



Quarterly Report of the usTLD Stakeholder Council – 1Q 2017

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Overview

In 1Q 2017, the usTLD Stakeholder Council discussed its work plan for 2017 including moving to a new format. The Council will now meet every six weeks instead of once a month and the Chair and Vice Chair will meet with the Secretariat and members of the Neustar registry team to discuss potential meeting agenda items. The Council elected a new chair and vice-chair. It also continued its deliberations of two policy items, the Privacy Service Plan and the Premium Names Plan.

Council Recommendations

The usTLD Stakeholder Council recommended that Neustar submit its Privacy Services Plan to the Department of Commerce.

The Council recommended that Neustar submit its Premium Domain Names Plan to the Commerce with respect to release of 1 and 2 character domain names but not with regard to the proposed reclassification of currently authorized .US domains.

The Council approved the nominations of Shane Tews as Chair and Karen Rose as Vice-Chair.

Other Informal Input Provided

The usTLD Stakeholder Council did not provide any other informal input to Neustar or the Department of Commerce during Q1 2017.

Membership Update

Scott Blake Harris stepped down as the Chair and exited the Council. The Council approved the nominations of Shane Tews as Chair (formerly Vice-Chair) and Council member Karen Rose as Vice Chair.

Summary of Public Comments

Neustar opened public comment periods for its Privacy Services Plan and Premium Domain Name Plan.

Mr. D. John submitted a comment related to the Privacy Service Plan. He is a former government official and IT professional. He expresses his support for “optional .US whois privacy.” He states that privacy is completely necessary and without it, citizens and businesses are potentially subject to undue risks and dangers and the absence of this option tends to have a chilling effect on registration and the use of .US domains. He also states that the option poses

no technical or other non-remediable impediments to data access by law enforcement or other duly authorized entities.

The comments from Internet Commerce Association (ICA) address both Privacy and Premium Names. Regarding the Privacy Plan, ICA supports the implementation of privacy services and does not foresee registrars encountering any significant implementation difficulties for the proposed plan. ICA also believes the proposed plan adequately addresses all legitimate concerns of law enforcement agencies. ICA states that the lack of privacy services is a key issue suppressing registration in the .US TLD.

ICA states that the plan will allow the registry operator to maintain firm control of the centralized authoritative database of WHOIS information; be built into the registry software, compliant with all .US policy and security standards; and enable Neustar to provide one-stop access to law enforcement agencies, rights holders, and others with lawful requests in near real time. This approach will also cause the least disruption to registrar business models.

ICA states that privacy service should be available to commercial entities. This is consistent with recently adopted, carefully developed ICANN policy in this area. Barring privacy service for commercial entities would negate much of its potential benefit for no justifiable reason, given that legitimate requests for registrant data will be honored. Such an unnecessary carve out would also raise administrative burdens and associated costs.

ICA's support of the premium names plan is bifurcated: ICA supports the release of 1 & 2 character domains as set forth in the plan, subject to two conditions: 1) retention in the final plan of equal access during the solicitation period by both trademark owners and the general public; and 2) NTIA requiring that substantially all the revenues generated by the release of 1 & 2 character domains be devoted to public relations efforts to raise awareness of the .US TLD and that such efforts be undertaken within a reasonable period after receipt of those funds.

ICA states that it is opposed to the portion of the proposal which would reclassify approximately 100,000 currently authorized .US domains as "Premium" within the following categories: 1) 3-letter and 3-number domains; 2) all nouns under 8 letters; 3) all verbs under 8 letters; and 4) the top 10,000 words in the English language. ICA notes that it recognizes that the proposed pricing model is less objectionable than domain reclassification programs it has seen in the past, given that it would not affect current registrants or their renewal or transfer costs; that currently registered domains identified as premium will incur a premium fee only if they expire, go through the redemption process and become available for re-registration again by new or different customers; and that premium pricing would typically be a one-time event with annual renewal fees being the same as for non-premium domains. Nonetheless, ICA believes that implementation of such a plan would set a "worrisome precedent" and other registry operators might well cite approval of this portion of the .US proposal as basis for similar

plans by legacy gTLDs, including more radical versions featuring tiered pricing of both acquisition and renewals.

Summary of Topics under Council Consideration

Privacy and Proxy and Premium Domain Names

The Council discussed the comments received on two open policy issues: 1) the implementation of Privacy Services for .US; and 2) the Premium Names Plan. These comments had been previously distributed to the Council and the Secretariat provided a summary of the comments during the meeting. The Council discussed both comments and the Chair moved for a vote to recommend to Neustar that it finalize both policy plans and submit them to the Department of Commerce for its consideration.

Blogs and Media

In Q1 2017, there were no blogs or media published in relation to the usTLD Stakeholder Council.

Summary of Meetings

January 26, 2017 Meeting:

The .US Stakeholder Council held its regularly scheduled meeting on January 26, 2017. The Council discussed chair and vice-chair nominations. Prior to the meeting, a communication was sent to each of the Council members stating that the current chair, Scott Harris, planned to step down from his role in 2017. Ms. Tews, the current vice-chair, indicated that she would be willing to step into the chair role and council member Karen Rose volunteered to serve as the vice-chair. The communication stated that if no more nominations were received by February 1, 2017, Ms. Tews and Ms. Rose would be confirmed as chair and vice-chair. No additional nominations were received at the January 26 meeting or in the days leading up to February 1.

Crystal Peterson, Neustar's Director of Business Development, presented the 2017 marketing overview for the .US TLD.

The Council discussed the comments received on two open policy issues: 1) the implementation of privacy services for .US; and 2) the premium names plan. ICA submitted comments that supported the privacy services plan. The ICA comments also supported the premium names plan in part. The ICA comments supported the premium names plan with regard to the proposed release of one and two-character domains but objected to the reclassification of currently authorized .US domains as ICA believes that although the .US proposal had proper protections proposed as part of its plan, the reclassification could be used by other domains as precedent to make a similar reclassification but without the protections proposed by Neustar. These comments had been previously distributed to the Council and the

Secretariat provided a summary of the comments during the meeting. The Council discussed both comments and the Chair moved for a vote to recommend to Neustar that it finalize both policy plans and submit them to the Department of Commerce for its consideration.

The Council voted to recommend to Neustar that it forward its privacy service plan to the Department of Commerce. The Council voted to recommend that Neustar forward its premium names plan to the Department of Commerce with regard to the release of one and two-character domains, but not with regard to the proposed reclassification of currently authorized .US domains. The Secretariat stated that Neustar would review the premium names plan again in light of the Council's recommendation.

February 2017 Meeting:

The Council did not have a meeting in February.

March 2017 Meeting:

The meeting originally scheduled for March 9 was cancelled to allow Neustar extra time to prepare the policy plans for submission to the Department of Commerce.

Deadlines for Q2 2017

1. The Secretariat to submit the Privacy Service Plan and the Premium Names Plan to the Department of Commerce.

Appendices

Appendix 1: usTLD Stakeholder Council Minutes January 26, 2017

Council Chair Shane Tews opened by asking the Council to approve the December Minutes for the record. The Council approved.

The Council then discussed Chair/Vice-Chair nominations. Ms. Tews explained that Scott Harris would be stepping down and that she, the Vice-Chair, is willing to step into the Chair role. Karen Rose indicated that she would be willing to serve as the Vice-Chair, so Ms. Tews reiterated a previous email stating that if the Secretariat receives additional nominations the Council will conduct a vote via email. Otherwise, she and Ms. Rose will serve as the Chair and Vice-Chair roles respectively.

Crystal Peterson, Neustar's Director of Business Development, gave a presentation of the .US 2017 Marketing overview.

Ms. Tews introduced the policy items. Last month, Neustar solicited comments from the public on the Privacy Service Plan and the Premium Names Plan. The Council discussed the comments received on two open policy issues: 1) the implementation of Privacy Services for .US; and 2) the Premium Names Plan. ICA submitted comments that supported the Privacy Services Plan. The ICA comments also supported the Premium Names Plan in part. The ICA comments supported the Premium Names Plan with regard to the proposed release of one and two-character domains but objected to the reclassification of currently authorized .US domains as ICA believes that although the .US proposal had proper protections proposed as part of its plan, the reclassification could be used by other domains as precedent to make a similar reclassification but without the protections proposed by Neustar. These comments had been previously distributed to the Council and the Secretariat provided a summary of the comments during the meeting. The Council discussed both comments and the Chair moved for a vote to recommend to Neustar that it finalize both policy plans and submit them to the Department of Commerce for its consideration.

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Action Items-

- Submit the Privacy Plan to the Department of Commerce for consideration.
- Revise the Premium Names Plan for further Council review.