



4 May 2021

Internet Corporation for Assigned Names and Numbers  
ATTN: Board of Directors  
12025 Waterfront Drive, Suite 300  
Los Angeles, CA 90094-2536, USA

Dear ICANN Board Members:

The Registries Stakeholder Group (RySG) is writing to the Board regarding SAC114,<sup>1</sup> which was submitted by the Security and Stability Advisory Committee (SSAC) to the ICANN Board for consideration on 11 February 2021. SAC114 has been the source of considerable discussion within the RySG because there was confusion about the intent of SAC114 from both a substance and process perspective.

In SAC114, the SSAC suggests, amongst other things, that the ICANN Board initiate a “fundamental review” to determine whether continuing to increase the number of gTLDs is consistent with ICANN’s strategic objective to “evolve the unique identifier systems in coordination and collaboration with relevant parties to continue to serve the needs of the global Internet user base...”

While we appreciate the SSAC is chartered to “...advise the ICANN community and Board on matters relating to the security and integrity of the Internet's naming and address allocation systems...”<sup>2</sup> we are concerned that the SSAC's recommendation for a “fundamental review”, which is directed to the ICANN Board, is inconsistent with the fundamental premise on which the SubPro PDP WG spent the past five years considering the introduction of more new gTLDs and has the potential to compromise the legitimacy of the consensus recommendations of the SubPro PDP WG Final Report that were recently approved by the GNSO Council and submitted to the ICANN Board.

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<sup>1</sup> SSAC Comments on the GNSO New gTLD Subsequent Procedures Draft Final Report (SAC 114), 11 February 2021, <https://gns0.icann.org/sites/default/files/file/field-file-attach/ssac-comments-sac114-11feb21-en.pdf>

<sup>2</sup> ICANN Bylaws, section 12.2 (b), <https://www.icann.org/resources/pages/governance/bylaws-en/#article12> .

We certainly welcomed the SSAC's attempts to clarify the intended weight and impact of SAC114 in its exchange with the Board<sup>3</sup> and during the SSAC public meeting<sup>4</sup> at ICANN70. Based on the discussions at ICANN70, it appears that recommendations 1-3 in SAC114 may be intended as input to ICANN's ongoing strategic planning process rather than comments on the SubPro Final Report.

Further, we interpret the SSAC's clarifications of SAC114 during ICANN70 to mean that new gTLDs should proceed cautiously and data should be gathered to assess how the continued growth of the gTLD namespace is affecting the security, stability, and resilience of the DNS, which is consistent with the SubPro PDP WG Recommendations. However, given the formal nature of SAC114, we believe that formal clarification is necessary.

Attached to this letter is a copy of our letter to the SSAC sent today, in which we seek to enter into discussions with the SSAC to clarify the intent of SAC114 so that both we and the Board can be clear about the status of the document in relation to the Final Report of the SubPro PDP WG, as well as more generally. Given this, we respectfully request that the Board delay its consideration of SAC114 until the outcome of our request for dialogue is clear. As you will see in the letter, we have also asked the SSAC provide this clarification to the Board prior to the Board's consideration of the recommendations.

Sincerely,

Samantha Demetriou  
RySG Chair

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<sup>3</sup> ICANN 70, Joint Meeting: ICANN Board and SSAC, 24 March 2021, recording : [https://icann.zoom.us/rec/play/XBBZltmUA4xl\\_wMPZWLTtY0dWycjIOiDRQTulOEmt4LRwpTY9t\\_FGFw60P-ljmI6WD85dNU4BGmgAfjy.cFeav\\_aDVCthLYCH?continueMode=true](https://icann.zoom.us/rec/play/XBBZltmUA4xl_wMPZWLTtY0dWycjIOiDRQTulOEmt4LRwpTY9t_FGFw60P-ljmI6WD85dNU4BGmgAfjy.cFeav_aDVCthLYCH?continueMode=true)

<sup>4</sup> ICANN 70, SSAC Public Meeting, 25 March 2021, recording: [https://icann.zoom.us/rec/play/958fjyYWoCJxHkiwP8vFCwMSMGC24YWBruYrbwYr94WL6mNWS6pirNI8mxAK2Pk2evYLH4\\_8kkvQ7azt.QOig9dgCNC67\\_hxg?startTime=1616693418000](https://icann.zoom.us/rec/play/958fjyYWoCJxHkiwP8vFCwMSMGC24YWBruYrbwYr94WL6mNWS6pirNI8mxAK2Pk2evYLH4_8kkvQ7azt.QOig9dgCNC67_hxg?startTime=1616693418000)



4 May 2021

Dear Rod,

The Registries Stakeholder Group (RySG) is writing to express concerns about SAC114 as submitted by the Security and Stability Advisory Committee (SSAC) to the ICANN Board for consideration. In raising these concerns, the RySG membership welcomes SSAC's engagement to discuss further and we look forward to a constructive and clarifying exchange of views. Concurrently, due to the issues identified in this letter and the importance and priority of SSAC advice to the ICANN Board, the RySG has written separately to the ICANN Board requesting a temporary deferral of its consideration of SAC114 until such time the RySG and SSAC conclude our joint clarifying discussions.

We understand that SAC114 is primarily intended to inform the ICANN Board of the SSAC's views on the New gTLD Subsequent Procedures (SubPro) PDP WG Final Report, as the SSAC did not provide these comments directly to the SubPro WG during the public comment period on the draft Final Report (20 Aug - 30 Sept 2020). As the consensus recommendations and outputs contained in the Final Report have been approved by the GNSO Council, there is no further opportunity for the SubPro PDP WG to consider, evaluate or respond to the comments contained in SAC114. As such, members of the RySG who actively participated in the SubPro effort have raised concerns and the RySG would welcome clarification of the intent, foundation, and content of SAC114.

In SAC114, we note that SSAC expresses the view that the introduction of more gTLDs into the namespace is not consistent with ICANN's Mission and commitment to keep the Internet secure, stable and interoperable, and suggests, among other things, that the ICANN Board initiate a "fundamental review" to determine whether continuing to increase the number of gTLDs is consistent with ICANN's strategic objective to "evolve the unique identifier systems in coordination and collaboration with relevant parties to continue to serve the needs of the global Internet user base..." The RySG is concerned that the SSAC recommendation for a "fundamental review" may go beyond the SSAC's security and stability remit, as the SAC114 document provides little evidence or explanation as to why introducing new gTLDs would pose a risk to the security and stability of the Internet and/or the Domain Name System.

Additionally, the SubPro PDP WG considered the policy question of whether additional new gTLDs should be introduced at the beginning of its work over five years ago, making the SAC114 recommendation for such a review inconsistent with the fundamental premise on which the SubPro PDP WG undertook the majority of its work. We would welcome additional detail or

explanation of how the SSAC views this recommendation as within its scope as defined in ICANN Bylaws section 12.2 (b), and what data SSAC relied upon to form this recommendation.

The RySG understands that the SSAC's previous papers on this subject, and other relevant reports, were comprehensively reviewed by the SubPro PDP WG and did not appear to support the conclusions reached by the SSAC in SAC114. These include:

- RSSAC Response to SubPro (2018)<sup>1</sup>,
- CDAR (Root Stability Study 2017)<sup>2</sup>,
- Statistical Analysis of DNS Abuse in gTLDs (SADAG) (2017)<sup>3</sup>,
- Economic Study on New gTLDs Competitive Effects Phase II (2016)<sup>4</sup>,
- Global Registrant Survey Final Report (2016)<sup>5</sup>,
- ICANN Staff Program Implementation Report (2016)<sup>6</sup>,
- SAC 100 (2017)<sup>7</sup>,
- CCT Review Final Report (conclusions)<sup>8</sup>.

We welcome the SSAC's attempts to clarify the intended weight and impact of SAC114 in its exchange with the Board and during the SSAC public meeting at ICANN70. We interpret the SSAC clarification to mean that new gTLDs should proceed cautiously and data should be gathered to assess how the continued growth is affecting security, stability, and resilience of the DNS, which is consistent with the SubPro PDP WG Recommendations. However, we believe that formal clarification as to the intent of the recommendations is necessary and ask the SSAC to communicate accordingly with the Board.

The RySG looks forward to engaging in further dialogue on these points and we hope to facilitate a timely clarification to the ICANN Board prior to its consideration of SAC114. Please let us know if you would like to set up time for our two groups to get together to discuss these concerns and ways to work together constructively going forward.

Sincerely,

Samantha Demetriou  
RySG Chair

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<sup>1</sup><https://community.icann.org/display/NGSPP/Correspondence?preview=/74587868/79433041/RSSAC031%20FINAL.pdf>

<sup>2</sup><https://www.icann.org/en/announcements/details/root-stability-study-final-report-now-available-8-3-2017-en>

<sup>3</sup><https://www.icann.org/en/system/files/files/report-comments-sadag-final-13oct17-en.pdf>

<sup>4</sup><https://www.icann.org/en/announcements/details/economic-study-on-new-gtld-programs-competitive-effects-phase-ii-results-available-for-public-comment-11-10-2016-en>

<sup>5</sup><https://www.icann.org/en/announcements/details/global-registrant-survey-final-phase-results-available-15-9-2016-en>

<sup>6</sup><https://www.icann.org/en/system/files/files/program-review-29jan16-en.pdf>

<sup>7</sup><https://community.icann.org/display/NGSPP/Correspondence?preview=/74587868/79433324/sac-100-en.pdf>

(SAC 100 was SSAC's response to questions raised by the SubPro PDP Working Group about the security and stability risks of delegating new gTLDs. The SubPro WG adopted each of these recommendations which notably did not include any comments about SSAC's belief that the addition of any new gTLDs threatened the security and stability of the DNS.

<sup>8</sup><https://www.icann.org/en/system/files/files/cct-final-exec-summary-08sep18-en.pdf>

"The CCT Review Team found that while the New gTLD Program is quite new and the data are incomplete, on balance the expansion of the DNS marketplace has demonstrated increased competition and consumer choice and has been somewhat successful in mitigating its impact on consumer trust and rights (particularly trademark) protection. That said, the review team concluded that the New gTLD Program should be regarded only as a "good start," and that a number of policy issues should be addressed before any further expansion of gTLDs." (p. 1)