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Via Electronic Mail
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We appreciate the opportunity to comment on ICANN's proposed implementation frameworks for the Registration Data Access Protocol (RDAP) and the Thick Whois Policy. As an initial matter, we acknowledge that the implementation of the Thick Whois Policy and the initial deployment of the RDAP are related in a number of respects. It is challenging to deal with the combined issues in separate public comments, particularly where the operational frameworks developed by ICANN for each cross-reference the other effort. As such, we intend this comment to apply to both of the open comment periods, in order to address several of the issues that touch on both implementation frameworks.

We share several of the concerns raised by the community during ICANN 55 and both public comment periods regarding the implementation of RDAP and thick Whois, including:
- The overreach of the Thick Whois Policy, particularly the requirement that registries collect new data fields;[1] and
- The prematurity of the RDAP framework, which endeavors to establish requirements for the implementation of RDAP where no discussion has occurred within the community about how it should be operationalized by registries and registrars.

Therefore, we propose a path forward that combines both workstreams and addresses several of the concerns raised by the community to date.

A Path Forward on Thick Whois

The Thick Whois Policy adopted by the GNSO and the ICANN Board requires that all gTLD registries adopt thick Whois with "consistent labelling and display as per the model outlined in Specification 3 of the 2013 RAA." In the currently proposed implementation, the requirement for consistent labelling and display have been extended to further mandate that registry operators collect both Reseller IDs and the Registrar's Expiration Date via a yet-to-be developed EPP

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[1] See prior comments by Google Inc. on ICANN's Proposed Implementation of GNSO Thick Whois Consensus Policy Requiring Consistent Labeling and Display of RDDS (Whois) Output for All gTLDs further describing these concerns.

extension. These additional data collection requirements not only exceed the requirements of the Thick Whois Policy, they also significantly complicate the implementation of the policy by registrars and by all gTLD registries, including registries that have already implemented thick Whois.

In addition to being overly burdensome, additional registry-registrar data exchange over EPP is unnecessary to develop a Thick Whois display that is consistent with the 2013 Registrar Accreditation Agreement (RAA). Under the 2013 RAA, registrars display only a single expiration date and the Reseller field is optional. Further, the need to develop new EPP extensions pushes out the timeline for transitioning the remaining thin registries to a thick Whois model.

The consistent display recommendation of the Thick Whois Policy could be better implemented as follows:

- **Registries include the Registrar Abuse Contact Email and Phone Number in their Whois outputs.** Although this information is already available through other mechanisms, registries already gather per-registrar data and display portions of it in Whois; as such, this change should require only simple changes to the registry Whois output.
- **As in the 2013 RAA, the Reseller field should be optional.** The 2013 RAA establishes that displaying the Reseller field is optional for registrars and it should remain so following the implementation of thick Whois. Likewise, registries should determine whether to display this field and, if so, how to collect this information from their registrars.
- **Registries display only one expiration date (the registry expiration date).** As has been discussed extensively in the community and public comments, including both dates is not only unnecessary but potentially confusing. Displaying a single expiration date is also the most consistent with the format of the 2013 RAA and registries' existing practices as standardized by way of the 2015 Whois Clarifications.

A Path Forward on RDAP

As a number of previous commenters have noted, RDAP provides a variety of technical capabilities that were simply not possible with port 43 Whois. Among these are the ability to provide differentiated access to data for different users or classes of users and the ability to accept and display internationalized data. By mapping current Whois policy and contractual requirements onto RDAP, ICANN's proposed operational profile fails to take advantage of any of these new capabilities. It simply uses a new protocol to enable identical interactions to those provided by registries' and registrars' existing Whois implementations. Given that there is neither existing policy relating to RDAP, nor operational experience in the use of the protocol, there is little value in confining early implementations of RDAP to such a profile. More importantly, without the ability of registries (and perhaps some registrars) to make use of

RDAP's new capabilities, the new policy development process (PDP) on Next-Generation Registration Directory Services (RDS) will lack critical information on practical implementations of these features.

Given that there are currently no plans to sunset port 43 Whois, and that existing Whois policies and contractual obligations will continue to apply to those implementations, there is a better alternative than replicating that framework into registries' RDAP rollouts. Until policies are developed for implementing RDAP, **individual registries and interested registrars should be free to develop their own operational practices for RDAP** and be encouraged to share their findings and experiences with the technical and policy communities. ICANN could support this effort by coordinating various pilot efforts by both contracted parties and other RDAP implementers in order to build the operational experience necessary to inform ongoing policy development and the longer-term effort to replace Whois with RDAP.

Intersections of Thick Whois and RDAP Requirements

The 2013 RAA requires registrars to maintain port 43 Whois and deploy RDAP for thin registries only. We believe that simplifying the Thick Whois implementation will allow for a more rapid transition to thick Whois for all gTLD registries, which means that there will be no thin registries by the time mature policies and operational practices have been developed for RDAP . Therefore, **registrars should not be required to implement RDAP** unless the policy development process on Next Generation Registration Directory Services defines a publication role for registrars**.**

Conclusion

We believe that a simplified approach to both thick Whois implementation and the rollout of RDAP can reduce the operational burdens on both registries and registrars, while providing better outcomes for the entire domain name ecosystem. We strongly urge ICANN to adopt the approach described above, and would be happy to continue to work with both staff and the Implementation Review Team to refine the proposal.

Sincerely,

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