ICANN org consolidated response to Public Comment on NCAP Study 2
https://www.icann.org/en/public-comment/proceeding/ncap-study-2-draft-report-01-19-2024

ICANN org welcomes this opportunity to provide input on the NCAP Study 2. The input provided below is focused on org's assessment of the implementability of the recommendations should the ICANN Board decide to adopt these, as well as the level of effort and impact of implementation on the new gTLD Program: Next Round. For recommendations that would impose a material financial cost, we have provided a high-level bounded estimate of the cost (in USD) of implementing the recommendation.

In summary, although ICANN org fully supports the importance of a mitigation strategy for name collisions, we have concerns about the implementability of some of the proposed recommendations. Furthermore, ICANN org would like to point out that should the ICANN Board decide to direct ICANN org to implement these recommendations, it is likely to have an impact on the resources needed for the next round (compared with those used in the 2012 round to mitigate name collisions) and might have an impact on the implementation timeline of the next round.

Recommendation 1 (ICANN should treat name collisions as a risk management problem): ICANN org welcomes this recommendation and notes no concern in relation to its implementability.

Recommendation 2 (ICANN should adopt a consistent definition for name collision): ICANN org agrees with this recommendation, however, the org notes that the wording given uses some language about the root zone that differs from that specified by RSSAC in the "Principles Guiding the Operation of the Public Root Server System", RSSAC-055. Principle 2 states "IANA is the source of DNS root data." To be consistent across the ICANN community, ICANN org would like to suggest that the definition given in this recommendation should replace "root zone as published by the root zone management (RZM) partners ICANN and VeriSign (the RZM namespace)" with "IANA root zone" and replace "non-RZM" with "non-IANA".

Recommendation 3 (ICANN should continue its education and outreach efforts to the community on the name-collision topic): ICANN org has no concerns in relation to the implementability of this recommendation. We note that the recommendation calls for new educational and outreach efforts, which is the basis for the cost estimate immediately below.
Estimated implementation cost: thousands to tens of thousands (USD).

Recommendation 4 (ICANN should consider the need for mitigation and remediation efforts for high-risk strings): ICANN org has no comments on this recommendation.
Estimated implementation cost: included in estimate for Recommendation 9.1.

Recommendation 4.1 (ICANN should submit .CORP, .HOME, and .MAIL through the Name Collision Risk Assessment Process): ICANN org has no comments on this recommendation.
Estimated implementation cost: included in estimate for Recommendation 9.1.

Recommendation 5 (ICANN must support the delegation of strings in order to improve the ability to conduct a name collision risk assessment): This recommendation assumes that the Technical Review Team (TRT) will be able to determine how data collected as a result of a temporary delegation could be used in a risk assessment, but the report does not give specific guidance on how the TRT would make that assessment. As a result, it would fall to ICANN org/the TRT to figure that out, with the consequent potential impacts on cost and timeline. However, the org notes this scenario would resemble that of the 2012 round; hence, the org could likely draw upon the experience from the previous round.

ICANN org also notes the operational change involved in establishing new procedures around such temporary delegation. Resources would need to be prioritized to make necessary changes to the root zone management process and systems, as well as to increase the processing capacity for root zone management in general as this would cause more root zone changes.
Estimated implementation cost: millions to tens of millions (USD) (This estimate assumes certain one-time costs in the hundreds of thousands (USD) to develop IANA systems and processes, and per-delegation costs based on approximately 1200 unique applied-for strings that would need to be delegated. That estimate is based on actual costs for a comparable service currently contracted by ICANN org.) This estimate does not account for implementation of "Visible Interruption" and "Visible Interruption with Notification".

Recommendation 6 (ICANN should establish and maintain a longitudinal DNS name collision repository in order to facilitate risk assessments and help identify potential data manipulation): As the report states, all potential strings for the next round are susceptible to data manipulation, so all measurements going forward (and potentially measurements from the past, as well) are likely to have large unknowable faults. ICANN org notes that although this recommendation can be implemented, the susceptibility of longitudinal data to manipulation reduces the value of the repository.
Estimated implementation cost: tens of thousands to hundreds of thousands (USD).

Recommendation 7 (ICANN should establish a dedicated Technical Review Team function):
Please see comments for Recommendation 5.
Estimated implementation cost: tens of thousands to hundreds of thousands (USD).

Recommendation 8 (ICANN should replace the existing Name Collision Management Framework with the recommended Name Collision Risk Assessment Framework):
ICANN org has no concerns with the "No interruption" and the "Controlled Interruption" assessment methods. However, the org has concerns related to privacy risks introduced by two of the name collision assessment methods proposed in this recommendation, "Visible Interruption" (VI) and "Visible Interruption with Notification". More details are available in the document "Visible Interruption (VI) and Visible Interruption and Notification (VIN) - Privacy and data protection review", which was written by ICANN org Legal. To summarize, while VI/VIN can be useful tools for preventing conflicts, they also pose privacy risks that should be considered. This is due to the absence of a legal basis for processing personal data and lack of transparency, which raises concerns about compliance with data protection laws and potential legal consequences for entities conducting VI/VIN. These risks are detailed in the privacy and

data protection review document at
https://community.icann.org/download/attachments/202703150/Visible%20Interruption%20%28VI%29
%20and%20Visible%20Interruption%20and%20Notification%20%28VIN%29%20-%20Privacy%20and%20
data%20protection%20review.pdf?version=1&modificationDate=1708971514739&api=v2. That
document is also included as an attachment to this response and was sent to the NCAP Discussion Group
mailing list on 20 February 2024.

Recommendation 8.1 (ICANN should not reject a TLD solely based on the volume of name collisions):
Please see comments for Recommendation 8.

**Recommendation 8.2 (ICANN should request special attention to strings with high-impact risks during
the name collision assessment process):** Please see comments for Recommendation 8.

Recommendation 8.3 (ICANN should update its public-facing name collision reporting process): ICANN
org has no concerns in relation to the implementability of this recommendation.

Recommendation 9 (ICANN should create a Collision String List):
Please see comments for Recommendation 5.
Estimated implementation cost: hundreds of thousands (USD).

**Recommendation 9.1 (ICANN should support a mechanism that allows applicants to request a string
be removed from the Collision String List):** Please see comments for Recommendation 5.
Estimated implementation cost: thousands to hundreds of thousands (USD).

**Recommendation 10 (ICANN must develop and document a process for the emergency change related
to a temporarily delegated string from the root zone due to collision risk or harms)**: Please see
comments for Recommendation 5.
Estimated implementation cost: thousands (USD).

Recommendation 11 (ICANN should not move ahead with NCAP Study Three): ICANN org agrees with
the reasoning in this recommendation.

ICANN org appreciates the opportunity to provide input and remains available should there be further
questions or clarifications needed.