



**Domain Name Registration Data at the Crossroads:
The State of Data Protection, Compliance, and
Contactability at ICANN**

Executive Summary

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31 March 2020



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The Internet depends on the Domain Name System (DNS). Its users rely on accurate and up-to-date domain registration information for vital and legitimate purposes, including coordination with domain owners, providing security, problem-solving, and legal and social accountability. ICANN oversees the domain name registrars and registries that maintain and publish that data. Users obtain the data by querying registration databases using WHOIS, and perform more than 2 billion WHOIS queries every day. ICANN has instituted new data policies over the last two years, and is also directing a migration to a new technical protocol, called RDAP, that will replace WHOIS access in the near future.

At this critical juncture, this report measures the effectiveness and impact of ICANN's registration data policies by examining the practices of 23 registrars, which collectively sponsor more than two-thirds of the domain names in the generic top-level domains (gTLDs). This study determines whether they comply with ICANN's existing policies, and whether they provide registration data services that are technically reliable and compliant with contractual specifications.

The examination found widespread problems. The major findings include:

- Registrars failed to meet the contractual obligations and contactability goals in 40% of the cases studied. There were issues in an additional 16% of cases.
- Over the last two years, access to registration data has been significantly curtailed. This is a result of recent policies at ICANN, and is also due to practices by registrars and registry operators, sometimes in the absence of or in reaction to ICANN policy.
- Some registrars are making even non-sensitive domain name registration data difficult to obtain. This is impairing legitimate uses of the data while providing no privacy benefits.
- It is often difficult for parties to reach out to domain contacts for legitimate purposes. People using the contact tools provided by registrars cannot always be confident that their messages are being delivered.
- The rollout of RDAP—the replacement for WHOIS—is going slowly. There are notable operational and noncompliance problems, and RDAP services are not yet reliable enough for use.
- The widespread problems indicate that ICANN's compliance procedures are failing.
- Some registrars are apparently violating the European Union's data privacy law, the GDPR.

Overall, the study illustrates failures to provide the access, predictability, and reliability that ICANN exists to deliver, and that registrars are obligated to provide. The study presents recommendations for positive change.

The study also provides examples of how these problems have real-life implications for security, stability, and trust on the Internet. These include how policies and practices in the domain industry have made it easier to carry out cybercrime during the current COVID-19 pandemic.

For the past 15 years ICANN has tried to deliver domain name data policies that balance legitimate needs, applicable legal obligations, and technical reliability. The findings of this study illustrate the extent to which those efforts have failed. While the world watches, ICANN and its community stand at a crossroads: can ICANN deliver policies and services that meet the vital needs of the Internet?