



The Importance of Accurate Whois Data in the .US Top-Level Domain (Michael Palage)

The accuracy and access of Whois information is a topic of global discussion and importance. Although there are currently underway various initiatives by both the public and private sectors to address these problems, the accuracy of Whois information within the .US top-level domain is of critical importance with the potential launch of a .KIDS.US space. Although the specifics of this proposed “green space” have not been finalized, it is without question that the accuracy of data associated with any domain names registered in this space is of paramount concern.

The Internet Corporation for Assigned Names and Numbers (ICANN) recently launched an initiative to assist third parties and registrars in identifying and correcting inaccurate Whois information. Information about this program can be found online at http://www.internic.net/cgi/rpt_whois/rpt.cgi. This program appears to have been positively received in the community, as ICANN to date has already received over 2,800 submissions. As with all initiatives, the first 2,800 submissions has identified certain issues that need to be addressed to ensure that appropriate safeguard mechanisms are in place that take into account the business realities of the marketplace to prevent against unintended deletions of domain names.

Listed below are the proposed modifications that should be incorporated into a formal Whois accuracy policy:

- NeuStar will operate a web-based reporting mechanism (“Whois Accuracy Portal”) by which parties can submit inquiries regarding the accuracy of Whois data;
- NeuStar will employ appropriate automated mechanisms to prevent inappropriate submissions to the Whois Accuracy Portal, however, there shall be no requirement imposed on NeuStar to manually review these submissions prior to forwarding them to the registrar of record for investigation;
- NeuStar will approve a standardized Whois Accuracy Inquiry Notice (WAIN) prepared by accredited registrars in consultation with domain name stakeholders regarding inquires about false or inaccurate Whois data;
- NeuStar shall require that registrars send the standardized WAIN to their domain name registrant after receiving a notification of potentially false or inaccurate Whois data via the Whois Accuracy Portal;
- Registrar or Registrant shall be required to respond to inquiries regarding the accuracy of the Whois data within 30 days (note: this is an increase from the current 15 day time period);



- Registrars shall be required to comply with reporting mechanisms incorporated into the Whois Accuracy Portal to allow NeuStar to monitor registrar compliance;
- Registrar specific information collected from this reporting mechanism shall not be made public, however, NeuStar may provide summary details regarding the success of the Whois Accuracy Portal.
- Registrars that are unable to verify the accuracy of the Whois data or fail to receive instructions from the registrant within thirty (30) days shall *delete the name at the end of the thirty-day period. The Registry will place the name in a redemption grace period during which the Registrant may only re-activate the domain name upon verification of the accuracy of its Whois data. At the end of the Redemption Grace Period the domain name shall be made available to the general public if it has not been reactivated;*
- Registrar shall not remove the domain name from hold status or renew the domain name until registrant has provided documented proof which the registrar shall be required to retain;
- In the situation where the registrar receives a second inquiry regarding the accuracy of Whois data for a specific domain name, the Registrar shall require documented proof from the domain name registrant within the 30 day time frame or have the domain name placed on hold in accordance with the process described above;
- NeuStar shall incorporate into the Whois Accuracy Portal a contractual requirement that third parties submitting Whois accuracy inquiries acknowledge that the submission is not intended to interfere with the lawful operations of the domain name registrant or registrar; and
- The Registrar Accreditation Agreement (RAA) and the Registry Registrar Agreement (RRA) should be appropriately amended to incorporate the following requirements.

Nothing in this policy shall prevent a registrar from taking action (i.e. deleting a domain name) in less than 30 days in appropriate circumstances, including but not limited to fraudulently submitted Whois data.

This proposal should be immediately posted for public comment pending the approval of the Policy Council and NeuStar.

Respectfully submitted,

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