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27 March 2023

RE: Improvements to 2013 Registrar Accreditation Agreement (RAA) and Current Registry Agreement (RA)

Mason Cole  
Chair, Commercial Business Users Constituency

Lori Schulman  
President, Intellectual Property Constituency

Jonathan Zuck  
Chair, At-Large Advisory Committee

Dear Mason, Lori, and Jonathan,

On behalf of the Internet Corporation for Assigned Names and Numbers (ICANN) Board, thank you for the 20 January 2023 [letter](#) regarding enhancements to the Domain Name System (DNS) abuse obligations for the Registrar Accreditation Agreement (RAA) and Registry Agreement (RA), collectively, the “Agreements.”

The ICANN Board appreciates that the Commercial Business Users Constituency (BC), Intellectual Property Constituency (IPC), and At-Large Advisory Committee (ALAC) are supportive of this effort to improve the Agreements by adding a meaningful and enforceable baseline obligation for Contracted Parties (CPs) to take reasonable and appropriate action to mitigate DNS abuse. The ICANN Board, ICANN organization (org), and the CPs agree that this targeted addition to each of the agreements will have a meaningful impact on the DNS abuse landscape.

Additionally, a change of this nature to the Agreements will be helpful to community discussions about potential further improvements. As the Contracted Party House (CPH) mentioned in their 4 November 2022 [letter](#), in addition to the changes to the Agreements being pursued now, more work may need to be done on the topic of DNS abuse. They have committed themselves to participating in this important community work.

ICANN Board and org have listened carefully to the community over the last several years regarding DNS abuse. Taking this approach to make focused improvements to the Agreements, to add a clear obligation for registries and registrars to mitigate DNS abuse, will be an important building block in a longer journey that envisions potential policy discussions open to the full ICANN community, and potentially future negotiations between the CPH and ICANN org.

Regarding your concerns about transparency, we are confident that ICANN org will adhere to the amendment processes, as described in [Section 7.7](#) of the RA and [Section 7.4](#) of the RAA. These processes were developed with community input. As you mentioned in your letter, they were created as ICANN org and the community prepared the RAA and RA for an ecosystem with new gTLDs.

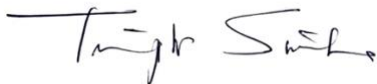
If agreement between ICANN org and the Contracted Party House Negotiating Team (CPH NT) can be reached, the proposed amendments will be published for review and opened for community feedback via a Public Comment proceeding. The Board encourages community participation during this time. All comments will be reviewed and considered during the Public Comment proceeding to ensure community input is appropriately regarded.

Furthermore, the ICANN Board understands that ICANN org will review the proposed feedback and consult with the CPH NT to determine if modification to the proposed amendments is needed before the amendments are finalized. As communicated in the 18 January 2023 [blog](#) by Sally Costerton, negotiations are underway and ICANN org and the CPH NT remain optimistic that they can reach agreement and share the proposed amendments with the community for public consultation and comment prior to the ICANN77 meeting in June 2023.

Based on discussions with various constituencies at the recent ICANN76 meeting, the Board is considering coordinating a listening session once the proposed amendments are available for public comment. The listening session could include an overview of the proposed amendments. With that background, the community could begin a constructive discussion about what aspects may remain that could further benefit from Policy work, to help facilitate tangible next steps.

The Board again thanks the BC, IPC, and ALAC for its continued engagement and commitment to advancing work that is beneficial to Internet security and the ICANN community. We look forward to your participation in the forthcoming Public Comment proceeding.

Sincerely,



Tripti Sinha  
Chair, ICANN Board of Directors