

RAP WG Survey – Initial Results 25 January 2010

1. Name / 2. Affiliation

#	Response
1	Greg Aaron, RySG
2	Mikey O'Connor, CBUC
3	James Bladel, GoDaddy.com (GNSO / Contracted / Registrar Stakeholder Group)
4	Frederick Felman, MarkMonitor
5	Faisal Shah, MarkMonitor
6	Berry Cobb, CSG - BC
7	Rod Rasmussen, Internet Identity (Company)

ABUSE DEFINITION

<p>3. Abuse is an action that:</p> <p>a) Causes actual and substantial harm, or is a material predicate of such harm, and</p> <p>b) Is illegal or illegitimate, or is otherwise considered contrary to the intention and design of a stated legitimate purpose, if such purpose is disclosed.</p>			
I agree with the definition		6	86%
I generally agree with the definition, but I propose a friendly amendment (please provide suggested text below)		1	14%
I disagree with the recommendation and present an alternate view (please provide suggested text below)		0	0%

4. Friendly amendment

#	Response
1	"Material Predicate" requires further definition if it is to be included. (James)

5. Alternate view

Response - 0

CYBERSQUATTING

6. Recommendation 1 - The RAPWG recommends the initiation of a Policy Development Process by requesting an issues report to investigate the current state of the UDRP. This effort should consider: How the UDRP has addressed the problem of cybersquatting to date, and where the UDRP may be insufficient to curb cybersquatting Whether the definition of cybersquatting inherent within the existing UDRP language needs to be reviewed or updated			
I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%

7. Friendly amendment

Response

1	The RAPWG recommends the initiation of a Policy Development Process by requesting an issues report to investigate the current state of the UDRP. This effort should consider: • How the UDRP has addressed the problem of cybersquatting to date, and any insufficiencies/inequalities associated with the process. • Whether the definition of cybersquatting inherent within the existing UDRP language needs to be reviewed or updated. (Greg)
2	The recommendation, as it currently reads, asks for additional information and study. If we are to call for a PDP, it presumes a modification or addition the language of the policy itself. So, I think we should call for a PDP to review the UDRP effectiveness is addressing Cybersquatting, and how it can be modified to ensure that all parties (Rys, Rrs, Registrants, and UDRP Providers) to better address the problem. (James)

8. Alternate view

Response - 0

9. Recommendation 2 The RAP WG further recommends the initiation of a Policy Development Process by requesting an Issues Report to investigate the appropriateness and effectiveness of how any Rights Protection Mechanisms that are developed elsewhere in the community (e.g. the new gTLD program) can be applied to the problem of Cybersquatting in the current gTLD space.			
I agree with the recommendation		3	43%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		2	29%

10. Friendly amendment			
#	Response		
1	I agree with Greg's idea (on the list) that we recommend this *after* the other RPMs have had a chance to get baked and have run for a little while -- 2 years sounds about right to me too (Mikey)		
2	Not an amendment - rather a placeholder for the discussion currently ongoing in the group where we don't have consensus here yet. (Rod)		

11. Alternate view			
#	Response		
1	a) The URDP is the long-standing mechanism for addressing cybersquatting, and it has not been factually established that the UDRP is ineffective or if so to what extent. b) It is inadvisable to even begin considering the imposition of these rights protection mechanisms in the existing TLDs, when they are so controversial in the new TLD discussion. There are many legal, business, and speech issues involved, and concerns about their appropriateness have been voiced by constituencies. (Greg)		
2	Do not agree with this recommendation at this time. Linking this issue with the New gTLD process can introduce significant delays in both efforts. Let the Rights Protection Mechanism work proceed, and then examine if they are appropriate for inclusion in incumbent gTLDs. (James)		

FRONT RUNNING

12. Recommendation 1 Better education of all parties involved in the domain name registration process (SAC 024 Recommendation #1, #2, #3, #4, #5).

I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%

13. Friendly amendment

#	Response		
1	suggest that the author phrase this clearly as a recommendation for the Council, and that hte reocmmendation be for an advisory to the relevant parties. (Greg)		
2	I'd back this one off a bit -- incorporate our usual "launch a PDP to investigate" language. (Mikey)		
3	Call for ICANN to engage in outreach efforts, coordinating with At-Large and other appropriate bodies. (James)		

14. Alternate view

#	Response - 0

15. Recommendation 2 Better disclosure by registrars as to their privacy policy and how they use customer information, including availability checks for domain names (SAC 024 Recommendation #6).

I agree with the recommendation		4	57%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		3	43%

I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%
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16. Friendly amendment

#	Response		
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1	SAC 024 said: "Registrars should provide clear notice to Internet users regarding how they treat information submitted during an availability check." Perhaps refer this to the Registrar Code of Conduct discussion. See Front-Running Recommendation 4. Needs to be re-written as a clear recommendation to the Council. (Greg)
2	I'd back this one off a bit -- incorporate our usual "launch a PDP to investigate" language. (Mikey)
3	For most Registrars, Privacy Policies are well established. However, not all Registrars maintain a minimum privacy policy that is easily findable. Perhaps the recommendation should be focused on a PDP that would understand what a minimum baseline or best practice should be. (Berry)

17. Alternate view

#	Response - 0		
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18. Recommendation 3 More study, with the goal of determining whether this abuse is actually occurring, or simply has the potential to occur.			
I agree with the recommendation		4	57%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		3	43%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%

19. Friendly amendment

#	Response		
1	Front-running has the potential to occur, but the actual amount it occurs is unclear, and is therefore not a good topic for a PDP. Recommendation needs		

	to be written more clearly; it should recommend that the Council should keep apprised of the issue. (Greg)
2	Any determination that Front-Running is a problem should include some quantifiable data to substantiate this claim. (James)
3	Add: if there is any substantial interest in undertaking such study in the community, as many believe this problem has been solved already. (Rod)

20. Alternate view	
#	Response - 0

21. Recommendation 4 Better disclosure by registry operators as to their privacy policy and how they use information, including availability checks and DNS traffic for unregistered domain names (extending point above which applied only to registrars).			
I agree with the recommendation		4	57%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

22. Friendly amendment			
#	Response		
1	I'd back this one off a bit -- incorporate our usual "launch a PDP to investigate" language. (Mikey)		
2	For most Registries, Privacy Policies are well established. However, not all Registries maintain a minimum privacy policy that is easily findable. Perhaps the recommendation should be focused on a PDP that would understand what a minimum baseline or best practice should be. (Berry)		

23. Alternate view			
#	Response		
1	Not a real concern at this time -- front-running has the potential to occur, but the actual amount it occurs is unclear. No known cases of front-running related to registry operators. Therefore oppose binding policy options. (Greg)		

24. Recommendation 5 Requiring registry operators to produce and publish lists of all registered domain names with expiry dates, lists of post expiration domain names (with expected deletion date, etc.), and daily diffs, so that availability checks can be performed locally by registrars, registrants, and 3rd parties, thereby enabling greater privacy.

I agree with the recommendation		3	43%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		2	29%

25. Friendly amendment			
#	Response		
1	I'd back this one off a bit -- incorporate our usual "launch a PDP to investigate" language. (Mikey)		
2	Add: if there is wide interest in requiring such measures in the community. (editorial comment) I don't know that many people are really that worried about registries profiting off of availability checks, and it's a big battle to fight if there isn't any real interest in doing so.) (Rod)		

26. Alternate view			
#	Response		
1	Suggest we strike this recommendation. Registries already publish such reports for the registrars. Performing checks on non-real-time lists is not a practice anyone in the industry likes to use. We have too many front-running recommendations here; Recommendation #3 is the key one. Why make this recommendation if the extent of front-running is little to none, as it seems to be? (Greg)		
2	Do not agree with this recommendation. This is (with some expanded info) essentially a zone file. Publishing this data may even -enable- domain hijackers and other bad actors with information they would not otherwise have. (James)		

27. Recommendation 6 Prohibiting registrars and/or registry operators from using/disclosing availability checks (including DNS traffic to unregistered domains), and/or creating "Chinese Walls" between different TLDs managed by a registry operator. Alternatively, creating rules as to how those availability checks can be used (e.g. instead of being able to use/sell real-time results, one might permit 1 hour old results to be sold, to permit novel idea creators sufficient time to complete registrations within an hour).

I agree with the recommendation	2	29%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)	1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)	4	57%

28. Friendly amendment		
#	Response	
1	I'd back this one off a bit -- incorporate our usual "launch a PDP to investigate" language.	
2	This recommendation needs to be subdivided, there's too much going on here to properly comment. (James)	

29. Alternate view		
#	Response	
1	Suggest we strike this recommendation. Proposed solution not justified by the extent of the problem, which is small to none. We have too many front-running recommendations here and should prioritize. Solution might preclude other uses of this data which have nothing to do with potential for front-running. (Greg)	
2	There are other ways to solve this and "creative ideas" will be used to monopolize names. (Frederick)	

GRIPE SITES; DECEPTIVE, AND/OR OFFENSIVE DOMAIN NAMES

30. Recommendation 1 The URDP should be revisited to determine what substantive policy changes, if any, would be necessary to address any inconsistencies relating to decisions on “gripe” names and to provide for fast track substantive and procedural mechanisms in the event of the registration of deceptive domain names that mislead adults or children to objectionable sites.		
I agree with the recommendation	3	43%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)	2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)	2	29%

31. Friendly amendment			
#	Response		
1	I'd back this one off a bit -- incorporate our usual "launch a PDP to investigate" language. (Mikey)		
2	Again add: if there is substantial interest in the community to do so. (editorial comment - I believe this is not likely to be seen as uncovered by the UDRP already.) (Rod)		

32. Alternate view			
#	Response		
1	Suggest we strike this recommendation. There is no need -- the UDRP has adequately addressed this issue for many years. Making a carve-out for a specific class of names is highly problematic. (Greg)		
2	Do not agree with this recommendation, as it is an unbalanced infringement on free speech. Using deceptive tactics to direct traffic (esp. minors) to objectionable material is already a violation of most registrar & webhost TOS, and laws in some areas. (James)		

33. Recommendation 2 Registries should also consider developing internal best practice policies that would restrict the registration of offensive strings in order to mitigate the potential harm to consumers and children, especially minors.			
I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

34. Friendly amendment			
#	Response		
1	Registrars could develop -and share existing- best practices. Right now these are internal to each registrar, and not shared. (James)		

35. Alternate view			
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#	Response		
1	This recommendation should be stricken. ICANN is not a good forum to make recommendations regarding moral standards. "Potential harm to consumers" is a vague standard. The recommendation is problematic for global TLDs. It was a matter closed in .COM/.NET/.ORG many years ago. (Greg)		

FAKE RENEWAL NOTICES

36. Recommendation 1 Refer to RAA working group (for additional enforcement tools)			
I agree with the recommendation		1	14%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		5	71%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

37. Friendly amendment			
#	Response		
1	The issue is mainly with resellers. Refer to RAA working group. Needs to be re-written as a clearly phrased recommendation to Council. (Greg)		
2	Need to draw the distinction between fake renewal notices, and legitimate marketing / promotion to switch registrars. Without this, this recommendation is anti-competitive. (James)		
3	This is a high-priority item for the RAA working group. (Frederick)		
4	should be a high priority for the the RAA WG (Faisal)		
5	I do not have an amendment, but I would prefer clarity on these recommendations. Exactly what is the outcome to be? (Berry)		

38. Alternate view			
#	Response		
1	I'd like to keep this one all in one place, so I'm backing the Rec 5 version. But other than that I support this recommendation (Mikey)		

39. Recommendation 2 Refer to WHOIS working groups (to clarify the sanctions for unauthorized use)			
I agree with the recommendation		4	57%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		2	29%

40. Friendly amendment			
#	Response		
1	I do not have an amendment, but I would prefer clarity on these recommendations. Exactly what is the outcome to be? (Berry)		

41. Alternate view			
#	Response		
1	Misuse of WHOIS data is already a contract violation, and sanctions are covered in the RAA, and so are binding on registrars (and resellers). In any case, needs to be re-written as a clearly phrased recommendation to Council. (Greg)		
2	I'd like to keep this one all in one place, so I'm backing the Rec 5 version. But other than that I support this recommendation (Mikey)		

42. Recommendation 3 Refer to IRTP working group (for inclusion in the "urgent return" discussion)			
I agree with the recommendation		4	57%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%

I disagree with the recommendation and propose an alternate view (please provide suggested text below)		2	29%
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43. Friendly amendment			
#	Response		
1	I do not have an amendment, but I would prefer clarity on these recommendations. Exactly what is the outcome to be? (Berry)		

44. Alternate view			
#	Response		
1	I don't understand the recommendation. Needs to be re-written as a clearly phrased recommendation to Council. (Greg)		
2	I'd like to keep this one all in one place, so I'm backing the Rec 5 version. But other than that I support this recommendation (Mikey)		

45. Recommendation 4 Refer to PEDNR working group (for inclusion in the hijacking/return topic)			
I agree with the recommendation		3	43%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		2	29%

46. Friendly amendment			
#	Response		
1	"Hijacking" usually understood to mean changing the registrant or taking it out of the registrant's control. That's not what is at issue here. So that needs to be clear in the re-written recommendation. Needs to be re-written as a clearly phrased recommendation to Council. (Greg)		
2	This is more appropriately dealt with in IRTP and RAA. (James)		
3	I do not have an amendment, but I would prefer clarity on these recommendations. Exactly what is the outcome to be? (Berry)		

47. Alternate view			
#	Response		
1	I'd like to keep this one all in one place, so I'm backing the Rec 5 version. But other than that I support this recommendation (Mikey)		

48. Recommendation 5 Keep in proposed RAP PDP (reducing the risks of overlap or gaps in the review/analysis)			
I agree with the recommendation		3	43%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		3	43%

49. Friendly amendment			
#	Response		
1	This is better addressed by IRTP (James)		
2	I do not have an amendment, but I would prefer clarity on these recommendations. Exactly what is the outcome to be? (Berry)		

50. Alternate view			
#	Response		
1	We should not recommend a PDP on the topic of fake renewal notices -- it can be dealt with in other ways, perhaps the RAA or better enforcement. There is no "proposed RAP PDP." Needs to be re-written as a clearly phrased recommendation to Council. (Greg)		
2	Just refer this one to the listed groups and move on. (Rod)		

51. Recommendation 6 Refer to ICANN Contract Compliance for possible enforcement action			
I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%

52. Friendly amendment			
#	Response		
1	Is there a provision in the RAA that is relevant and can be used as an enforcement tool? This seems to be largely about problem resellers. In any case, needs to be re-written as a clearly phrased recommendation to Council. (Greg)		
2	Again, the distinction between fake renewal and legitimate promotions must be made clear, or this is anti-competitive. (James)		
3	I do not have an amendment, but I would prefer clarity on these recommendations. Exactly what is the outcome to be? (Berry)		

53. Alternate view	
#	Response - 0

DOMAIN KITING / TASTING

54. Recommendation 1 Refine the definitions of tasting and kiting based on the discussion and defined boundary conditions above.			
I agree with the recommendation		5	71%

I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

55. Friendly amendment			
#	Response		
1	Strike this recommendation. It does not seem to get us closer to anything. (Greg)		
2	Refine the definitions of tasting and domain name kiting to distinguish between the both of them. (Faisal)		

56. Alternate view			
#	Response - 0		

57. Recommendation 2 Incorporate these definitions in any review or refinement of excess-delete policy and data collection or data reporting efforts.			
I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

58. Friendly amendment			
#	Response		
1	Strike this recommendation. It does not seem to get us closer to anything. Kiting is not a demonstrated real-world problem that is causing anyone real trouble. Also, registrars have freedom to stop it if they have a registrant who is doing it. (Greg)		
2	Incorporate these definitions in the review of an excess-delete policy and encourage ICANN to begin data collection or data reporting efforts (Faisal)		

59. Alternate view

Response - 0

60. Recommendation 3 Alert ICANN staff to the possibility of kiting as a possible abuse of the add-grace period.			
I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

61. Friendly amendment

#	Response		
1	Strike this recommendation. Kiting has not yet been observed as a real-world issue of any scale, and has not been demonstrated to be a problem. Large-scale kiting would bump up against the Excess Deletes Policy. Also, registrars already have power to stop registrants from kiting. (Greg)		
2	Similar to front-running, we must first determine if this is an actual (versus potential) abuse. If the latter, then it must be substantiated by quantifiable data. (James)		

62. Alternate view

Response - 0

63. Recommendation 4 Check with other working groups (e.g. domain tasting) to determine if follow-on studies have useful definitions and data.			
I agree with the recommendation		5	71%

I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

64. Friendly amendment			
#	Response		
1	To my knowledge, this group is no longer active, so this would mean a Staff review of their documented work. (James)		

65. Alternate view			
#	Response		
1	Tasting has been addressed via the Excess Deletion Policy; what purpose would further definition serve? (Greg)		

66. Recommendation 5 Conduct broader research (at the registry level) to determine to what extent domain kiting is a problem.			
I agree with the recommendation		4	57%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

67. Friendly amendment			
#	Response		
1	...to determine -whether and- to what extent.... (James)		
2	if current studies being done in support of previous AGP work are seen as insufficient to answer the questions raised by this working group. (Rod)		

68. Alternate view		
#	Response	
1	Strike this recommendation. No one seems to be complaining about kiting -- is it really a problem that needs to be solved? And registrars probably can take care of it themselves if or when they find it. And if it was large-scale, the registrar would start to encounter Excess Deletions thresholds, which would make them notice it. (Greg)	

MALICIOUS USE OF DOMAIN NAMES

69. Recommendation 1 The RAPWG recommends the creation of non-binding best practices to help registrars and registries address the illicit use of domain names. This effort should be supported by ICANN resources, and should be created via a community process such as a working or advisory group while also takes the need for security and trust into consideration. The effort should consider (but not be limited to) these subjects: Practices for identifying stolen credentials Practices for identifying and investigating common forms of malicious use (such as malware and phishing) Creating anti-abuse terms of service for inclusion in Registrar-Registrant agreements, and for use by TLD operators. Identifying compromised/hacked domains versus domain registered by abusers Practices for suspending domain names Security resources of use or interest to registrars and registries			
I agree with the recommendation		6	86%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%

70. Friendly amendment		
#	Response	
1	Drop "non-binding" as by definition, best practices are non-binding. ICANN should survey registrars and registries regularly to determine types of best practices being used and their adoption rates by the community. (Rod)	

71. Alternate view	
#	Response - 0

72. Recommendation 2 Addressing use of stolen credentials Idea – regular dissemination of best practices for protecting account access Idea – adoption of minimum standards for protecting registrant login credentials (password aging, strong passwords, etc.) Idea – codify registrant rights/responsibilities for account access security management – is there a potential for liability limitation for registrants vs. registrars vs. resellers?

I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

73. Friendly amendment			
#	Response		
1	This one and the next need their language cleaned up. (Rod)		

74. Alternate view			
#	Response		
1	Suggest we drop everything except one idea. Suggest we refer a question to Registrar Code of Conduct group, about BPs for whether registrars should alert registrants to relevant data breaches at the registrar. First bullet is now part of Recommendation 1. Oppose binding PDP or contract revisions regarding minimum standards for transactional security since that seems sticky, complicated, and gets into business operations, which is not a place ICANN is suited to be. (Greg)		

75. Recommendation 3 Addressing Use of Stolen Credentials Idea – regular dissemination of best practices for detecting stolen financial credentials Idea – adoption of minimum standards for registrars/resellers who accept credit cards, alternative payments, and bank drafts/transfers. Look to PCI Idea – provide policy framework to ALLOW information sharing between registrars on fraudulent domain registrations and registration attempts. Idea – create information sharing clearinghouse to facilitate information sharing between registrars (and resellers) on fraudulent domain registrations and registration attempts. Data elements could include aspects of domain registrations including nameservers and contact details. Sharing of stolen credential information itself is highly problematic and would require a specialized third party if even possible. Locations of fraudulent registration attempts (IP addresses) may be feasible in some venues.

I agree with the recommendation		5	83%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		0	0%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	17%

WHOIS ACCESS

76. Recommendation 1 The GNSO should determine what additional research and processes may be needed to ensure that WHOIS data is accessible in an appropriately reliable, enforceable, and consistent fashion. The GNSO Council should consider how such might be related to other WHOIS efforts, such as the upcoming review of WHOIS policy and implementation required by ICANN’s new Affirmation of Commitments. The Affirmation of Commitments says: “ICANN additionally commits to enforcing its existing policy relating to WHOIS, subject to applicable laws. Such existing policy requires that ICANN implement measures to maintain timely, unrestricted and public access to accurate and complete WHOIS information, including registrant, technical, billing, and administrative contact information. One year from the effective date of this document [30 September 2009] and then no less frequently than every three years thereafter, ICANN will organize a review of WHOIS policy and its implementation to assess the extent to which WHOIS policy is effective and its implementation meets the legitimate needs of law enforcement and promotes consumer trust.

I agree with the recommendation		7	100%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		0	0%

I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%
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77. Friendly Amendment

#	Response - 0
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78. Alternate view

#	Response - 0
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79. Recommendation 2 The GNSO should request that the ICANN Compliance Department publish more data about WHOIS accessibility, on at least an annual basis. This data should include a) the number of registrars that show a pattern of restricting access to their port 43 Whois servers, and b) the results of an annual compliance audit of compliance with contractual WHOIS access obligations.			
I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		2	29%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%

80. Friendly amendment			
#	Response		
1	Study must balance accessibility of WHOIS versus reasonable means implemented by registrars to prevent data mining and abuse of whois systems. (James)		
2	Compliance report should also be on web whois services as well. (Rod)		

81. Alternate view

#	Response - 0
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UNIFORMITY OF CONTRACTS

82. Recommendation 1 The RAP WG recommends the creation of an Issues Report to evaluate whether a minimum baseline of registration abuse provisions should be created for all in-scope ICANN agreements, and if created, how such language would be structured to address the most common forms of registration abuse.			
I agree with the recommendation		5	71%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		1	14%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		1	14%

83. Friendly amendment			
#	Response		
1	Provisions should not be overly prescriptive, but should instead describe required services, facilities, procedures, and contacts. See SSAC 038 and SSAC 040 (James)		

84. Alternate view			
#	Response		
1	Make no recommendation. Reasoning: 1. The Consensus Policy process is the mechanism specifically designed to create uniformity where it is needed. It guarantees uniformity and binds registries, registrars, and registrants. 2. Consensus Policies should be created to solve specific problems. Only after the abuse is identified and understood should a policy be crafted to deal with the specific problem. 3. The RAPWG has not demonstrated what problems a "baseline" registration abuse policy might solve. The RAPWG did not identify what need would be served, or what benefit might be delivered, by continuing down the proposed path. 4. All registrars are bound to a uniform RAA. While there are two versions, the great majority of gTLD names are covered under the new version, and the old version is being phased out. 5. It may not be possible or desirable to create a baseline relevant or applicable to diverse entities. Some amount of non-uniformity is necessary. (e.g. sTLDs require language in their contracts to define their unique sponsorship and eligibility needs.) Registries and registrars also have some rights to create their own policies and practices as long as they do not conflict with ICANN policies, and the proposed Issues Report/PDP process might collide with or abridge those rights. (Greg)		

META ISSUES

85. Recommendation 1 - Uniformity of Reporting The RAPWG suggests that this “meta-issue” be addressed either by a PDP working group, a best-practices working group or an ICANN advisory group, with the goals of: Providing “just in time” education and knowledge to people wanting to report problems Making it easier to submit a valid complaint Reduce the number of erroneous complaints Improving understanding of the limits of ICANN policies and other options to pursue if the issue is not covered by policy Improving the effectiveness of policy-compliance activities Improving the data available for GNSO (working-group) and ICANN (advisory-group) policy-making Improving the data available for compliance activities Answering the question “which comes first, policy-process or definitive data describing the problem?” along with suggestions as to how data can be gathered when it hasn’t yet been included in the reporting process.			
I agree with the recommendation		3	43%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		4	57%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%

86. Friendly amendment			
#	Response		
1	I think we are talking about working methods here, which need to be incorporated into how the GNSO works. So I suggest dropping recommendation for a PDP or WG or advisory group. Phrase it as an issue the Council needs to consider, and let them decide how to pursue it. (Greg)		
2	What is required is a top-to-bottom review of ICANN's data collection, data analysis and reporting capabilities. (James)		
3	may be too general to incorporate. (Frederick)		
4	seems to be general and might be difficult to implement (Faisal)		

87. Alternate view	
#	Response - 0

88. Recommendation 2 - Collection and Dissemination of Best Practices The working group suggests that this “meta-issue” be addressed either by a PDP working group or an ICANN advisory group, with the goals of: Creating mechanisms within the ICANN community to support the creation and maintenance of best practices efforts in a structured way. Creating multiple channels (some private or secure) for dissemination of best practices to all relevant community members. Incorporating the gathering and recommendation of best practices into the processes used by various policy and advisory working groups. Instituting practices to measure and incentivize adoption of best practices across the industry. Launching regular review processes where universal best practices may be incorporated into more formal policies.

I agree with the recommendation		3	43%
I generally agree with the recommendation, but propose a friendly amendment (please provide suggested text box)		4	57%
I disagree with the recommendation and propose an alternate view (please provide suggested text below)		0	0%

89. Friendly amendment			
#	Response		
1	This might be fodder for the PPSC WG. I think we are talking about working methods here, which need to be incorporated into how the GNSO works. So I suggest dropping recommendation for a PDP or WG or advisory group. Phrase it as an issue the Council needs to consider, and let them decide how to pursue it. (Greg)		
2	ICANN can be a facilitator of best practice exchange, but it should be seen as a peer organization with other groups, such as the APWG and RISG. (James)		
3	Believe that this may be too general to incorporate. (Frederick)		
4	appears to be general and hard to implement (Faisal)		

90. Alternate view
Response - 0