

COALITION for a SECURE AND TRANSPARENT INTERNET

Protecting the Future of WHOIS

A Fundamental Tool for Protecting Internet Security, Commerce, and Consumers

MISSION

The Coalition for a Secure and Transparent Internet (“CSTI”) aims to preserve and promote open access to WHOIS and other Domain Name System (“DNS”) information as such is a critical tool in network and cyber security, consumer protection, brand protection, and anti-abuse on the internet.

CSTI will accomplish its mission by advocating before policymakers, ICANN, registrars, registries, the public (via the media and press) and other stakeholders.

THE ISSUE

While WHOIS has been a mainstay of the DNS for more than 25 years, there are a number of threats to the future of this irreplaceable data set.

1. The **General Data Protection Regulation (“GDPR”)** is an imminent EU data privacy regulation that has been misinterpreted by some stakeholders. They argue the GDPR requires blocking current public access to WHOIS and severely curtailing the data presented to different parties. The GDPR contains public policy exceptions and specifically protects the privacy of only “EU Natural Persons,” but certain parties interpret the GDPR to cover nearly all registrant information in all domain names worldwide, including domains for commercial entities.
2. The **ICANN Registry Directory Service (“RDS”)** is an internal effort by ICANN and certain of its constituents to redesign WHOIS from the ground up. Through their Policy Development Process and Working Group, the RDS appears likely to reduce the number of WHOIS data fields and implement a gated system, forcing individuals and organizations to apply for access to data beyond a limited set of registration information.
3. The **shifting dynamic** between ICANN and registrars/registries is damaging WHOIS. Publishing WHOIS data is currently a contractual requirement in order to be accredited by ICANN to sell domains. For years, certain registrars have failed to support open access to Port43 WHOIS servers, and those actions are accelerating in the face of WHOIS uncertainty as registrars and registries increasingly see WHOIS as “their” data.

WHAT CSTI BELIEVES: Coalition Principles

CSTI shall be comprised of companies, nonprofits, trade associations, academics and others who support continued open access to commercial use registrants’ WHOIS information. CSTI offers a “wide umbrella” for members and acknowledges that they may support different, potentially inconsistent policy solutions to specific WHOIS policy questions. However, all CSTI members agree on the following general principles.

1. Open access to WHOIS is a critical tool in network and cyber security, consumer protection, brand protection, and anti-abuse on the internet. Losing open access to WHOIS will curtail the success of these legitimate security, policy and social objectives.
2. Governments and law enforcement are just a few of the stakeholders that rely on the ability to access and maintain WHOIS data. Corporations, consumers, security researchers, reporters, brand owners, anti-abuse / compliance firms, and their partners also have legitimate interests in this data.
3. Higher volume access systems and the ability to search across the WHOIS data set are critical components of effective WHOIS access for the legitimate purposes noted above.

WHAT WE DO: Coalition Strategy and Deliverables

CSTI is focused on the following deliverables:

1. **U.S. Legislation:** CSTI advocates for U.S. legislation that requires registries and registrars to provide transparent, accurate WHOIS data for registrants. This approach serves two purposes: (1) the introduction of legislation sends a signal to the domain name registrar and registry community and ICANN that open, un-throttled access to WHOIS data on commercial domain names is expected in the U.S.; and (2) enactment of such a law would enforce a high U.S. standard for WHOIS data access, providing a counterbalance to EU legislation and yielding positive ripple effects globally.
2. **ICANN, DPA and Other Stakeholder Engagement:** CSTI will work to educate and influence ICANN leadership, EU Data Protection Authorities, and other stakeholders in furtherance of the coalition's mission.
3. **Media Engagement / Public Relations:** CSTI also seeks to shape and drive the narrative on this issue in the press. We will highlight the implications of gating or blocking access and make an affirmative case for open access to WHOIS data on commercial domains. CSTI will conduct earned strategies, (e.g. authoring op-eds, pitching reporters, engaging in social media), and will consider paid strategies as needed.
4. **Coalition Expansion:** The more voices involved – advocating before the U.S. Congress, speaking out in the media, engaging with ICANN and DPAs – the more successful CSTI will be. Accordingly, CSTI members make it a priority to expand the coalition domestically and internationally and build the chorus of stakeholders calling for WHOIS open access, and importantly, giving them a voice and a medium through which to effect influence, action and results.

CSTI has engaged Faegre Baker Daniels Consulting (Faegre) to facilitate the coalition. With the support and engagement of CSTI members, the Faegre team of Paul Luehr, former Congresswoman Mary Bono, Libby Baney and others will guide and implement CSTI's strategic plan.

COALITION MEMBERSHIP & GOVERNANCE

CSTI has two types of members: Steering Group Members and General Members.

1. **Steering Group Members.** CSTI was founded by DomainTools, LegitScript and Spamhaus. Together they are the founding members and established the initial Steering Group of CSTI. The initial Steering Group shall operate by unanimous vote of the three founding members. Once other parties join the Steering Group,

decisions on policy and membership will be made by a majority vote of the then-existing Steering Group members.

The Steering Group is responsible for issues regarding (1) policy development and CSTI positions, (2) procedures or activities undertaken by CSTI, (3) coalition membership, and (4) communications with CSTI members, vendors, affiliates, and the press. The Steering Group may delegate any of these functions to CSTI consultants/staff to facilitate efficient and effective coalition operations.

The Steering Group strives to make decisions by consensus among all members. When developing policy, communicating as a coalition, and otherwise taking actions on behalf of CSTI, the Steering Group will consider the input of all CSTI members. While the Steering Group strives for consensus of members, if consensus is not reached on any issue, the Steering Group will determine the course of action by majority vote.

2. **General Members.** CSTI members are critical to the success and credibility of the coalition. As they are able, members are asked to contribute their time and attention, and also their brand, to CSTI's work. Members help shape the coalition's positions and actions. Members are encouraged to participate in CSTI advocacy, meetings, and media engagements. All members have an equal voice.

CONTRIBUTIONS TO CSTI

CSTI depends on direct financial support of its members in order to sustain coalition activity and credibility as a broadly funded organization. To encourage and enable participation from diverse stakeholders, CSTI offers three tiers of membership:

1. **Leading member:** \$5,000/month or \$50,000/year.

CSTI asks large corporations and trade associations to join at the Leading level.

2. **Sustaining member:** \$2,500/month or \$25,000/year.

The Sustaining level is recommended for smaller corporations and trade associations, large nonprofit organizations, and groups that have a strong interest in maintaining open access to WHOIS data.

3. **Supporting member:** \$1,000/month or less or \$10,000/year

The Supporting level is designed for small nonprofit organizations, consumer groups, journalists, academic, any organization of lesser financial means, and groups that will be indirectly harmed by the loss of access to WHOIS data.

Coalition contributions shall be used for CSTI consultants/staff, vendors, reasonable expenses (e.g. travel costs for consultants, not coalition members), and special projects authorized by the Steering Group (e.g. a paid media campaign; research, etc.).