Request for Expressions of Interest for Registrar Data Escrow Service

15 March 2011

1. Introduction

1.1 The Internet Corporation for Assigned Names and Numbers (ICANN) is the private, non-profit, public benefit corporation charged with ensuring the security and stability of the Internet's domain name system. As a function of this responsibility, ICANN accredits domain name registrars who facilitate the registration of Internet domain names for individuals and organizations (registrants). Under the Registrar Accreditation Agreement (RAA) all accredited registrars have agreed to submit to ICANN or an approved escrow agent certain enumerated registration records on a weekly or daily basis. Upon termination or expiration without renewal of a registrar's RAA, the deposited registration records may be used by ICANN to transfer sponsorship of the registrations to another registrar.

1.2 ICANN began operation of its Registrar Data Escrow (RDE) program in 2007, and since that time, has successfully enrolled nearly 900 registrars into the program and secured in escrow registration data for over 125 million domain names. Through the RDE program, registrars may elect to deposit registration data with an escrow agent designated by ICANN (with the fees paid by ICANN) or with an escrow agent selected by the registrar and approved by ICANN (with the fees paid by the registrar). Since initiation of the RDE program, over 99% of enrolled registrars have elected to use ICANN's designated escrow agent.

1.3 ICANN is currently considering making changes to the RDE program in order to take advantage of decreasing data storage costs and innovations in data storage technology and infrastructure such as inexpensive, reliable cloud storage. ICANN's current RDE program is also under general review. Some of the potential options currently under consideration (on a non-exclusive basis) are selection of an additional or replacement designated escrow agent (serving either some or all of the registrars who elect to deposit data with ICANN's designated escrow agent), operation of an escrow service by ICANN in-house, or extension of the current arrangement with ICANN's existing designated escrow agent.

1.4 ICANN is initiating this Request for Expressions of Interest (REOI) process to help identify technology escrow agents that could provide cost effective data storage and data verification (auditing) services to ICANN under the RDE program.

1.5 The current terms and specifications of the RDE program are set out in the Registrar Data Escrow Specifications document posted at http://www.icann.org/rde/rde-specs-09nov07.pdf. As part of ICANN's consideration of possible changes to the RDE program, it may revise the RDE Specifications in consultation with registrars and RDE agents.

2. Objective

2.1 Through the RDE program, ICANN seeks to ensure protection of registrants in the event of registrar failure or other termination of a registrar's accreditation agreement. Through this REOI ICANN is looking to identify entities that could potentially provide data escrow and deposit verification services pursuant to the RDE program. Upon completion of this REOI, ICANN may pursue additional discussions or negotiation with prospective vendors directly, initiate a second-round competitive bidding process, or decline to engage any or all of the prospective vendors.

3. Work Description and Conditions

3.1 <u>Scope.</u> Any vendor engaged by ICANN to perform as its designated RDE agent must be able to perform the following functions according to the specifications outlined in this document and the RDE Specifications:

  3.1.1 Process RDE deposits:

    3.1.1.1 Receive deposits of data by secure electronic (e.g., SFTP, SCP, HTTPS) means from approximately 800 registrars on a weekly basis and approximately 35 depositors on a daily basis.

    3.1.1.2 Utilize open source encryption technology to decrypt and re-encrypt files of up to one gigabyte in size.

    3.1.1.3 Uncompress deposited files for processing.

    3.1.1.4 Perform checksum validation of uncompressed text files by automated means.

    3.1.1.5 Timely notify registrars upon failure to submit deposits according to schedule or failure of deposits to pass decryption, uncompression, or checksum validation.

    3.1.1.6 Notify ICANN upon failure by registrar to adequately remedy failed deposits.

    3.1.1.7 Submit reports of deposits and failures to ICANN via email, a web interface, or through a provided API.

    3.1.1.8 Securely store a large number (52 to 365, per registrar/depositor) of data deposits (ranging from 1 MB to 6 GB each, in size) for at least one year on read-only memory (e.g., CDs or DVDs) or on redundant re-writeable media (e.g., RAID).

  3.1.2 Conduct RDE deposit verification:

    3.1.2.1 As requested by ICANN, on a monthly basis, initiate the verification process by retrieving, decrypting, and uncompressing the most recent deposit for each of approximately 30-40 registrars designated by ICANN.

    3.1.2.2 Manually inspect the formatting of each deposit subject to verification and record any instances of deviation from the RDE Specifications using a checklist provided by ICANN.

      3.1.2.3   Using a list of 20-60 domain names provided by ICANN, perform Whois queries for each domain name and compare the Whois output to the escrowed data for each of the given domain names.

      3.1.2.4   For each deposit subject to verification, using a template provided by ICANN, prepare a report that identifies in detail all areas of potential non-compliance with the registrar's RDE deposit obligation and provide an electronic copy to ICANN and the registrar.

  3.1.3   Release data:

      3.1.3.1   Securely transmit copies of deposited data to ICANN or its designated third party on demand electronically or via courier/post pursuant to the RDE agreement between ICANN, the registrar, and the escrow agent, following approved verification and release procedures.

3.2   <u>Statement of Suitability.</u> Prospective vendors that wish to be considered should submit an expression of interest in the form of the following outline, which:

1.   Provides an overview of the candidate's business operations, including:

   a.   years in business;

   b.   years performing technology escrow, third-party data storage, or similar services (please describe);

   c.   number of employees, both company-wide and specifically assigned to the services described in your response to "b" above;

   d.   number of full time employees (or the equivalent) that would be anticipated to be assigned to the provision of RDE services if selected as ICANN's designated RDE agent;

   e.   a list of the candidate's principals;

   f.   a brief description of all services and products provided by the candidate;

   g.   candidate's experience with domain names, Whois data, and the shared registration system;

   h.   compliance with local, national, and international data privacy laws currently applicable to the candidate and the ability to comply with privacy laws that may be applicable to the RDE services; and

   i.   whether the candidate has any common ownership, management, or similar affiliation with any current or prospective domain name registrar or registry.

2.   Describes the candidate's technical capabilities, including:

   a.   hardware and software or PaaS/SaaS to be used for RDE service;

   b.   internet connectivity (providers and capacity or reference to specs of PaaS);

   c.   procedural and technical security systems and procedures; and

   d.   contingency planning and disaster preparedness.

3.3 <u>General.</u>

   3.3.1 ICANN will, in its sole discretion, evaluate all expressions of interest to determine which, if any, warrant further consideration or exploration. ICANN is under no obligation to engage any vendor in relation to this REOI and may consider factors other than cost when making its ultimate procurement decision. This REOI shall not be construed in any manner to create an obligation on the part of ICANN to enter into any contract, proceed with any course of action described herein or serve as a basis for any claim for reimbursement of costs incurred in relation to this REOI.

   3.3.2 ICANN-accredited registrars and companies affiliated with accredited registrars through common ownership, management, or a similar corporate relationship may submit an expression of interest in response to this REOI, but if retained, the affiliated registrar(s) will not be permitted to utilize the provided RDE service, and will be required to escrow registration data with an independent, approved third-party escrow agent. Prospective registrar-affiliated RDE providers should include in their expression of interest a description of the processes that would be used to avoid conflicts of interest or the potential for inappropriate use of information.

   3.3.3 Prospective vendors may request confidential treatment of only portions of their expressions of interest involving company financial data or trade secrets. To the extent ICANN is unable to honor such requests for confidentiality, the application will be rejected and returned with guidance for resubmission. The prospective vendor authorizes ICANN to retain and use, free from liability, all materials, ideas and information provided in an expression of interest submitted in response to this REOI for its planning purposes.

   3.3.4 All costs of preparing and submitting an expression of interest, responding to or providing any assistance to ICANN in connection with this REOI will be borne by the prospective vendor.

3.4 <u>Deadline and Submission Instructions.</u> Expressions of interest must be submitted by email to Mike Zupke (mike.zupke@icann.org) by no later than 15 April 2011. Submissions received will be acknowledged by return email. Questions regarding this REOI may be directed to the same address.