



11 July 2016

Subject: SAC083: SSAC Comment on Proposed Amendments to Base New gTLD Registry Agreement

The Security and Stability Advisory Committee (SSAC) would like to provide a brief comment on the Proposed Amendments to Base New Generic Top Level Domain (gTLD) Registry Agreement.¹ Specifically, Section 1.2 of Exhibit A (Approved Services) introduces new text relating to the potential provision of non-delegation records in a TLD's apex, thereby introducing unnecessary ambiguity regarding the permissibility of dotless domains.²

After much deliberation and advice from the SSAC,³ the At-Large Advisory Committee (ALAC),⁴ the Internet Architecture Board (IAB),⁵ expressly commissioned independent research,⁶ and other security and technical community input regarding the risks posed by the introduction of dotless domains in new gTLDs, in August of 2013 the ICANN Board of Directors' New gTLD Program Committee (NGPC) voted to prohibit dotless domains in new gTLDs.⁷ The specific resolution clauses are:

- Resolved (2013.08.13.NG01), the NGPC acknowledges the security and stability risks associated with dotless domains as presented in SAC053, the IAB statement and the Carve Report and affirms its commitment to its security and stability mandates as the New gTLD Program is implemented.
- Resolved (2013.08.13.NG02), in light of the current security and stability risks identified in SAC053, the IAB statement and the Carve Report, and the impracticality of mitigating these risks, the NGPC affirms that the use of dotless domains is prohibited.
- Resolved (2013.08.13.NG03), the President, Generic Domains Division is authorized to take all necessary steps to implement these resolutions.

¹ See <https://www.icann.org/public-comments/proposed-amend-new-gtld-agreement-2016-05-31-en>.

² In SAC053: *SSAC Report on Dotless Domains*, the SSAC defines a domain name that consists of a single label a "dotless domain."

³ See <https://www.icann.org/en/system/files/files/sac-053-en.pdf>.

⁴ See

<https://community.icann.org/download/attachments/36210110/ALAC%20Statement%20on%20SAC053%20SSAC%20Report%20on%20Dotless%20Domains-EN.pdf?api=v2>.

⁵ See <https://www.iab.org/documents/correspondence-reports-documents/2013-2/iab-statement-dotless-domains-considered-harmful/>.

⁶ See <https://www.icann.org/news/announcement-2013-08-05-en>.

⁷ See <https://www.icann.org/resources/board-material/resolutions-new-gtld-2013-08-13-en#1.a>.

Of note, while Controlled Interruption (CI) provided a temporary waiver for this behavior, and wildcarding, within new gTLDs to address some of the risks posed by name collisions, this temporal configuration state did not address the array of security and stability concerns that persist with dotless domains. The SSAC affirms that there has been no relevant change in circumstances to affect the validity of the advice provided in SAC053.

The proposed amendments,⁸ which relocate existing text within the document, appropriately state that dotless domains are not allowed. However, they inadvertently imply that there exists a new path for approval of dotless domains via the Registry Services Evaluation Process (RSEP). The relevant language is below:

"(Note: The above language effectively does not allow, among other things, the inclusion of DNS resource records that would enable a dotless domain name (e.g., apex A, AAAA, MX records) in the TLD zone.)

If Registry Operator wishes to place any DNS resource record type or class into its TLD DNS service (other than those listed in Sections 1.1 or 1.2 above), it must describe in detail its proposal and submit a Registry Services Evaluation Process (RSEP) request. This will be evaluated per RSEP to determine whether the service would create a risk of a meaningful adverse impact on security or stability of the DNS. Registry Operator recognizes and acknowledges that a service based on the use of less common DNS resource records and/or classes in the TLD zone, even if approved, might not work as intended for all users due to lack of software support."

The SSAC believes that the possible use of the RSEP process in this manner risks delegating any future evaluation of registry proposals on dotless domains to ICANN staff, effectively circumventing the informed NGPC Board resolution to prohibit dotless domains, and disregarding considerable community input on this matter. Moreover, ICANN staff remain bound to uphold the resolutions of the NGPC and disapprove any RSEP process seeking to introduce a dotless domain.

The SSAC strongly believes that the current relevant text in Exhibit A under "Approved Services" should be deleted to remove this unintended ambiguity and replaced with a straight-forward declaration that dotless domains are prohibited in new gTLDs. It would seem appropriate that the prohibition of dotless domains be as explicit as the "Wildcarding Prohibition" in Specification 6 Section 2.2,⁹ perhaps by creating a Section 2.3 that explicitly details the "Dotless Domain Prohibition" with the same level of attention as wildcarding. This change would properly memorialize the issue, and would

⁸ See <https://www.icann.org/public-comments/proposed-amend-new-gtld-agreement-2016-05-31-en>.

⁹ See pp. 80, <https://www.icann.org/en/system/files/files/draft-registry-agreement-amended-redline-31may16-en.pdf>.

be both consistent with ICANN statements on the matter and precisely in line with the NGPC Resolution on this matter.

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