

GAC Advice Response Form for Applicants



The Governmental Advisory Committee (GAC) has issued advice to the ICANN Board of Directors regarding New gTLD applications. Please see Section IV, Annex I, and Annex II of the [GAC Beijing Communiqué](#) for the full list of advice on individual strings, categories of strings, and strings that may warrant further GAC consideration.

Respondents should use this form to ensure their responses are appropriately tracked and routed to the ICANN Board for their consideration. Complete this form and submit it as an attachment to the ICANN Customer Service Center via your [CSC Portal](#) with the Subject, “[Application ID] Response to GAC Advice” (for example “1-111-11111 Response to GAC Advice”). All GAC Advice Responses must be received no later than 23:59:59 UTC on 10-May-2013.

Respondent:

Applicant Name	CUNA Performance Resources, LLC
Application ID	1-1130-18309
Applied for TLD (string)	.creditunion

Response:

ANNEX I

Safeguards Applicable to all New gTLDs [page 7]

1. WHOIS verification and checks - Registry operators will conduct checks on a statistically significant basis to identify registrations in its gTLD with deliberately false, inaccurate or incomplete WHOIS data at least twice a year. Registry operators will weight the sample towards registrars with the highest percentages of deliberately false, inaccurate or incomplete records in the previous checks. Registry operators will notify the relevant registrar of any inaccurate or incomplete records identified during the checks, triggering the registrar’s obligation to solicit accurate and complete information from the registrant.

Response: We agree in principle with the importance of conducting verification. However, we are concerned with the frequency of verification. In addition, we are concerned about spam filters, etc., which may make verification difficult.

2. Mitigating abusive activity - Registry operators will ensure that terms of use for registrants include prohibitions against the distribution of malware, operation of botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law.

Response: We agree and support this safeguard. The .creditunion gTLD application includes language consistent with this safeguard.

3. Security checks - While respecting privacy and confidentiality, Registry operators will periodically conduct a technical analysis to assess whether domains in its gTLD are being used to perpetrate security threats, such as pharming, phishing, malware, and botnets. If Registry

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operator identifies security risks that pose an actual risk of harm, Registry operator will notify the relevant registrar and, if the registrar does not take immediate action, suspend the domain name until the matter is resolved.

Response: We agree in principle with this safeguard. However, we believe a preferable approach is to conduct such checks passively rather than proactively.

4. Documentation - Registry operators will maintain statistical reports that provide the number of inaccurate WHOIS records or security threats identified and actions taken as a result of its periodic WHOIS and security checks. Registry operators will maintain these reports for the agreed contracted period and provide them to ICANN upon request in connection with contractual obligations.

Response: We commit to maintaining and making available to ICANN upon request information collected pursuant to answer 1 and answer 3 above, as collected in the ordinary course of business.

5. Making and Handling Complaints - Registry operators will ensure that there is a mechanism for making complaints to the registry operator that the WHOIS information is inaccurate or that the domain name registration is being used to facilitate or promote malware, operation of botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law.

Response: We commit to ensuring such a mechanism is in place and will provide a link to it on our website.

6. Consequences - Consistent with applicable law and any related procedures, registry operators shall ensure that there are real and immediate consequences for the demonstrated provision of false WHOIS information and violations of the requirement that the domain name should not be used in breach of applicable law; these consequences should include suspension of the domain name.

Response: We agree with and support this safeguard. The .creditunion gTLD application includes language consistent with this safeguard.

Category 1 - Consumer Protection, Sensitive Strings, and Regulated Markets [page 8]

1. Registry operators will include in its acceptable use policy that registrants comply with all applicable laws, including those that relate to privacy, data collection, consumer protection (including in relation to misleading and deceptive conduct), fair lending, debt collection, organic farming, disclosure of data, and financial disclosures.

Response: We agree with this safeguard and will incorporate it into the terms and conditions that registrants are required to click through.

2. Registry operators will require registrars at the time of registration to notify registrants of this requirement.

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Response: We agree with this safeguard and will incorporate it into the registry/registrant agreement.

3. Registry operators will require that registrants who collect and maintain sensitive health and financial data implement reasonable and appropriate security measures commensurate with the offering of those services, as defined by applicable law and recognized industry standards.

Response: We agree with this safeguard and will require in the terms and conditions that registrants are committed to following appropriate measures and applicable law and regulation.

4. Establish a working relationship with the relevant regulatory, or industry self-regulatory, bodies, including developing a strategy to mitigate as much as possible the risks of fraudulent, and other illegal, activities.

Response: We agree with this safeguard and plan to maintain a Policy Advisory Board that will include representatives from: The World Council of Credit Unions (WOCCU), individual credit unions, state credit union leagues (associations), as well as the National Credit Union Administration (NCUA).

5. Registrants must be required by the registry operators to notify to them a single point of contact which must be kept up-to-date, for the notification of complaints or reports of registration abuse, as well as the contact details of the relevant regulatory, or industry self-regulatory, bodies in their main place of business.

Response: We agree in principle with this safeguard. See answer 7 and answer 8 below for additional detail on communication and involvement of relevant regulatory bodies.

Additional Safeguards Applicable to a Limited Subset of Strings [page 10]

6. At the time of registration, the registry operator must verify and validate the registrants' authorizations, charters, licenses and/or other related credentials for participation in that sector.

Response: We agree in principal with this safeguard. To implement this safeguard we will check the charter number for U.S. credit unions, will use all readily available online databases to verify credentials of non-U.S. credit unions, and where online/automated validation is not possible we will utilize electronic versions of paper documents.

7. In case of doubt with regard to the authenticity of licenses or credentials, Registry Operators should consult with relevant national supervisory authorities, or their equivalents.

Response: We agree with and support this safeguard.

8. The registry operator must conduct periodic post-registration checks to ensure registrants' validity and compliance with the above requirements in order to ensure they continue to conform to appropriate regulations and licensing requirements and generally conduct their activities in the interests of the consumers they serve.

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Response: We support in principle this safeguard. In addition, we support the GAC's efforts generally in this area.