The ICANN GNSO "Business Constituency"

Comments on ICANN Proposal to Mitigate Name Collision Risks

Status: FINAL

Version: 3

17-Sep-2013

Business Constituency Submission

GNSO//CSG//BC

Background

This document is the response of the ICANN Business Constituency (BC). The BC's comments arise from the perspective of Business users and registrants, as defined in our Charter[1]:

> The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:
> 1. promotes end-user confidence because it is a safe place to conduct business
> 2. is competitive in the supply of registry and registrar and related services
> 3. is technically stable, secure and reliable.

ICANN opened a public comment period on the Proposal to Mitigate Name Collision Risks on August 5, 2013[2], taking into account the Interisle Consulting Group Report, "Name Collisions in the DNS[3]."

Comments

The BC supports measures taken by ICANN to ensure the security, stability and resiliency of the DNS, but believes the current proposal does not go far enough. The BC recognizes that avoidance of Name Collisions, and the potentially serious consequences for the internal namespace of large and small businesses and their customers, is critical to the business community.

The main concern of the BC is ensuring that any potential for domain name collision in the private network environment – including the continuity and availability of in-house corporate IT systems – be fully studied, understood, and remediated before new gTLDs are introduced into the root.

Low-Risk and Uncalculated-Risk Strings

ICANN appears to have drawn the conclusion that "low risk" strings are those that were queried "less frequently than existing TLDs with "empty zones" in the 2013 Day in The Life of the Internet"[4]. By our reading of Appendix B, that threshold is 50,000 queries over the examined period.

This threshold is critical because ICANN's proposal would allow delegation of any Uncalculated-Risk string where the applicant "can provide evidence of the results from the steps taken to mitigate the name collision risks to an acceptable level."[5]   The ICANN proposal gives no explanation of how and for how long to measure the query count. Moreover, the BC questions whether a query threshold alone is enough to truly assess whether risks are "acceptable" for the businesses and users who incur the interruptions and costs of collisions.

The BC asks ICANN to re-examine this conclusion because even collisions that occur fewer than 50,000 times in the interval could have serious consequences for businesses and users, depending upon the type of use (e.g., VOIP-SIP traffic).

Moreover, the BC has just become aware of the recent Verisign study that supports the points above, including the need for further analysis. As noted in that study:

> "Other than Verisign's Exploratory Consumer Impact Analysis, no effort has been made to perform a qualitative analysis as recommended repeatedly, and absent this analysis, the potentially harmful

consequences associated with the delegations of a new TLD label and the associated risks, simply cannot be assessed."[6]

We urge ICANN to complete additional study on the name collision issues to more fully understand "acceptable risk" and to ensure that the proposed time allowed for remediation is in fact adequate. Security and stability issues should justify reasonable delays imposed on applicants. The BC encourages ICANN to conduct this study as a matter of urgency, to minimize the potential impact on the business community and its customers.

The BC also requests additional information about the feasibility of the requirement to notify the point of contact of any IP address that requests DNS for an un-delegated TLD, and the efficacy of such a program to identify the purpose (mistaken or intentional) of such requests.   The notification period should also be used to gather and publish data on the problems encountered and workarounds used by enterprises that must quickly change their internal naming schemes and software.   If there is evidence that 120 days is not enough time for enterprises to mitigate collision problems with a new TLD, ICANN should defer that delegation accordingly.

High-Risk Strings

The BC supports the conclusion that .HOME and .CORP should not be delegated until proposed Registry Operators can demonstrate with reasonably certainty that they have met an "acceptable risk" threshold that has been agreed upon by the ICANN community. As described above with respect to the Uncalculated-Risk strings, we are concerned about ICANN's proposal to delegate even these High-Risk strings if the applicant gives evidence that risk has been reduced to an "acceptable level".

Timing and additional documentation

The BC has submitted these comments to comply with the deadline of the comment period. However, we would have preferred to review all available analysis of collision risks, including the "written briefing" requested by the GAC in their Durban advice[7].   As the GAC requested, ICANN should publish any and all analysis we could use to evaluate the collision mitigation plan.   When the GAC written brief and any other SSR documents are posted, the BC reserves the option to supplement or amend our comments on the adequacy of ICANN's mitigation plan.

These comments were approved in accordance with the BC Charter.

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[1] Business Constituency Charter, at http://www.bizconst.org/charter.htm.

[2] Proposal to Mitigate Name Collision Risks, 5-Aug-2013, http://www.icann.org/en/about/staff/security/ssr/new-gtld-collision-mitigation-05aug13-en.pdf

[3] Name Collisions in the DNS, 2-Aug-2013, http://www.icann.org/en/about/staff/security/ssr/name-collision-02aug13-en.pdf

[4] page 2, Name Collisions in the DNS, 2-Aug-2013

[5] page 3, ICANN's Proposal to Mitigate Name Collision Risks

[6] page 1, Verisign comment, http://forum.icann.org/lists/comments-name-collision-05aug13/msg00039.html

[7] GAC Communiqué – Durban, South Africa, 18-July-2013. http://durban47.icann.org/meetings/durban2013/presentation-gac-communique-18jul13-en.pdf