



Quarterly Report of the usTLD Stakeholder Council – Q3 2016

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Overview

In Q3 2016, the usTLD Stakeholder Council deliberated on the Privacy Services Proposal and the Premium Domain Names Proposal submitted to the Council by Neustar. The Council also worked toward finalizing plans for the .US Stakeholder Town Hall to be held in October.

Regarding the Privacy Services Proposal, much discussion centered around access by law enforcement to WHOIS data. Neustar presented the Council with two options for law enforcement access. This generated more discussion and, ultimately, the Council asked Neustar to make additional revisions to the proposal and bring a revised draft back to the Council for consideration.

Neustar also presented to the Council an additional proposal, the launch of premium domain names, including one and two-character domains. This plan would make available to the public at a premium price certain high-value, highly visible, premium .US domains, some of which are currently reserved. The release of such attention-getting domains will raise awareness of the .US domain and will help to make .US more competitive with other leading TLDs. The Council discussed the proposal and concluded by asking that the Council be given additional time to discuss the plan.

Council Recommendations

The usTLD Stakeholder Council did not provide any formal recommendations to Neustar or the Department of Commerce during Q3 2016.

Other Informal Input Provided

The usTLD Stakeholder Council did not provide any other informal input to Neustar or the Department of Commerce during Q3 2016.

Membership Update

No membership changes were made to the usTLD Stakeholder Council during Q3 2016.

Summary of Public Comments

The usTLD Stakeholder Council did not open any public comment periods during Q3 2016.

Summary of Topics under Council Consideration

Privacy and Proxy

Neustar presented the Privacy Services Plan to the Council for its consideration.

Premium Domain Names

Neustar presented its Premium Domain Name Policy Proposal to the Council.

Town Hall

The Council discussed plans regarding content and promotion for the 2016 usTLD Town Hall. The Town Hall will be held during the fourth quarter on October 26, 2016

Blogs and Media

In Q3 2016 there were no blogs or media published in relation to the usTLD Stakeholder Council.

Summary of Meetings

July 2016 Meeting:

No meeting was held in July.

August 24, 2016 Meeting:

Neustar's Crystal Peterson introduced the Premium Domain Name (PDN) Proposal and gave a presentation detailing Neustar's plan to launch and develop this plan. The PDN Plan would make certain high-value, highly visible, premium .US domain names, some of which are currently designated as "reserved" (including one and two character .US domain names) – and others that would be newly designated as such, available to the public at a premium price. The primary goal of the proposed PDN Plan is to increase the use and awareness of the .US brand in the consumer marketplace. It also would provide the opportunity for Neustar to allocate .US Premium Names on a non-cash or discounted basis to support organizations or activities that will help spread awareness and encourage growth of the .US domain. Releasing these .US Premium Domains with premium pricing can have an important impact on the success of the .US name space while at the same time creating exciting new branding opportunities for business and organizations in the US private sector.

The Council concluded by deciding to schedule additional meetings to further discuss the PDN Plan as well as the additional policy issues on the agenda; IDN Proposal, Privacy and Proxy Update, and the upcoming Town Hall.

September 2016 Meeting:

The Council postponed its regularly scheduled September meeting until October 3, 2016. At the October 3 meeting, the Secretariat presented Neustar's recommendation for the implementation of privacy services for .US. The plan addressed key considerations identified by Council members and Neustar after months of Council discussion. Neustar's proposal contained two options for Council discussion regarding access to the privatized WHOIS data by law enforcement. The Council members expressed agreement with the key considerations contained in the proposal, however there was much discussion about the two options. Option One took the standard gTLD Privacy/Proxy approach wherein Neustar would cooperate with

government and law enforcement officials and private parties to enforce and comply with the law, and would disclose information believed necessary or appropriate to respond to claims and legal process, to protect property rights of rights holders and to protect the safety of the public or any person, or to prevent or stop an activity that is illegal or unethical. Additionally, Neustar would take reasonable steps to notify registrants that it is required to provide the registrants personal information to third parties as part of a legal process. Option Two proposed that Neustar would provide authenticated US law enforcement an interface to access the centralized authoritative WHOIS database. The Council expressed more comfort with Option One with law enforcement expressing a preference for Option Two. The Secretariat agreed to revise the proposal accordingly and circulate a new draft to the Council for comments.

Neustar provided its communication plan for the upcoming Town Hall and the Council offered its support.

Deadlines for Q4 2016

1. The Secretariat to submit the Q4 Quarterly Report to the Council.
2. The Registry Policy Team to present the revised Privacy Services Policy Proposal to the Council.
3. Hold the .US Stakeholder Town Hall on October 26 at 3:00 p.m. Eastern Time

Appendices

Appendix 1: usTLD Stakeholder Council Minutes August 24, 2016

As part of the general business items, Scott Blake Harris, the Council Chair, led a vote for the adoption of the first and second quarter reports. The Council unanimously agreed to submit both reports. Mr. Harris also announced that the July Monthly Progress Report was submitted to the Department of Commerce.

Crystal Peterson introduced the Premium Domain Name (PDN) Proposal and gave a presentation detailing Neustar's plan to launch and develop this plan. The PDN Plan would make certain high-value, highly visible, premium .US domain names, some of which are currently designated as "reserved" (including one and two character .US domain names) – and others that would be newly designated as such, available to the public at a premium price. The primary goal of the proposed PDN Plan is to increase the use and awareness of the .US brand in the consumer marketplace. It also would provide the opportunity for Neustar to allocate .US Premium Names on a non-cash or discounted basis to support organizations or activities that will help spread awareness and encourage growth of the .US domain. Releasing these .US Premium Domains with premium pricing can have an important impact on the success of the .US name space while at the same time creating exciting new branding opportunities for business and organizations in the US private sector.

Ms. Peterson's presentation lasted the duration of the call.

The Council concluded by deciding to schedule additional meetings to further discuss the PDN Plan as well as the additional policy issues on the agenda; IDN Proposal, Privacy and Proxy Update, and the upcoming Town Hall.

Following the conclusion of the meeting, Council Members Michele Neylon raised questions about the PDN plan and both he and James Bladel expressed concern that other issues, such as privacy and proxy and the town hall should take precedent.

Action Items-

- The Secretariat to schedule a meeting for the Privacy and Proxy Subcommittee before September's monthly call.
- The Secretariat to schedule an additional General Council meeting before September's monthly call.

Appendix 2: usTLD Stakeholder Council Minutes October 3, 2016

Council Co-Chair Shane Tews began by asking the Council to approve the August Minutes for the record. The Council approved.

Kimberly Miller of Neustar presented the .US Registry Based Privacy Service Plan. This Neustar recommendation addresses these key considerations for the implementation of privacy services in the .US TLD:

- Provides an authoritative, accurate, real-time private WHOIS database that is quickly and easily accessible in response to lawful requests from law enforcement;
- Provides a seamless process that will incentivize registrars to offer .US domain names to those interested in privacy-protected registration;
- Simple to administer, whether the registrant is a commercial or non-commercial entity;
- And, will generate greater use of the .US domain space.

Additionally, Neustar's proposal contained two options for Council discussion regarding access to the privatized WHOIS data by law enforcement. The Council members expressed agreement with the key considerations contained in the proposal, however there was much discussion about the two options presented for law enforcement compliance. Option One took the standard gTLD Privacy/Proxy approach wherein Neustar would cooperate with government and law enforcement officials and private parties to enforce and comply with the law, and would disclose information believed necessary or appropriate to respond to claims and legal process, to protect property rights of rights holders and to protect the safety of the public or any person, or to prevent or stop an activity that is illegal or unethical. Additionally, Option One stated that Neustar would take reasonable steps to notify registrants that it is required to provide the registrants personal information to third parties as part of a legal process. Option Two proposed that Neustar would provide authenticated US law enforcement an API, or interface, to access the centralized authoritative WHOIS database.

The Council expressed more comfort with Option One with Anitha Ibrahim, representing law enforcement, being the only Council member expressing a preference for Option Two. Michele Neylon, Phil Corwin and Anitha Ibrahim offered suggestions for better defining the term law enforcement, narrowing the definition of other key phrases, clarifying the authority of registrars and law enforcement, and language for general policy disclosure. The Secretariat agreed to revise the proposal, taking all of these suggestions into consideration, and then circulate a new draft to the Council for comments, continuing this discussion through the Town Hall with a goal of reaching a conclusion shortly after the Town Hall.

Finally, Crystal Peterson presented a communication plan for the Town Hall. The Council offered its support and Shane Tews concluded the call.

Action Items-

- The Secretariat to revise Option One of the Privacy Proposal Plan and then circulate the new proposal to the Council.
- The Secretariat to circulate Town Hall promotional items.
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