

08 November 2018

Registry Stakeholder Group
c/o Donna Austin

Re: Email of 2 November 2018 from Registry Stakeholder Group Chair, Donna Austin

Dear Donna:

Thank you for your email of 2 November 2018¹ expressing Registry Stakeholder Group (RySG) concerns regarding the “breadth of the scope” of the November 2018 Registry Audit round.

As discussed during the [audit webinar](#), and in [this blog](#), the goal of the registry audit is to assess a registry operator’s (RO) compliance with their contractual obligations in relation to Domain Name System (DNS) infrastructure abuse and security threats, and related processes and procedures in support of these contractual obligations.

As noted during the webinars, not all registry agreements include obligations to address DNS infrastructure abuse.

For the new and legacy ROs who do have these obligations in their registry agreements, ICANN will follow the process to ensure compliance, identify any deficiencies and confirm that they are addressed. For legacy gTLDs that do not have these obligations, ICANN will inform the registry operator of the findings. The final audit report will summarize the deficiencies and observations to better inform the community on DNS abuse.

ICANN org recognizes that there are limitations in ICANN agreements with registries and registrars. Those were shared in our [response](#) to Independent Compliance Working Party, specifically the limitations on the actions that ICANN org can take in addressing DNS infrastructure abuse. Those limitations were also discussed at length by the Consumer Choice, Consumer Trust and Competition Review team and whether ICANN’s agreements with registries and registrars should be enhanced to include enforcement tools to mitigate systemic DNS infrastructure abuse.

Contractual agreements do not typically specify the questions and mechanics of an audit. Similar to other industries, it is customary that during compliance and regulatory audits (banking, healthcare, government audits), questions and data requests are presented to auditees with an objective to find out about the processes, procedures and controls

¹ The letter has been posted to the ICANN Correspondence page (<https://www.icann.org/resources/pages/correspondence>) with direct link at <https://www.icann.org/en/system/files/correspondence/austin-to-serad-hedlund-02nov18-en.pdf>

supporting the obligations. The November 2018 Registry Audit questions are tailored specifically for this purpose.

Regarding the request to have “each audit question reference the specific contractual clause to which it pertains” as previously discussed, the questions are designed to be generic in light of the different agreements. The individual, initial and final, audit report sent to the RO will tie the findings to the specific obligation.

Thank you for raising your concerns. I assure you that the audit plan has been carefully designed to proactively assess compliance with contractual obligations to address DNS infrastructure abuse. Upon completion of the audit, we will report the findings to the community.

Sincerely,



Jamie Hedlund
Senior Vice President, Contractual Compliance and Consumer Safeguards
Managing Director, Washington, DC Office