



## **Comment to ICANN on Hamilton Proposal**

Amazon Registry Services, Inc. (ARSI) appreciates the efforts of the Hamilton team to offer this proposal to the community.

First, we agree with Hamilton's conclusion that registries have an "uncontroversial" legitimate interest in processing registrant data for administrative purposes. Centralizing registrant data at the registry level is a vital component of (a) ensuring the security and stability of the DNS and (b) ensuring healthy competition in the industry and the development of innovative uses of TLDs by registries on behalf of registrants.

ARSI believes that any proposal that registrars control all data and limit its distribution is an overly cautious reaction to the GDPR with significant consequences for how the community goes about identifying the global public interest. While some in the community may find this instance benign or even beneficial, it nonetheless sets a precedent that could open the door to more troubling end-runs of our community's procedures and may put registries (who are data controllers) in a position of violating the GDPR by not exercising appropriate care over data. As a result, we urge ICANN to support registries' legitimate interest in registrant data and to be cautious of any efforts to restrict the transfer of registrant data from registrars.

Second, GDPR is a significant challenge for the ICANN community and we are encouraged by the progress made since ICANN 60. However, we are concerned that, due to expediency, ICANN has circumvented the normal processes for public comment on these proposals. A 20-day period for community comment, 11 days of which were while ICANN itself was closed for year-end holidays, combined with the lack of clarity whether ICANN will publish comments submitted by the community is inconsistent with ICANN's commitment to transparency. We urge ICANN to maintain established procedures for public comment on these proposals and avoid an ad hoc approach that sets a poor precedent for decision-making on this important issue.

Respectfully submitted,

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