The ICANN GNSO "Business Constituency"

Comments on the Draft Report of the Security, Stability & Resiliency Review Team   (SSR RT)

Business Constituency Submission

GNSO//CSG//BC

Background:

The Security, Stability & Resiliency of the DNS Review Team (SSR RT), constituted under the Affirmation of Commitments (AoC), published its Draft Report and Recommendations for public comment.

The Business Constituency (BC) thanks the Board for initiating this Affirmation review of security, stability and resiliency. Moreover, we thank the SSR Review Team members for volunteering many months effort to conduct this review and prepare their reports and recommendations.

Business users rely on a stable and secure Internet and e-commerce experience, one that serves their global users and customers. Although ICANN is an independent non-profit corporation, its decisions directly impact a larger ecosystem that is designed, built, and managed by BC members, including communication service providers, ISPs, cable providers, application and content service providers, as well as domain portfolio managers, and the online commerce community.

The BC supports ICANN's continuing effort to improve SSR and believes that attention of this review should be focused on three areas of current concern:

        1. Adequacy of measures to prevent DNS Abuse

        2. Lack of Collaboration with Enterprise Community

        3. Oversight and resources to ensure compliance obligations are enforced

ICANN's Bylaws require it "to ensure the stable and secure operation" of the DNS. Therefore, ICANN must view participation in coordinated, industry efforts to combat malicious DNS activity as absolutely essential to that mission.

Fraudulent WHOIS, manipulation of DNS records, and ICANN's failure to adequately enforce obligations of contracted parties continues to provide fertile ground for abuses that erode trust in e-commerce. The BC is not advocating "mission creep" by ICANN. But we are encouraging ICANN to recognize that its mission requires timely enforcement of contracted party compliance obligations and collaborative support for enterprise efforts to combat persistent attacks that abuse DNS technologies.

In April 2011 the BC submitted comments regarding the proposed Set of Issues for the SSR RT. Those comments are available at http://forum.icann.org/lists/ssr-rt-issues/msg00004.html

Below are the BC comments on the recommendations made in this draft report.

Comments on Recommendations in the Draft Report:

RECOMMENDATION 1: ICANN should publish a single, clear and consistent statement of its SSR remit and limited technical mission. ICANN should elicit and gain public feedback in order to reach a consensus-based statement.

BC Comment: In general, the BC supports Recommendation 1. However, ICANN should develop and manage an improved approach to public comments. ICANN should prioritize comments from *affected parties.* To ensure that affected parties provide comments, ICANN should engage parties such as web hosting providers, IXPs, ISPs. BC members suggest that the SSR recommendations should include method and priority for engagement of affected parties.

RECOMMENDATION 2: Once ICANN issues a consensus-based statement of its SSR remit and limited technical mission, ICANN should utilize consistent terminology and descriptions of this statement in all materials.

BC Comment: The BC supports Recommendation 2. However the process to gain consensus must fully engage the SOs/ACs/SGs/Constituencies and affected parties. The BC would welcome identification of those parties who should be involved in the consensus building process,

RECOMMENDATION 3: ICANN should document and clearly define the nature of the SSR relationships it has within the ICANN community in order to provide a single focal point for understanding the interdependencies between organizations.

BC Comment: The BC supports Recommendation 3. This is an important element that will strengthen ICANN's interactions and the ability of the ICANN community to fully engage and support ICANN's activities in SSR. Elsewhere, the BC notes that parties external to ICANN's contracted parties are affected by its actions. ICANN should be looking at relationships within and external to the ICANN community

RECOMMENDATION 4: ICANN should use the definition of its SSR relationships to encourage broad engagement on SSR matters using this to create an effective and coordinated SSR approach.

BC Comment: Some of these recommendations probably require reordering. In the meantime, until ICANN defines, and gains support from the broader community on what it is involved in directly, versus coordinating, or 'supporting' this recommendation is too vague to comment on.

The comments from the BC in Recommendation 3 apply here as well, regarding relationships within and external to the ICANN community.

RECOMMENDATION 5: ICANN should publish a document clearly outlining the roles and responsibilities for both the SSAC and RSSAC in order to delineate the activities of the two groups. ICANN should seek consensus for this across both groups, recognising the history and circumstances of the formation of each. ICANN should consider appropriate resourcing for both groups, consistent with the demands placed upon them.

Comment: The BC supports further dialogue and documentation of roles. However, the first priority should be documenting existing relationships. The SSAC and RSAC are distinct in their functions and accountability to the

broader community. The RSAC has a unique role and responsibilities that are not defined by ICANN, per se. This is not well understood by ICANN participants, and an easy-to-understand document would be helpful.

RECOMMENDATION 6: ICANN's definition and implementation of its SSR remit and limited technical mission should be reviewed in order to maintain consensus and elicit feedback from the community. The process should be repeated on a regular basis, in conjunction with the cycle of future SSR reviews.

Comment: The BC generally supports Recommendation 6. The tough issue is how to engage knowledgeable and informed participants from the community in the review. The AoC mandates recurring SSR reviews, so the recommendation here for repeated reviews may be unnecessary.

RECOMMENDATION 7: ICANN should build on its current SSR Framework by establishing a clear set of objectives and prioritizing its initiatives and activities in accordance with these objectives. This process should be informed by a pragmatic cost-benefit and risk analysis.

Comment: The BC supports Recommendation 7. However, we will have further questions about how this will work.

RECOMMENDATION 8: ICANN should continue to refine its Strategic Plan objectives, particularly the goal of maintaining and driving DNS availability. It also should establish more direct connections between specific priorities and projects in the SSR Framework and the Strategic Plan.

Comment: The BC supports Recommendation 8. The BC finds that the level of detail in the Framework and the Strategic Plan are so limited that it is challenging to comment specifically in many areas, including SSR. Since so much of ICANN's budget is implicated by these responsibilities, more detail is essential.

RECOMMENDATION 9: ICANN should develop a roadmap that leads towards more formal and widely adopted certification of its SSR-related processes in line with industry best practice.

Comment: The BC supports Recommendation 9. ISO and IEEE, for instance, are globally recognized bodies for standards regarding security.

RECOMMENDATION 10: ICANN should continue its efforts to step up contract compliance enforcement and provide adequate resources for this function. ICANN also should develop and implement a more structured process for monitoring compliance issues and investigations.

Comment: Contract compliance enforcement improvement is essential. While this has been called for in other public comments, this must be a priority.

RECOMMENDATION 11: ICANN should finalize and implement measures of success for new gTLDs and IDN fast track that expressly relate to its SSR-related program objectives, including measurements for the effectiveness of mechanisms to mitigate domain name abuse and consumer confusion.

Comment: The BC supports the intent of Recommendation 11, but would clarify the method of developing measurements.

Per the Affirmation of Commitments and Dec-2010 Board Resolution, the community is already performing a bottom-up process to provide advice on definitions, metrics, and 3-year targets for Consumer Trust, Consumer Choice, and Competition in the new gTLD program.   While this advice does not address IDN fast track objectives, it does address new gTLD program objectives as described in Recommendation 11.   The BC therefore recommends that the community and board be allowed to complete this advice process before ICANN implements any relevant measurements.

RECOMMENDATION 12: ICANN should support the development and implementation of SSR-related best practices through contracts, agreements, MOUs and other mechanisms.

Comment: Recommendation 12 is unclear about how these proposals would work, and to whom they would apply. While it is worthwhile to consider MOUs, such mechanisms will require board approval.

Many non-contract parties are affected, or contribute to the SSR issues, so further exploration of how to work with such parties is worthwhile. Voluntary Codes of conduct may be very useful in such circumstances.

RECOMMENDATION 13: ICANN should encourage all Supporting Organizations to develop and publish SSR-related best practices for their members.

Comment: This is a wide-ranging recommendation. This would imply ASO, ccNSO, and GNSO SG/Constituencies 'best practices'. This may not be a practical approach for the GNSO's constituencies/SGs.

The ccNSO and the ASO may consider this further, and as a Constituency/SG within the GNSO, the BC will discuss this further, but this has resource implications for all. Some SOs/ACs have ICANN-funded resources, but the Constituencies/SGs do not. Some parts of the GNSO's constituencies may be interested, such as ISPs and business users, but this doesn't seem applicable to individual users, or academic participants in NCUC or the ALAC.

We do agree that contracted parties are different from other participants in the GNSO. However, further discussion is needed on the implications of this recommendation, to reflect more sensitivity to the uniqueness of the ACs/SOs/SG/Constituencies.

Again, the ASO and ccNSO should advise on their receptivity to this suggestion.

RECOMMENDATION 14: ICANN should ensure that its SSR related outreach activities continuously evolve to remain relevant, timely and appropriate. Feedback from the community should provide a mechanism to review and increase this relevance.

Comment: The BC supports Recommendation 14. ICANN is, however, a long way away from having useful materials and activities that translate, or are transportable into such global settings.

RECOMMENDATION 15: ICANN should publish information about DNS threats and mitigation strategies as a resource for the broader Internet community.

Comment: The BC supports Recommendation 15, but suggests that such materials should be tailored to the audiences targeted, with appropriate language translation. It is important to note that much of this information is proprietary to contracted parties. It is important to understand further what can be published for information, and how to avoid revealing intelligence that could support subsequent vector attacks.

RECOMMENDATION 16: ICANN should continue its outreach efforts to expand community participation and input into the SSR Framework development process. ICANN also should establish a process for obtaining more systematic input from other ecosystem participants.

Comment: The BC supports Recommendation 16.

RECOMMENDATION 17: ICANN should establish a more structured internal process for showing how activities and initiatives relate to specific strategic goals, objectives and priorities in the SSR Framework. It also should establish metrics and milestones for implementation.

Comment: The BC supports Recommendation 17. However, this must include the community's participation in determining priorities, metrics, and milestones.

RECOMMENDATION 18: ICANN should conduct an annual operational review of its progress in implementing the SSR Framework and include this assessment as a component of the following year's SSR Framework.

Comment: The BC supports Recommendation 18.

RECOMMENDATION 19: ICANN should establish a process that allows the community to track the implementation of the SSR Framework. Information should be provided with enough clarity that the community can track ICANN's execution of its SSR responsibilities, while not harming ICANN's ability to operate effectively. The dashboard process being used to track implementation of the ATRT recommendations serves as a good model.

Comment: The BC supports Recommendation 19

RECOMMENDATION 20: ICANN should increase the transparency of information about organization and budget related to implementing the SSR Framework and performing SSR-related functions. Information should be provided with enough clarity that the community can track ICANN's execution of its SSR responsibilities, while not impeding ICANN's ability to operate effectively.

Comment: The BC supports Recommendation 20.

RECOMMENDATION 21: ICANN should establish a more structured internal process for showing how organization and budget decisions relate to the SSR Framework, including the underlying cost-benefit analysis.

Comment: The BC supports Recommendation 21. This must be part of the Framework, and then the draft Budget, with sufficient detail to enable public comment.

RECOMMENDATION 22: ICANN should publish, monitor and update documentation on the organization and budget resources needed to manage SSR issues in conjunction with introduction of new gTLDs.

Comment: The BC supports Recommendation 22. This is an undefined area, and will require additional resources than have not been presently identified. It is, however, important to ICANN's integrity in how it carries out its core mission.

RECOMMENDATION 23: ICANN must provide appropriate resources for SSR-related working groups and advisory committees, consistent with the demands placed upon them. ICANN also must ensure decisions reached by working groups and advisory committees are reached in an objective manner that is free from external or internal pressure.

Comment: The BC supports Recommendation 23. The implication here is that such groups may require funding for travel or expert advice. This deserves more thought. The SSAC is allocated funding for certain aspects of travel, etc. If there are other SSR working groups, such support may also be needed.

RECOMMNDATION 24: ICANN must clearly define the charter, roles and responsibilities of the Chief Security Office team related to implementing plans that are designed to address longer-term risks.

Comment: The BC supports Recommendation 24. The Chief Security Office needs more visibility, and more consultation to support its important functional role.

RECOMMENDATION 25: ICANN should put in place mechanisms for identifying longer-term risks and strategic factors in its risk management framework. This process should be informed by insights from research, business partnerships, ICANN supporting organizations and other sources. ICANN should publish information about longer-term risks, recognizing the sensitive nature of some of these factors.

Comment: The BC supports Recommendation 25. This is not as easy as it sounds, since publishing risks often advertises such risks. However, industry leaders in this area have some experience in effective publication methods. It may require a two-tier approach to publishing information.

RECOMMENDATION 26: ICANN should prioritize the timely completion of a risk-management framework. This work should follow high standards of participation and transparency.

Comment: The BC supports Recommendation 26. A time frame should be agreed.

RECOMMENDATION 27: ICANN's risk-management framework should be comprehensive within the scope of the SSR remit and limited missions.

Comment: The BC supports Recommendation 27.

RECOMMENDATION 28: ICANN should continue to actively engage in threat detection and mitigation, and participate in efforts to distribute threat and incident information.

Comment: The BC supports Recommendation 28. ICANN must have a role in threat detection and mitigation, including as catalyst for participation by various stakeholder groups, such as global CERTs. ICANN should also develop and support its own contribution, and collaborate with such groups as Root server operators, ccNSO, contracted parties, ISPs, web hosting providers, software providers and others affected via their role in operating some part of the critical internet infrastructure.

These comments were drafted by Marilyn Cade, with comments from Scott McCormick and Angie Graves, and edited by Steve DelBianco. They were approved by BC membership in accordance with our charter on 21-Apr-2012.