize harmful acts attributed to misuse and show data was probably not obtained from other sources** ▪ **Some acts might be difficult to count** ▪ **Cannot tie WHOIS queries to harmful acts, which makes it difficult to prove that reductions in misuse were caused by specific anti-harvesting measures** ▪ **Difficult to assess whether misuse is "significant"**
2. WHOIS Registrant Identification Study	**GAC 5, GAC 6 #13a, #18 GAC 9, GAC 10**	1. **Gather info about how business/commercial domain registrants are identified** 2. **Correlate such identification with use of proxy/privacy services**	**5 RFP responses received. Staff analysis to Council on 23 March 2010.** **Cost: 150,000** **Time estimate: 1 year**	▪ **Can classify ownership and purpose of what appear to be commercial domains without clear registrant information, and measure how many were registered using a P/P service** ▪ **Might provide insight on why some registrants are not clearly identified** ▪ **Use of P/P services by businesses**
3. WHOIS Privacy and Proxy "Abuse" Study	**#17, #19 GAC 1, GAC 11**	**Compare broad sample of P/P-registered domains associated with alleged harmful acts with overall frequency of P/P registrations** **gnso.icann.org/issues/whois/ gnso-whois-pp-abuse-studies- report-05oct10-en.pdf**	**3 RFP responses received. Staff analysis to Council on 5 October 2010.** **Cost: 150,000** **Time estimate: < 1 year**	▪ **Can sample many harmful acts to assess how often alleged "bad actors" try to obscure identity in WHOIS** ▪ **Compare bad actor P/P abuse rate to control sample *and* to alternatives like falsified WHOIS data, compromised machines, and free web hosting** ▪ **Some kinds of acts not sampled due to irrelevance and/or difficulty** ▪ **Cannot reliably filter out "false positive" incident reports**
4. WHOIS Privacy and Proxy "Relay & Reveal" Study	**#3, #13b, #13c, #20**	**Analyze relay and reveal requests sent for P/P-registered domains to explore and document how they are processed**	**RFP posted on 29 September, responses due 30 November 2010.**	**RFP and Terms of Reference: www.icann.org/en/announcements/ announcement-29sep10-en.htm**

http://gnso.icann.org/whois/whois-studies-chart-october.pdf

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