

WHEREAS:

-- 1. --

The Whois Task Force, chartered by the Names Council on February 8, 2001, posted, on November 30, 2002, its Policy Report on Accuracy and Bulk Access (<http://www.dnso.org/dnso/notes/20021130.NCWhoisTF-accuracy-and-bulkaccess.html>);

-- 2. --

The posting of the Policy Report followed the posting of interim reports on June 25, 2002, and October 20, 2002, and extensive discussion of these interim report in public fora held at the Bucharest and Shanghai ICANN meetings, respectively;

-- 3. --

The Names Council has discussed the Policy Report and the public comments received thereon (see <http://www.dnso.org/dnso/dnsocomments/comments-whois/Arc02/>);

-- 4. --

The Policy Report addresses two of the main topics identified in the Interim Reports (Whois data accuracy, and bulk access to Whois), but does not address the other two identified topics (searchability, and uniformity/consistency);

-- 5. --

The Task Force has recommended, in section 3.1.I of the Policy Report, measures for an improved enforcement of current policy with respect to WHOIS data accuracy;

CAVEAT: The next couple of Whereases only mentions the May 2001 RAA. What about the NSI agreement (.com) and the old RAA? How to best incorporate them without making the text unreadable? -T.R.

-- 6. --

Section 3.3.7 of the May 2001 Registrar Accreditation Agreement (“the RAA”) provides that the current bulk access policy may be replaced by a new consensus policy;

-- 7. --

Section 3.7.8 of the RAA provides that registrars shall abide by policies requiring periodic re-verification of contact information;

-- 8. --

The Task Force has proposed, in section 3.1.III.A of the Policy Report, a consensus policy on the re-verification of registrant contact information at the time of the renewal of a domain name;

-- 9. --

The Task Force has proposed, in section 3.1.III.B of the Policy Report, a consensus policy on the applicability of the Redemption Grace Period to domain names canceled due to inaccurate or unreliable contact data;

-- 10. --

The Task Force has proposed, in section 3.2.IV.E of the Policy Report, a consensus policy on the resale of whois data made available in bulk under a bulk access agreement as defined in section 3.3.6.1 of the RAA;

-- 11. --

The Task Force has proposed, in sections 3.2.IV.C and 3.2.IV.F of the Policy Report, a consensus policy eliminating use of whois data made available in bulk under a bulk access agreement as defined in section 3.3.6.1 of the RAA;

-- 12. --

The Task force has, in the Policy Report, identified specific issues with regard to accuracy of whois data and bulk access which require further work;

-- 135. --

The Names Council wishes to provide a roadmap for action on the Task Force's recommendations, for further work on issues within the topics of the Policy Report which have not yet advance to the point of final recommendations, and for the issuance of Issue Reports on the remaining topics;

RESOLVED:

-- 1. --

~~That the Names Council accepts the Policy Report on Accuracy and Bulk Access, and, to the extent required, recommends to the Board the changes to consensus policy (within the meaning of Section 3.3.7 and 3.7.8 of the current Registrar Accreditation Agreement, and corresponding provisions of earlier agreements) embodied in the following recommendations of the Policy Report:~~

- ~~a. Sections I and III of the Accuracy portion of the recommendations (Section 3.1);~~
- ~~b. Section II.A.1 and II.A. 3 of the Bulk Access portion of the recommendations (Section 3.2);~~ adopts the consensus policy recommendations designated above;

-- 1a. --

That the Names Council recommends that the Task Force's recommendations for improved enforcement of existing policy with regard to WHOIS data accuracy be implemented;

-- 3/6 --

-- 2. --

That ICANN staff be asked to form an implementation committee, prior to *[January 10, 2003]*, including geographically and functionally diverse representation from the gTLD registry, registrar, and other interested constituencies, to examine the technical and operational aspects of implementation of the recommendations listed above;

-- 3. --

That the implementation committee be instructed to report to the GNSO Council by *[February 10, 2003,]*;

-- 4. --

That the terms of reference of the Whois Task Force be modified to include (1) the preparation of a Board report, incorporating the report of the implementation committee to the extent appropriate, and embodying those recommendations contained in the Policy Report that require action by the Board, and (2) the submission of the draft Board report to the GNSO Council no later than *[February 15, 2003]*;

-- 2. --

That ICANN staff be asked to form an implementation team, including geographically and functionally diverse representation from the gTLD registry, registrar, and other interested constituencies, in a timely fashion, so that the team is ready to begin to examine the technical and operational aspects of implementation of the recommendations listed above as soon as they are approved by the Board (with respect to matters requiring action by the Board) or accepted by ICANN (with respect to matters not requiring action by the Board);

-- 3. --

That the terms of reference of the Whois Task Force be modified to include (1) the preparation of a Board report, embodying those recommendations listed above that require action by the Board, and (2) the submission of the draft Board report to the GNSO Council no later than *[February 1, 2003]*;

-- 5. --

-- 4. --

That approval of the draft Board report will be an agenda item for the GNSO Council for its scheduled meeting on *[February 20, 2003]*;

-- 6. --

-- 5. --

That the Whois Task Force is instructed to post issue reports on the remaining issues addressed in its Interim Report (i.e., searchability and uniformity/consistency) by no later than *[January 30, 2003]*;

-- 7. --

-- 6. --

That the terms of reference of the Whois Task Force be further modified to include an investigation of and recommendations on the following issues which were identified in the Policy Report as requiring further review by the Task Force or another appropriate body, and that the Task Force be requested to report to the GNSO Council by *[January 15, 2003]* as to the anticipated timetable for posting recommendations, if any, on these issues;

That the agenda for the January meeting of the GNSO Council include a decision on the appropriate body and terms of reference for further work on the following issues identified by the Whois Task Force Policy Report as requiring further review by the Task Force or another appropriate body:

A. Sections II and IV of the Accuracy portions of the Recommendation (Section 3.1);

B. Section II.B of the Bulk Access portions of the Recommendation (Section 3.2);

-- 8. --

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-- 7. --

That the Names Council endorses in principle the proposal in Section 11 of the Policy Report for a WHOIS Workshop and modifies the terms of reference of the Whois Task Force to include making preparations for such a workshop and reporting to the GNSO Council on the status of workshop plans by the January meeting of the GNSO;

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-- 8. --

That the Council urges ICANN to devote staff support as needed to the implementation of the preceding paragraphs, within the limits of available resources and other priorities;

-- 10. --

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-- 9. --

That the Names Council thanks the members of the Whois Task Force for their work on this important issue.