

RDS-WHOIS2 Review Team Recommendation Assessment Tool – Draft as of 12 July

Subgroup	R1	R2	R3		R4								R11	R12	R15	Cons	Safe
	Strat	Policy	Outreach		Compliance								I/F	IDN	Plan	Trust	Data
Recommendation #	1.1	2.1	3.1	3.2	4.1	4.2	4.3	4.4	4.5	4.6	4.7	4.8	11.1	12.1	15.1	CT.1	SG.1
<b>DID SUBGROUP PROVIDE:</b>																	
Problem Statement	✓	u	✓	✓	✓	✓	u	u	✓	✓	u	u	✓	✓	u	?	✓
Findings	✓	✓	✓	✓	✓	u	✓	✓	✓	✓	u	✓	✓	✓		✓	u
Rationale – Intent	✓	✓	✓	✓	✓	u	✓	✓	✓	✓	u	✓	✓	✓	✓		✓
Envisioned Outcome	✓		✓		✓	✓	u	✓	✓		u	u	✓		?		✓
How Finding Lead to Rec	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	u	u	✓	✓		✓	u
Impact if not addressed	✓												✓				
Aligned with Plan/Mission?	✓	✓			✓	✓		✓	✓				✓				✓
In Scope?	✓	✓			✓	✓		✓	✓				✓				
Impacted Functional Areas		✓			✓	✓	✓				✓		✓				✓
Impacted Groups	✓	✓			✓	✓	✓		u		✓		✓		?		✓
Feasibility	✓					✓					u		✓		✓		✓
Implementation Responsibility	✓	u			✓	✓	✓	✓	✓	✓		✓	✓		✓		
Target for a success	✓	u			?	✓	✓	✓				?	?		✓		
Already underway	✓	u					✓	✓					✓	✓	✓		
Timeline (<6m,<12m,Yr+)	<6				<6		<6	<6	<6	<6		<6			<6		
<b>FOR RT TO ANSWER:</b>																	
Priority (within top 5 – Y or N)																	
Consensus (#agree:#disagree)																	
Specific?																	
Measureable?																	
Relevant?																	
Achievable?																	
Time bound?																	

**Key:**

- ✓ Addressed in Subgroup draft report’s recommendation text
- u Addressed, but that text is pending a planned update by Subgroup
- blank Not yet addressed – Subgroup should expand recommendation text to fill this gap

<b>SUBGROUP</b>	<b>#</b>	<b>Summary of Subgroup's Draft Recommendations (as of 12 July 2018)</b>
<b>Rec1 Strategic Priority</b>	<b>1.1</b>	The ICANN Board should update the Charter of its BWG-RDS to include forward-looking planning, based on a regular assessment of the RDS' fitness to meet legal requirements and legitimate user needs as outlined in the Bylaws.
<b>Rec2 Single Policy</b>	<b>2.1</b>	Accept that the adoption of the EWG's Final Report and development of the framework for the Board-initiated GNSO RDS PDP[s] is intended to deliver a holistic next generation WHOIS policy framework that would address current set of fragmented and decentralized WHOIS policies.
<b>Rec3 Outreach</b>	<b>3.1</b>	All of the information related to WHOIS and by implication to other information related to the registration of 2nd level gTLD Domains needs to be revised with the intent of making the information readily accessible and understandable. This should be done post-GDPR implementation and consideration should be given to deferring this until we have a stable permanent GDPR implementation. The revision of this web documentation and instructional material should not be undertaken as a purely internal operation but should include users and potentially focus groups to ensure that the final result fully meets the requirements.
	<b>3.2</b>	With community input, ICANN should decide to what extent there is a need to carry out outreach to groups outside of the normal ICANN participant, and should such outreach be deemed necessary, a plan should be developed to carry this out and document it. The need for and details of the outreach may vary depending on the ultimate GDPR implementation and cannot be detailed at this point.
<b>Rec4 Compliance</b>	<b>4.1</b>	Require all new policies implemented to be measured, audited, tracked and enforced by the compliance team. Policy should integrate metrics, measurements, and reporting to ensure that the policy is effective in addressing the issue, and when metrics are defined, compliance would audit, track, report, and enforce as applicable for the policy.
	<b>4.2</b>	Require all domain name registrations to adhere to the WHOIS requirements in the 2013 RAA. Once a policy is implemented all gTLD registrations must adhere to the new rules within a 12 month period. Assess the grandfathered domain names to see if this is a problem if so a new policy should be created to ensure all gTLDs adhere to the requirements of registrant data collection in the 2013 RAA.
	<b>4.3</b>	Domain names suspended due to inaccurate information and remain in that state until it is due for renewal the WHOIS record should be updated to a new status and the inaccurate data removed. Policy or contracts should require that WHOIS indicate whether a domain is on hold due to inaccurate data. Domains on serverHold due to inaccurate data in WHOIS should not be unsuspended without inaccurate data being remedied.
	<b>4.4</b>	Conduct additional outreach and education on how to file a WHOIS inaccuracy report and what information is critical to provide.
	<b>4.5</b>	Publicize and encourage use of the Bulk WHOIS inaccuracy reporting tool.

	<b>4.6</b>	Review the WHOIS ARS domain names sampled for each region to determine whether or not low submission rates to the WHOIS inaccuracy reporting tool are due to the lack of knowledge of the tool or other critical factors.
	<b>4.7</b>	Following a valid WHOIS ARS ticket, or WHOIS inaccuracy complaint, initiate a full audit targeting the relating registrar to check if the registrar follows the contractual obligations, the consensus policies, etc. Sanctions should be applied if deficiencies identified.
	<b>4.8</b>	Direct contractual compliance to proactively monitor and enforce to address systemic issues. A risk based approach should be executed to assess, and understand inaccuracy issues and then take the appropriate compliance actions to mitigate risk in systemic complaints. The DAAR data is an additional resource that the compliance team has is not currently including in their research and analysis. The use of DAAR data would provide a different perspective for the compliance team and that data is used globally to add to the security and stability of the internet.
<b>Rec11 Common Interface</b>	<b>11.1</b>	Define metrics or SLAs to be tracked and evaluated to determine consistency of results of queries and use of any common interface (existing or future) used to provide one-stop access to registration data across all gTLDs and registrars/resellers. Specific metrics that should be tracked for any such common interface include: (a) How often are fields returned blank? (b) How often is data displayed inconsistently overall and per gTLD? (c) How overall and for specific gTLDs does the tool not return results?
<b>Rec12-14 IDN</b>	<b>12.1</b>	The implementation of Rec #12-14 should be reviewed again after RDAP is implemented, and the translation and transliteration of the registration data launches.
<b>Rec15-16 Plans &amp; Reports</b>	<b>15.1</b>	The ICANN Board should develop guidelines for plans and reports. Feasibility study (budget, resources, etc.) and risk management should be introduced into planning stage. The Annual WHOIS Report should follow a well-designed template to reflect measurable outcomes, and give insight into the execution of the plan.
<b>Consumer Trust</b>	<b>CT.1</b>	ICANN should request from resellers more clear information, including the recommendation to include relevant information on their websites. A good location for ICANN to make such a recommendation would be RAA (e.g., Sections 3.7.10, 3.12.2, 3.12.15). ICANN must ensure that RAA provides updated information concerning relevant topics relate to consumers and WHOIS Obligations. ICANN should recommend general policy and website/communication guidelines for resellers.

<b>Safeguard Registrant Data</b>	<b>SG.1</b>	<p>ICANN should consult with data security expert(s) to identify reasonable and justifiable requirements to place on registrars and in relation to how data is protected from unauthorized access or alteration while under their control. ICANN should similarly consider whether [or require?] any such breaches that are discovered must be reported to ICANN, and in the case of escrow providers, reported to the registrar/registry that provided the data.</p> <p>[ICANN should similarly consider whether contractual requirement are needed to require registrars, registries and escrow provides to notify registrants in the event of data breaches.]</p> <p>In carrying out this review, the external consultants should consider whether requirements within the GDPR could be used as a model, as many ICANN contracted parties must already adhere to those. If changes are deemed to be required based on the results of the above-recommended studies, ICANN must either negotiate appropriate contractual changes or initiate a GNSO PDP to consider effecting such changes.</p>
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