Registrar Constituency Position on Fast Flux Hosting Initial Report

BACKGROUND

In January 2009, the Registrar Constituency ("RC") was asked to provide feedback regarding the Initial Report on Fast Flux Hosting ("Initial Report"). This Position Paper captures the overall sentiment expressed by the RC Members who provided feedback about this matter. Due to time constraints, however, no formal vote regarding this Position Paper was taken.

RC POSITION

In the Initial Report, the Fast Flux Working Group ("WG") has drawn interim conclusions and provided a number of possibilities for next steps in dealing with fast flux issues. After considering the possible next steps proposed, the RC strongly encourages the Council to explore other means to address the fast flux issues instead of initiating a Policy Development Process ("PDP"). In the RC's view, a PDP is not well suited to address the issue of fast flux.

As the WG quickly came to appreciate, flux hosting, flux techniques, and flux facilitated attacks change rapidly over time. In fact, flux activities continued to evolve during the WG's study period.

Additionally, the WG acknowledged that fast flux and similar techniques are merely components in the larger issue of Internet fraud and abuse and are only part of a vast and constantly evolving toolkit for attackers. It is clear that mitigating any one technique in the attackers' toolkit would not eliminate Internet fraud and abuse.

Because of the rapidly evolving nature of fast flux, combined with the minimal effect new policy would likely have on Internet fraud and abuse, a PDP is not well suited to address the issue of fast flux. Accordingly, the RC believes that any mitigation efforts are best left to organizations and parties outside of ICANN.

Notwithstanding the RC's preference that no PDP be initiated, if the Council decides to pursue a PDP in this area, then the RC recommends that these next steps, as suggested by the WG, occur in the following order:

1.   Further work/study to determine which solutions/recommendations are best addressed by best practices, industry solutions, or policy development. The RC prefers development of best practices and industry solutions with policy development reserved as a last resort.

2.   Include flux hosting, flux techniques and flux facilitated attacks as part of the work now being done on registration abuse and take-down policies.

3.   If the Council pursues policy development specifically for fast flux, the Council should redefine the issue and scope to address some of the problems encountered by the WG and to develop a narrower and more sharply focused charter. This can only be done by first following the WG advice on additional research and fact-finding to address the questions and issues raised in the Initial Report.

CONCLUSION

The opinions expressed by the RC in this Position Paper should not be interpreted to reflect the individual opinion of any particular RC member.