

# Report of Public Comments

<b>Title:</b>	<b>Draft Roadmap to Implement SAC 051</b>																						
<b>Publication Date:</b>																							
<b>Prepared By:</b>																							
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<b>Staff Contact:</b>	Francisco Arias & Steve Sheng	<b>Email:</b> francisco.arias@icann.org																					
<b>Section I: General Overview and Next Steps</b>																							
<p>We received ten comments and thank the commentators for their insightful suggestions.</p> <p>Most commentators agree with the approach proposed in the draft roadmap to replace the WHOIS protocol (SSAC recommendations 2 &amp; 3). Several commentators suggested additional improvements to the approach, and we plan to adopt their suggestions.</p> <p>Most commentators also agree that a new terminology is needed to disambiguate discussions. However, the various proposals to move forward on this issue are not in complete agreement with each other. We will propose a way forward in the next version of the roadmap.</p> <p>Given the general consensus on the proposed roadmap, we believe that it is not necessary to open a second round of public comment. Once an acceptable solution to the terminology issue is found, we will publish the final version of the roadmap, in time for community consideration and action in the ICANN Prague meeting.</p>																							
<b>Section II: Contributors</b>																							
<p><i>At the time this report was prepared, a total of [number] (n) community submissions had been posted to the Forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.</i></p>																							
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Individuals:

Name	Affiliation (if provided)	Initials
Christopher Wilkinson		CW
Robert Bruen		RB
Patrick Vande Walle		PVW
Montreal.qc.com Administrator	Montreal.qc.com	MA

**Section III: Summary of Comments**

*General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).*

CW suggested changing the title of the new Whois protocol to "Registration Data Protocol, Whois". He also commented that access to registration data depends on the privacy rules specifics to the case and that there should not be presumption as to access.

RB suggested there is lack of understanding of the current situation.

PVW commented that in order to successfully replace the WHOIS protocol, a timeline with clear deadlines and deliverables is needed. He/she also suggested that given the demand from the community, there has to be some pressure on the involved parties. His/her other suggestions include: 1) ICANN to fund a reference implementation so that the new protocol could be implemented at little cost by registrars and registries, and 2) considerations in the protocol to support authenticated users and restrict access to parts of the registration data.

MA raised his/her concerns with privacy handling in the new Whois protocol.

VL and Dyn supported all of the SSAC recommendations as well as the protocol work that is in starting in the IETF. VL added that the bottom-up consensus process should be used to ensure that the implementation would be uniformly enforced for all contracted parties.

The RySG supported the recommendation to adopt new terminology but suggested forming a small group with a limited timeline to build on the work of the SSAC with the goal of presenting recommendations to the SOs for their endorsement. The RySG also supported the recommendations to replace the WHOIS protocol but commented that the Roadmap lacks detail of a realistic approach to balance technical and policy issues concerns. The RySG asked whether this is a technical standards project or a policy development process or some combination of both and how could both efforts be synchronized. They further asked whether a small group of policy and technical experts, could examine these questions and make some recommendations for consideration by the broader community. The RySG noted that in the case of the GNSO, consensus policies may be needed to

ensure that any new protocols are adopted in a timely manner and in a way to properly address the broad range of stakeholder needs. The RySG added that consensus policy may be the only way to ensure timely adoption but at the same time recognized how hard it may be to reach consensus in this area. In that regard, they suggested to consider breaking any policy development work into smaller, discrete pieces, some of which could be done in parallel and some serially. Regarding policy development work the RySG raised several questions: 1) Will all three SOs do policy development work according to their processes? 2) Should SOs work independently or collaboratively? 3) Should a community working-group be formed? 4) How can the ASO be integrated into policy work? Finally, the RySG provided a sample process outline of how all three Roadmap goals might be accomplished.

SSAC agreed with the multi-pronged approach proposed by the roadmap. SSAC acknowledged the concern about the length of the proposed terms and suggested the following terms instead: 1) Registration Data (WHOIS data); 2) Access Protocol (e.g. WHOIS protocol); and 3) Directory Service. Regarding voluntary adoption through promotion and incentives, SSAC questioned how is the recommendation to 'promote participation' and to 'promote voluntary adoption' going to be operationalized and measured. SSAC suggested being more explicit about the connection between the alleged reasons ('it has been argued') for WHOIS stalling, and why it will be different this time.

IPC supported clarifying terminology as proposed in the roadmap and questioned whether a "formal process to examine the new terminology," as called for by the RySG is needed. IPC suggested the transition to new terminology should start as soon as practicable. IPC agreed that a replacement technical protocol is needed. In general, IPC supports the "multi- pronged approach" advocated in the Roadmap. IPC commented that it is also essential for consumers of domain name registration data to participate in the development of the replacement protocol. IPC showed skepticisms regarding the approach advocated by the RySG, which seems to presume that everything must be channeled through multiple formal Policy Development Processes. IPC suggested that would be a recipe for further delay. IPC suggested that the effort to replace the Whois protocol and to accommodate internationalized registration data should be strategic priorities for ICANN, and the new CEO should be directly responsible for advancing them.

The BC acknowledges that implementation of SAC 051 must move on parallel tracks: 1) standardization of the new protocol in a technical forum like the IETF; and 2) adoption of the new protocol by registries and registrars. On the latter, the BC also recommended the proposed methods: a) new consensus policy arising from a PDP; b) contracting negotiations; and c) voluntary adoption. Regarding the development of new technical standard, the BC recommends that ICANN: i) encourages registry and registrar participation; ii) encourages participation in an open source effort to develop an implementation of the new protocol where ICANN could also provide funding; and iii) establishes an advisory committee to follow development (protocol, open source, contract) and report to the ICANN Board periodically. The BC recommends that if GNSO Council decides to conduct a PDP, it should charter a very narrow PDP for a consensus policy that simply requires the use of the successor protocol. In other words, the GNSO PDP should not attempt to modify protocol standards or apply them selectively to contract parties. Finally, the BC encouraged ICANN to adopt simpler terminology that is easier to recall and to speak, specifically recommended: a) DNR – Domain Name Registration; b) DNR Data – the Data provided by Registrant; c) DNR Protocol; d) DNR Service – an implementation of the protocol; and e) DNR Model – Data Model for DNR Data.

## Section IV: Analysis of Comments

*General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.*

We agree with CW that access rules are matter of rules defined outside the technical protocol discussion. As such we believe the replacement protocol should enable policy options and not to dictate policy decisions through protocol.

Regarding RB's comment on our lack of understanding of the situation, we are revising the roadmap in this two phase approach to try to understand the different points of view in the community to better propose a way forward.

We agree with PVW that a clear timeline that includes deadlines is ideal. However as other commenters indicated, the roadmap involves multiple stakeholders and each of whom have its own process, therefore it may be difficult to provide specific deadlines. We regard the roadmap to set directions and provide high-level guidance, as opposed to a detailed project plan. However, we take this recommendation to heart and ICANN will actively track progress.

We agree with PVW and the BC that a reference implementation would pave the way towards adoption of the new protocol. We believe that the new protocol should support various policy options, for example the authenticated access option suggested by PVW. It should be a matter of the respective policy making body to determine which options to enable.

We suggest MA to raise his/her concerns regarding privacy handling in the protocol in the technical forum so they can be taken into account. As mentioned before, whether this is implemented by a registry/registrar is a matter of policy and outside the remit of the protocol.

We agree with VL and the RySG that the bottom-up consensus process should be used to ensure that the implementation would be uniformly enforced for all contracted parties. However, as supported by the BC, IPC, and SSAC, the multipronged-approach that includes individual negotiations and promotion for voluntary adoption options should also be considered to accelerate adoption.

We acknowledge the concerns raised by various commenters regarding the length of the SAC 051 proposed terms. We also acknowledge the proposed new terminology by the BC and SSAC in their comments. Finally, we acknowledge the proposal from the RySG regarding the formation of a small group to define better terms and the concerns raised by the IPC regarding this proposal. We will analyze further this issue and propose a way forward.

We acknowledge the concerns from the RySG regarding the complexity of the issues at hand. That is the reason why we are proposing to go on parallel tracks on the development of the protocol on a technical standardization forum (e.g., the IETF) while at the same time working on the adoption strategy within the ICANN community. We also acknowledge the questions from the RySG relating to a potential PDP, however we believe they are for the involved SOs/ACs to answer.

We appreciate the suggestions from SSAC and will address them in the next version of the roadmap.

We agree with the IPC that the transition to the new terminology should start as soon as practicable possible. Our only concern is to have terminology that is useful for the ICANN community beforehand. We also agree with the IPC that consumers of the information should be part of the whole transition process. Some of them are already active participants in the IETF discussion for example. Regarding the effort to accommodate internationalized registration data, which implies the replacement of the WHOIS protocol and the suggestion to make these priorities for the new CEO, ICANN has already agreed to make WHOIS a strategic priority.

We agree with the BC suggestion to encourage registry and registrar participation in the development of the new protocol. We plan to continue doing that. Regarding the IPC's suggestion to establish an advisory committee to follow the whole strategy, we agree with the idea and certainly plan to update the Board on the progress. We acknowledge the suggestions from the BC relating to a potential PDP, however we believe they are for the involved SO(s) to consider.