

17 June 2011

To: Mr. Peter Dengate-Thrush  
Chairman of the Board of Directors, ICANN

Mr. Rod Beckstrom  
CEO and President, ICANN

Dear Peter and Rod,

PayPal welcomes the opportunity to provide comments on ICANN's [Draft FY12 Operating Plan and Budget](#).<sup>1</sup> Continued dialogue with the Internet Community is an essential aspect of Internet Governance and we appreciate the time and effort that the ICANN Board and staff devote to this activity.

PayPal believes that CyberSecurity, and CyberCrime in particular, require additional attention. Our [paper on CyberCrime](#)<sup>2</sup> provides, among other things, a list of actions that would serve to deter CyberCrime and improve CyberSecurity. One of those actions can be taken by ICANN, and only ICANN; address the issues with WHOIS in a manner consistent with your position as a "public-benefit" corporation. The public does not benefit from the status quo, yet criminals clearly do.

Our reasoning on this issue is described more completely in our paper but for the purpose of commenting on the ICANN 2012 Operating Plan, the following should suffice:

- ICANN, through the Affirmation of Commitments, covenants to "implement measures to maintain timely, unrestricted and public access to accurate and complete WHOIS information, including registrant, technical, billing, and administrative contact information".
- Various studies, some at ICANN's request and expense, have clearly established that WHOIS data is neither accurate nor complete for any reasonable commercial definition of those terms.
- ICANN continues to fund WHOIS studies when that money could be better spent on compliance measures or other activities that would have a positive impact on CyberSecurity and/or reduce CyberCrime.
- Many private and public actors rely on WHOIS in their efforts to thwart criminal activity with those efforts made significantly more difficult with inaccurate WHOIS information and a community culture that accepts patently false registrations.

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<sup>1</sup> <http://www.icann.org/en/financials/proposed-opplan-budget-v1-fy12-17may11-en.pdf>

<sup>2</sup> [https://www.paypal-media.com/assets/pdf/fact\\_sheet/PayPal\\_CombatingCybercrime\\_WP\\_0411\\_v4.pdf](https://www.paypal-media.com/assets/pdf/fact_sheet/PayPal_CombatingCybercrime_WP_0411_v4.pdf)

- While a 25% increase in contract compliance spending is a positive sign, it is impossible to determine if this amount will have a significant effect, and a significant effect is necessary.

ICANN has a well-defined role in Internet Governance generally and the Domain Name System specifically. The Internet Community expects that ICANN will fulfill the responsibilities of that role and in particular, will honor the promises made as part of the Affirmation of Commitments.

PayPal, like many Internet companies, relies on WHOIS to protect our customers and ourselves. Our ability to do so diminishes as WHOIS information becomes less accurate and less reliable and we look to a near-term future with this trend is reversed.

Again, thank you for the opportunity to comment and we look forward to working together to make improvements wherever we can.

Sincerely,

Andy Steingruebl  
Sr. Manager, Internet Standards and Governance  
PayPal Information Risk Management