

Summary of WHOIS Policy Review Team Report Recommendations with Alternative Board Action, and Rationale

Introduction

Last November, the ICANN Board accepted the WHOIS Review Team Final Report and adopted an [Action Plan](#) for its execution. In most instances, each of the WHOIS Review Team’s recommendations was fully adopted. The chart below depicts only those recommendations where ICANN met the spirit and objectives of the WHOIS Review Team through an alternative method of achieving those objectives. For a complete discussion of the current state of implementation for each recommendation, please refer to the [Implementation Status Chart](#) dated 30 Aug, 2013.

WHOIS Policy Review Team Report Recommendations	Board /Staff Implementation action	Rationale
<p>1. Strategic Priority -- Board should create a committee that includes the CEO to be responsible for priority and key actions</p>	<ul style="list-style-type: none"> The entire Board (rather than a specific committee) is kept closely apprised of implementation progress through regular updates, blog posts, and webinars. Presentations by Staff are regularly scheduled at Board workshops to update them on the process of this key ICANN initiative. Next update -Board Workshop Sept 2013. 	<ul style="list-style-type: none"> Due to the importance of the issue, the entire Board is monitoring the progress of the implementations rather than a committee of the Board (per the Board's direction).
<p>2. Single WHOIS Policy -- Board should oversee creation of a single WHOIS policy document, and reference it in agreements with Contracted Parties; clearly document the current gTLD WHOIS policy as set out in the gTLD Registry & Registrar contracts & Consensus Policies and Procedure.</p>	<ul style="list-style-type: none"> Staff was directed to create and maintain a single public source that compiles current gTLD WHOIS requirements for gTLD registries, registrars and registrants (including consensus policies and contractual conditions). See: http://www.icann.org/en/resources/registrars/whois-policies-provisions Staff is also creating a “easy to read” summary of the WHOIS related contractual obligations and consensus policies to assist the non-lawyer in understanding WHOIS generally 	<ul style="list-style-type: none"> There is not a comprehensive gTLD WHOIS policy that addresses all of the issues raised in the Review Team report and in SAC055. There is a set of existing contractual conditions that have been developed over time by negotiation between ICANN and registries and registrars, and a small set of consensus policies that address some aspects of the management of domain name registration data. These presently available conditions and policies should be publicly available from one source. In order to truly have a “single WHOIS policy” referenced in the agreements, a GNSO PDP is needed since the fundamental questions of the purpose of collecting and maintaining gTLD registration data have not been addressed through a successful policy PDP.

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Data Accuracy		
<p>6. ICANN should take appropriate measures to reduce the number of WHOIS registrations that fall into the accuracy groups “Substantial Failure and Full Failure” (as defined by the NORC Data Accuracy Study, 2009/10) by 50% within 12 months and by 50% again over the following 12 months.</p> <p>9. Board should ensure that the Compliance Team develop metrics to track the impact of the annual WHOIS Data Reminder Policy (WDRP) notices to registrants.</p>	<ul style="list-style-type: none"> • Staff is directed to proactively identify potentially inaccurate gTLD data registration information in gTLD registry and registrar services, explore using automated tools, and forward potentially inaccurate records to gTLD registrars for action; and 2) publicly report on the resulting actions to encourage improved accuracy. The WHOIS Search capability being implemented during Phase II of the WHOIS Portal is being designed to meet these requirements. • As per actions related to Recommendation 3, the ICANN WHOIS Portal for gTLD WHOIS services will make clear the requirements for registrants to submit accurate information, and the risk that their names may be cancelled if the information is not accurate. The WHOIS informational site is being designed in Phase I of the WHOIS Portal. • The Action Plan for Recommendation 9 specifies no additional commitments as it relates to the annual WHOIS Data Reminder Policy. • Instead, Staff proposed robust proactive accuracy monitoring and reporting obligations that are referenced in Sections 5, 6 and 7. • Also, the Board will initiate a policy on the purpose of the gTLD WHOIS service, and this will help drive the principles behind privacy/proxy develop and publish performance targets, to improve data accuracy over time. 	<ul style="list-style-type: none"> • ICANN raised concerns regarding its ability to meet the reductions called for in the time frame specified for this recommendation, given the contract and policy limitations in existence at that time. With the new contractual obligations in the registry and registrar agreements, improvements to accuracy are expected. • ICANN will report on current levels of accuracy from the recent data studies, and will track and report on improvements. • The Action Plan for Recommendation 9 specifies no additional commitments as it relates to the annual WHOIS Data Reminder Policy because this recommendation if implemented, could not accomplish what the WHOIS-RT intended. The policy only requires registrars to send the reminder in a specific form including specific information. The policy does not require registrars to track changes directly resulting from the reminder. Neither Compliance nor most registrars have the tools to measure the impact of the annual data reminder notices that registrars send to registrants. Instead, ICANN incorporated the WHOIS Data Reminder Policy (WHOIS accuracy) in the Audit Program. • Also, Staff proposed robust proactive accuracy monitoring and reporting obligations that are referenced in Sections 5, 6 and 7, and the creation of the Expert Working Group (EWG) to identify a better solution for achieving a more accurate and reliable database.