Update report on GNSO-requested WHOIS studies

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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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WHOIS studies - February Update

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 Contract negotiations are underway. We hope to begin the study in March 2011.**	▪ **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 Pending decision by Council to proceed.**	▪ **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 Pending decision by Council to proceed.**	▪ **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**

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WHOIS studies - February Update

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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 gnso.icann.org/issues/whois/whois-pp-relay-reveal-studies-report-11feb11-en.pdf	RFP posted on 29 September, responses due 30 November 2010. No bids received. Staff analysis (posted 11 February) recommends conducting a pre-study survey to identify willing volunteers. Cost: 60,000-80,000 Time estimate: 4 months	RFP and Terms of Reference: www.icann.org/en/announcements/announcement-29sep10-en.htm • May be difficult to find diverse set of participants • Likely concerns by Registrars, Law Enforcement, privacy and business sensitivities • Others will have limits to the data they will disclose • Data collection aids may help
5. Non-ASCII Registration Information	Previously Study #11	Technical analysis of how non-ASCII registration information is displayed in WHOIS	On hold pending work of Internationalized Registration Data WG.	IRD WG Workshop was conducted in Brussels. Interim report was presented in Cartagena. See: Internationalized Registration Data Working Group Interim Report.
6. WHOIS Service Requirements	Separate request – 7 May 2009	Compile a list of WHOIS service requirements based on current + previous policy discussions	Final report is complete. GNSO Council to discuss.	http://gnso.icann.org/issues/whois/whois-service-requirements-final-report-29jul10-en.pdf

Note: Study areas 1-5 reflect all the studies initially requested by the GNSO Council 4 March, 2009. Study area 6 was requested by the Council 7 May, 2009.

http://gnso.icann.org/whois/whois-studies-chart-11feb11-en.pdf

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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
  – No responses received - Requested comment from past bidders
  – Analysis posted 11 February 2011 recommends Pre-Study Survey
  – Pending GNSO Council motion (if any) to proceed

http://gnso.icann.org/issues/whois/
whois-pp-relay-reveal-studies-report-11feb11-en.pdf

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Staff analysis

- Potential bidders had significant concerns about feasibility
  - Difficulty of finding diverse volunteers willing and able to supply sufficient Relay and Reveal data sample
  - Privacy/Proxy Providers, Law Enforcement unlikely to participate
  - Privacy laws and business sensitivities may deter participation
  - Volunteers likely to have limits on data they can disclose

- Pre-study feasibility survey may help to:
  - Assess community willingness and ability to participate
  - Identify potentially-interested volunteers and their limitations
  - Identify available data and conditions for sharing it
  - Explore benefit of incentives and data collection aids

- Estimated cost/duration of pre-study survey (in English)
  - $60,000 - $80,000, 4 months to complete

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Questions?

Thank you!