



26 June 2018

Subject: SSAC2018-17: SSAC Input to the Chartering of GNSO Expedited Policy Development Process on Temporary Specification of gTLD Registration Data

To: Heather Forrest, Chair of the Generic Names Supporting Organization (GNSO) Council

Dear Heather,

The SSAC would like to take this opportunity to call the attention of the GNSO Council to recommendations made in *SAC101:SSAC Advisory Regarding Access to Domain Name Registration Data* as the Council deliberates on the Expedited Policy Development Process (ePDP) on the Temporary Specification of gTLD Registration Data. Several of the recommendations are presented specifically as inputs to the ePDP currently under construction. In particular:

Recommendation 1: The ICANN Board, ICANN Organization, and ICANN community must solve long-deferred problems regarding domain registration data and access to it. SSAC recommends that the ICANN Board oversee the creation and execution of a plan that accomplishes the following interconnected tasks in a coordinated fashion, with timely deadlines. The creation and execution of this plan should be a top priority of the Board and the ICANN Organization staff.

A. ICANN policy-making should result in a domain registration data policy, including statements of purposes for the collection and publication of the data. This should clarify what uses are legitimate, and what data set will be published publicly versus by tiered access. SSAC assumes that this work will be accomplished via a GNSO Expedited Policy Development Process (EPDP). The Board should work with the GNSO Council to ensure that the policy-making process avoids past process failures so that outcomes can be reached.

Recommendation 2: The ICANN Board should direct the ICANN Organization to incorporate the following principle into its contracts with gTLD RDDS service providers: Legitimate users must be able to gain operational access to the registration data that policy says they are authorized to access, and must not be rate-limited unless the user poses a demonstrable threat to

a properly resourced system. This recommendation is also made to policy-makers participating in the EPDP. SSAC believes that it is not up to an RDDS operator to decide how many or which queries a legitimate user can perform, or when, as long as that user is performing queries in accordance with ICANN policy and the user does not endanger a properly resourced RDDS system. This principle applies to authorized users accessing gated RDDS, who have demonstrated their legitimate purposes.

Recommendation 3: The ICANN Board and EPDP policy-makers should ensure that security practitioners and law enforcement authorities have access to domain name contact data, via RDDS, to the full extent allowed by applicable law.

Recommendation 5: The SSAC reiterates Recommendation 2 from SAC061: "The ICANN Board should ensure that a formal security risk assessment of the registration data policy be conducted as an input into the Policy Development Process. A separate security risk assessment should also be conducted regarding the implementation of the policy." These assessments should be incorporated in PDP plans at the GNSO. Among other aspects, the risk assessment should assess how the policy will affect access to and use of domain registration data by law enforcement bodies and security practitioners.

Further, one additional sub-recommendation of Recommendation 1 is relevant to the conversation taking place around an accredited access framework and eventual program.

D. The ICANN Board should support the creation of an accredited RDDS access program, with the ICANN Organization ensuring the creation, support of, and oversight of the supporting technical access mechanism. This program will identify qualified users, enable their access under appropriate data protection measures, and will allow RDDS server operators to manage those users' access accordingly. The technical access mechanism should include a credential management system so that users do not need to negotiate and set up access with RDDS operators individually.

The entirety of SAC101 which includes rationale and background materials supporting these recommendations can be found on the ICANN website.

The SSAC would ask for your consideration of these issues in your deliberations on the scope of one or more ePDPs and associated work to deal with this difficult issue. The SSAC greatly appreciates the effort the GNSO is undertaking and looks forward to supporting this effort.

Best Regards,

Rod Rasmussen
Chair, ICANN Security and Stability Advisory Committee
On behalf of the SSAC