

Att : Steve Crocker, Chair, ICANN Board
Cherine Chalaby, Chair, New gTLD Program Committee

CC: Heather Dryden, Chair, GAC
Fadi Chehadé, CEO, ICANN
Patrik Fältström, Chair, SSAC
Brian Cute, Chair, ATRT2

BY EMAIL

Ref: AL-ALAC-CO-0613-01-00-EN

7 June 2013

Dear Steve,
Dear Cherine,

Please be so kind to find attached, the *ALAC Statement to the Board regarding Security and Stability Implications of New gTLDs*. This Statement was endorsed by the ALAC with 11 votes in favour, 0 votes against, and 1 abstention.

While the Statement was undergoing ALAC endorsement, an ICANN [Announcement](#) on 28 May 2013 advised that ICANN, following the direction of its Board, is commissioning two Security Studies on the Use of Non-Delegated TLDs, and Dotless Names. While the commitment to investigate these potential conflicts is most welcome, the timing of this very necessary undertaking is regrettably late in the process of new gTLD introduction. The SSAC Advice SAC046: Report of the Security and Stability Advisory Committee on Root Scaling, released 6 December 2010, included a recommendation from the SSAC for further studies and this recommendation has been repeated by the SSAC on a number of occasions since that time. Furthermore, statements regarding the inclusion of the second study on dotless domains in this announcement have surprised several of my colleagues, myself included.

The Board Rationale that led to those decisions is contained in the [Minutes of the 18May13 Board Meeting](#). However, these Minutes do not refer to Dotless Domains, nor the SSAC Report on that subject (SAC053 Report on Dotless Domains) and definitely do not reflect statements included in the ICANN announcement.

SAC053

Referring to the SSAC advice, SAC053: SSAC Report on Dotless Domains (23 February 2012, it has been over a year since the release of that Advice and the Advice was very clear: *“Recommendation: Dotless domains will not be universally reachable and the SSAC recommends strongly against their use. As a result, the SSAC also recommends that the use of DNS resource records such as A, AAAA, and MX in the apex of a Top- Level Domain (TLD) be contractually prohibited where appropriate and strongly discouraged in all cases.”*

The ALAC has no doubt about the validity of this SSAC advice. Allow me to direct your attention to the following: that the ALAC voiced its strong support for SAC053 in its statement:

<http://forum.icann.org/lists/sac053-dotless-domains/msg00021.html>

It has also been supported by a number of very important entities, among which:

- Microsoft <http://forum.icann.org/lists/sac053-dotless-domains/msg00025.html>
- Mozilla <http://forum.icann.org/lists/sac053-dotless-domains/msg00035.html>

Together, the Web Navigators from each contributor, respectively Microsoft Explorer and Mozilla Firefox represent 40% of total Web Navigators (Source: http://en.wikipedia.org/wiki/Usage_share_of_web_browsers) – in use, therefore by over 900 Million Internet users.

I am therefore astounded that the ICANN announcement contains the following paragraph:

*“During the period of August to September 2012, a public comment period was held regarding the SAC 053 report. The public comment period made clear that dotless domain names are a subject of active discussion in the ICANN community, that **no clear conclusion could be drawn**, and that a greater effort to identify and explore solutions to the concerns raised before implementing SAC 053 recommendations could be useful.”*

Clearly, if each input in the Public Comment period is taken at face value and accounted for on a simple “one input, one vote” basis, it is indeed the case that many in the ICANN community rejected the SSAC report, specifically those with vested interests. Yet, this type of accounting is deeply flawed since the weight of this input is negligible compared to the weight of the above-mentioned input.

The above constitutes a flagrant flaw in the public comment system and I urge you to find the reason for this flaw. I shall also ask the Accountability and Transparency Review Team to investigate this matter since this is an example of very clear cut advice from an ICANN Advisory Committee that is put into question by the ICANN Board and Staff.

SAC057

I strongly support the launch of a study into the issues raised in SAC057: SSAC Advisory on Internal Name Certificates (15 March 2013) and other potential namespace collisions with non-delegated TLDs in use in private networks. It is very regrettable that such a study was not launched after initial receipt of SAC046 in December 2010. This important study has, according to the ICANN Announcement, been tasked to deliver its findings before the 47th ICANN Meeting in Durban. The firm view of the ALAC is that thoroughness and accuracy must be afforded higher priority than schedule. If the requirement to deliver an outcome by Durban is found to be unachievable, then ICANN must accept that the launch of some new gTLDs may be affected if it is to preserve the Stability of the DNS.

The Affirmation of Commitments (AoC) Section 3(b) states to “*preserve the security, stability and resiliency of the DNS*”, detailed in Section 9.2: “*Preserving Security, Stability and Resiliency.*” It is a key commitment.

Finally, Allow me to direct your attention to the following: of the ICANN Bylaws, Section 1: “*The mission of The Internet Corporation for Assigned Names and Numbers (“ICANN”) is to coordinate, at the overall level, the global Internet’s systems of unique identifiers, and in particular to ensure the stable and secure operation of the Internet’s unique identifier*

systems.”, and Section 2: CORE VALUES part 1: “*Preserving and enhancing the operational stability, reliability, security, and global interoperability of the Internet.*”

Conclusion

In conclusion, I wish to reiterate the ALAC is strongly of the view that:

- the SSAC advice on Dotless Domains contained in SAC053 remains valid and these domains should not be permitted
- the integrity of studies into potential namespace collisions with applied-for new gTLDs should not be compromised by schedule pressures.

This correspondence has the support of the ALAC Executive Committee, and we stand ready to convey the official support of the ALAC should it be required.

Best regards,

Olivier MJ Crépin-Leblond
ALAC Chair