



**To:** Internet Corporation for Assigned Names and Numbers (ICANN)  
**From:** Messaging Anti-Abuse Working Group (MAAWG)  
**Date:** November 2, 2010  
**Subject:** Comments on ICANN's proposed 2011 Plan for Enhancing Internet Security, Stability and Resiliency

Thank you for the opportunity to submit comments on ICANN's proposed 2011 Plan for Enhancing Internet Security, Stability and Resiliency [[www.icann.org/en/announcements/announcement-13sep10-en.htm](http://www.icann.org/en/announcements/announcement-13sep10-en.htm)].

The Messaging Anti-Abuse Working Group (MAAWG) is an international non-profit industry-led organization founded to fight all forms of messaging abuse, such as spam, viruses, denial-of-service attacks and other messaging exploitations such as phishing, botnets, fraud, spam, viruses and denial-of-service attacks. MAAWG draws technical experts, researchers and policy specialists from a broad base of Internet Service Providers and Network Operators representing over one billion mailboxes, as well as from key technology providers, academia and volume sender organizations. The multi-disciplinary approach at MAAWG ([www.MAAWG.org](http://www.MAAWG.org)) includes education, advice on public policy and legislation, development of industry best practices, guidance in the development of industry standards, and the facilitation of collaboration.

For the most part, MAAWG agrees with the plans ICANN proposes and appreciates the strides that ICANN has made in improving the resiliency of its own operations. We do, however, offer comments on three areas of the 2011 plan.

## I. ICANN's Role

Pages 2 and 3 of the plan describe ICANN's limited role in security, stability and resiliency, text that is unchanged from the 2009 plan. MAAWG fully agrees that ICANN must define the limits of its role and avoid "mission creep" into inappropriate areas. Nonetheless, within these limits, ICANN needs to acknowledge the scope of its mission and its essential role relative to other organizations. MAAWG suggests the following language, clarifying but not extending ICANN's role in security, stability and resiliency:

-- ICANN's role must focus on its core missions related to the unique identifier systems, *but* ICANN recognizes and accepts the full range of responsibilities that come with its unique role in ensuring the continued stability, security, resilience and scalability of the Internet.

-- ICANN does not play a role in policing the Internet, *but* it also has a responsibility to diligently and consistently enforce the contractual terms under which its registrars and registries do business with ICANN and the users of the Internet.

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**MAAWG**

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-- ICANN's role includes participating in activities with the broader Internet community to combat abuse of the unique identifier systems. These activities involve collaboration with governments combating the malicious activity enabled by abuse of the systems in order to assist in the protection of these systems.

## **II. Compliance**

In Section 6.2.5, ICANN describes plans to "tighten accreditation application procedures, establish heightened RAA eligibility requirements and disqualification rules, and develop procedures to allow registrars to exit the registrar marketplace in a responsible manner." These plans are welcome and long overdue. In Section 6.2.6, ICANN describes plans to "increase the scope of contractual enforcement activities," also a welcomed development.

However, a slide on page 55 reveals that ICANN plans to staff contractual compliance with only three people. ICANN currently has contracts with over 900 registrars and 15 registries, with roughly 120 million gTLD domains.

If the new gTLD program progresses as predicted, there may be hundreds of additional new gTLDs and millions more domains. It is simply not credible that a staff of four people, no matter how dedicated they are, can meaningfully verify compliance with more than a thousand contracts or more than 120 million gTLD domains. We urge ICANN to immediately begin to expand its compliance staff. Currently ICANN has one compliance person per 30 million domains.

We also note that ICANN's compliance actions to date have largely been reactive and rely, at least in part, on external reports made through WDPRS ([WHOIS Data Problem Reporting System](#)) and other means to learn about areas where compliance issues may exist. In keeping with ICANN's transparency and accountability process goals, we encourage ICANN to publish quarterly compliance reports showing data such as the raw and normalized volume of WDPRS complaints ICANN has received each quarter and those on a registrar-by-registrar basis. ("Normalized complaint volumes" are complaint volume counts scaled by the total number of domains registered through each registrar.) ICANN can use those measurements to help focus and prioritize its compliance resources consistent with the principle of "management by exception."

While it will always be important to accept community input, it is unreasonable to depend primarily on unpaid external volunteers as a major source of compliance data. Hence, as part of the compliance process, ICANN should perform its own routine internal testing and sampling to verify compliance by all contracted parties. For example, ICANN should routinely automatically test registrar WHOIS server accessibility and performance, again publicly reporting its findings each quarter on a registrar-by-registrar basis.

Our membership has also noted that ICANN's compliance efforts would be greatly facilitated by ICANN completing the transition from a thin registry model to a thick registry model. When this is completed, registrar WHOIS servers cease being critical and your compliance mission will become easier to effectively automate. For instance, once *prima facie* inaccurate WHOIS point of contact data is identified for one domain, all other domains sharing the same inaccurate WHOIS point of contact data can be handled *en bloc*, rather than on a tedious case-by-case basis.

Moreover, ICANN does not just need more compliance staff, they need multilingual compliance staff – staff who are able to work confidently in an increasingly internationalized domain name environment. When hiring new compliance staff, an affirmative effort should be made to hire persons who can help ICANN have on-staff expertise in all 22 languages currently part of the IDN (Internationalized Domain Names) Fast Track Process.

### **III. Engagement**

Finally, we urge ICANN to continue and expand its current program of global engagement and outreach by actively attending and participating in the work of industry anti-abuse organizations such as MAAWG, APWG, and others. MAAWG would welcome your engagement and participation.

In conclusion, MAAWG would like to thank you for the opportunity to submit these comments for your consideration, and we would welcome the opportunity to offer further assistance to ICANN on its work in this important area. Please feel free to contact us if you have any questions, or if we can be of any further assistance.

Sincerely  
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