
Public Comment Summary Report

Review of the Draft Registry Service Provider (RSP) Handbook-New gTLD Program

Open for Submissions Date:

Wednesday, 13 March 2024

Closed for Submissions Date:

Monday, 22 April 2024

Summary Report Due Date:

Friday, 17 May 2024

Category: Policy

Requester: ICANN org

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Open Proceeding Link: <https://www.icann.org/en/public-comment/proceeding/review-of-the-draft-registry-service-provider-rsp-handbook-new-gtld-program-13-03-2024>

Outcome:

In total, seven Public Comments were submitted by stakeholders from across the community on the Draft Registry Service Provider (RSP) Handbook. All respondents answered affirmatively that the RSP Evaluation Program, as described in the draft RSP Handbook, met the intent of the policy recommendations of *Topic 6: Registry Service Provider Pre-Evaluation* of the [SubPro PDP Final Report](#). There were also requests for clarifications to portions of the handbook and suggestions for modifications of the questions used in the process of evaluating RSPs. Any changes to the RSP Handbook will be reviewed with the SubPro Implementation Review Team (IRT).

ICANN org endeavors to ensure that the parameters of the RSP Evaluation Program are clear for all applicants by soliciting input from the ICANN community on all aspects of the RSP Evaluation Program and by collaborating with the IRT to make sure the RSP Evaluation Program is consistent with the policy recommendations of Topic 6 of the [SubPro PDP Final Report](#).

Section 1: What We Received Input On

ICANN org sought input regarding the Registry Service Provider (RSP) Evaluation Program, as described by the Draft RSP Handbook, specifically whether the handbook met the intent of the policy recommendations of Topic 6: Registry Service Provider Pre-Evaluation of the SubPro PDP Final Report.

Additionally, comments regarding the following aspects of the RSP Evaluation Program were sought:

- Timeliness of evaluations with respect to RSP selection by gTLD applicants.
- Clarity of requirements for RSP applicants.
- Additional topics of inquiry for RSP applicants.
- Clarity of questions being asked of RSP applicants.

Section 2: Submissions

Organizations and Groups:

Name	Submitted by	Initials
Non-Commercial Stakeholder Group (NCSG)	Mesumbe Tomslin Samme-Nlar	NCSG
ICANN Business Constituency	Business Constituency	BC
Com Laude	Sophie Hey	CL
FF Registry Services	Tolga Kaprol	FF
Registries Stakeholder Group (RySG)		RySG
Afnic	Marianne Georgelin	AF

Individuals:

Name	Affiliation (if provided)	Initials
Taras Kondratyuk		TK

Section 3: Summary of Submissions

ICANN org received a total of seven Public Comments to this proceeding. Six of the comments were from organizations and 1 comment was from an individual.

For the 15 guided questions and generic open question, the responses from the respondents are summarized as follows:

Question	Response Types			
	Yes	Yes w/ clarifications	No w/ more information	Other
1	5	2		
2	3	3		
3	3	3		
4	4	N/A	1	

5	4	N/A	1	
6	4	N/A	1	
7	3	N/A	2	
8	4	N/A	1	
9	4	N/A	1	
10	3	N/A	2	
11	3	N/A	1	
12	4	N/A	1	
13	4	N/A	1	
14	4	N/A	1	
15	3	N/A	1	
Other	N/A	N/A	N/A	2

Of the 7 respondents, four responded to all guided questions.

ICANN org notes that it appears one of the respondents may have been referencing a version of the RSP Handbook published previous to the version supplied in this proceeding.

Section 4: Analysis of Submissions

Overall, the responses in the Public Comments were more generally positive than not with less than half the respondents indicating that the RSP Evaluation Program should consider other areas of evaluation (questions 4 through 15).

ICANN org views the first question, regarding whether the implementation of the RSP Evaluation Program meets the policy goals set by the community, as the most important:

1. Does the RSP Evaluation Program, as described in the draft RSP Handbook, meet the intent of the policy recommendations of *Topic 6: Registry Service Provider Pre-Evaluation of the [SubPro PDP Final Report](#)*?

No respondents answered “no” to this question and only two respondents added clarifying information to their response.

Several of the responses in this proceeding pertain to issues of the broader New gTLD Program: Next Round because the RSP Evaluation Program inherits many of the procedures of the overall program. ICANN org plans to address these issues in separate processes and through separate Public Comment proceedings. Commenters for this proceeding may want to provide input on those upcoming proceedings. These issues are:

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1. **Eligibility.** ICANN org recognizes the need of applicants to understand eligibility requirements before investing significant time and effort in preparing systems to undergo thorough evaluation and testing. ICANN org is planning to use all elements of the New gTLD Program: Next Round with the same eligibility criteria for the RSP Evaluation Program where possible. The org will be consulting the community in this area. (BC, NCSG, RySG)
 2. **Background Screening.** The processes necessary for ICANN org to conduct due diligence with regard to applicants has parallels with eligibility criteria. In this area too, ICANN org is attempting to use all elements of the New gTLD Program: Next Round in the RSP Evaluation Program where applicable. (NCSG, RySG)
 3. **Third-Party Panels.** The processes and procedures for the RSP Evaluation Program, including guidelines on conflicts of interest and expected standards of behavior for panelists and ICANN org, will mirror that of the larger New gTLD Program: Next Round. (RySG)
 4. **Challenge and Appeals.** A proposal for a challenge and appeal framework is currently under consideration by the ICANN Board. If adopted, ICANN org will apply that framework to the RSP Evaluation Program. (RySG)

Some of the responses in this proceeding concern issues that are beyond the scope of policy implementation. These issues are:

1. **Community Funding for RSPs.** One of the responses suggests that ICANN org should help RSPs earn “qualification.” The RSP Evaluation program is not a certification program but an evaluation program, designed to indicate that RSP applicants should be able to meet the obligations of performing the technical functions of a gTLD. While the New gTLD Program: Next Round does provide funding for some gTLD applicants who would be otherwise unable to apply for a new gTLD due to financial and resource constraints, there is no allowance for direct funding of RSPs.

Funding for RSPs– whether they be new entrants to the market or incumbents, through direct monetary grants or advanced, technical educational programs – is not within the scope of the recommendations regarding the RSP Evaluation Program in the Final Report on the new gTLD Subsequent Procedures. (BC)

2. **Legal Compliance.** One of the responses requested ICANN org to not take into consideration sanctions or other actions of nation-state governments against RSPs. ICANN org must abide by the laws of the jurisdictions in which it operates. (NCSG)

ICANN org plans to address the comments below through revisions or addendums to the RSP Handbook via consultation with the SubPro Implementation Review Team (IRT).

1. **Definition of Proxy RSP.** Several responses indicated a need for a clearer definition and description of a Proxy RSP. (AF, RySG)
2. **Description of Registry Services.** Similar to comments above, respondents also asked for more clarity and detail regarding the nature of Registry Services. (AF)

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3. **RSP Application Fee.** Some responses requested clarification to the RSP Fee Schedule and its relationship to the other fees in the broader New gTLD Program: Next Round. (RySG, BC)
 4. **Business-Sensitive Information.** Concerns were raised regarding business-sensitive information to be published in the RSP applications, which will be publicly available. ICANN org notes that transparency is a key property of the New gTLD Program: Next Round and may require some information to be disclosed to the public. Questions in the RSP applications will be marked more clearly with regard to public disclosure requirements. (RySG)
 5. **ICANN Service Level Targets (SLTs).** One respondent requested ICANN to clarify the nature of the ICANN office closures which impact the ICANN SLTs. (RySG)
 6. **Mutually Agreed Norms of Routing Security (MANRS).** It was noted that MANRS, originally created by the Internet Society, is now sponsored by the Global Cyber Alliance. (RySG)
 7. **RFC 5732.** In soliciting for additional technical areas of evaluation, one response noted the need for ICANN org to evaluate an RSPs ability to use RFC 5732 (“Extensible Provisioning Protocol (EPP) Host Mapping”). (RySG)
 8. **DNS, Cryptographic Materials, and KSKs.** One respondent requested ICANN org clarify the questions regarding the renewal of cryptographic material with respect to DNS and DNSSEC while noting there is no need to renew cryptographic material for Key Signing Keys (KSKs), in comparison to Zone Signing Keys (ZSKs). ICANN org agrees that the questions need to be clarified regarding cryptographic materials used for non-DNSSEC protocol practices vs DNSSEC operations. However, ICANN org does plan to add a question on the regular renewal of KSKs. As discussed in RFC 6781 (“DNSSEC Operational Practices, Version 2”), executing a rollover gives an operational practice to test and verify the rolling system to prepare for an emergency, increasing confidence that an emergency KSK rollover will be successful. (RySG)
 9. **FIPS 140-3.** One response suggested ICANN more fully specify the criteria for use of Hardware Security Modules (HSMs) because the reference provided was incomplete. ICANN org agrees and plans to update the evaluation to reference FIPS 140-3 Level 3. (RySG)
 10. **Internationalized Domain Name (IDN) Clarifications Question 3.4.** One respondent asked for clarification regarding IDNs with respect to questions on applicable policy for variant TLDs and the catalog of languages and scripts to be used for IDN evaluation. ICANN org will remove IDN question 3.4. Additionally, the org will provide a more complete description of the catalog of languages and scripts to be used during evaluation. (RySG)
 11. **Technical References for RSPs.** Some comments noted the extensive amount of knowledge necessary for new RSPs and observed that it may be burdensome. ICANN org plans to add an appendix to the RSP Handbook with references to other materials beneficial to RSPs. (NCSG)
 12. **“Early Evaluation”.** One respondent suggested the use of the term “early evaluation” instead of “pre-evaluation” with reference to the period of time that is before the gTLD

application period in which an RSP may apply for evaluation. ICANN org agrees that “early evaluation” may be a more accurate term but notes the “pre-evaluation” term has been used extensively up to this point. Text will be added in the RSP handbook to clarify that pre-evaluation refers to an “early evaluation”. (NCSG)

13. **Operationalization Timeline.** Many of the comments noted that clarity regarding when an RSP must be fully operational would benefit RSPs, especially new market entrants. ICANN org will work to add such clarifying text. (NCSG, BC)
14. **Challenges to Payment.** One respondent requested ICANN org to consider situations where an applicant may have difficulties meeting the payment deadline and offered a solution whereby the payment window could be extended on presentation of compelling evidence that the applicant has initiated payment procedures. ICANN org plans to adopt this consideration. (NCSG)
15. **Questions Regarding Distributed Denial of Service (DDOS).** One respondent stated that the questions regarding DDOS were overly broad and requested ICANN org to narrow the questions but did not offer any guidance on implementation of this consideration. ICANN org notes that there are many DDOS solutions available to RSPs, however ICANN org plans to narrow the questions regarding DDOS to more specifically cover the public services of an RSP (i.e. EPP, RDAP, DNS, etc...). (RySG)

Section 5: Next Steps

ICANN org plans to update the RSP Handbook, in consultation with the SubPro Implementation Review Team, in the areas stated above. The new version of the RSP Handbook will be published on the New gTLD Program: Next Round website at <https://newgtldprogram.icann.org/en/application-rounds/round2/rsp>