

Namecheap, Inc., Public Comment:

Registration Data Request Service

Standing Cmte. Report for GNSO Council

Review

29 September 2025

Namecheap, Inc. appreciates the efforts of the Registration Data Request Service (RDRS) Standing Committee, the Standing Committee leadership, and ICANN Org in drafting the Report for the GNSO Council's review.

One of the main purposes of the RDRS is to collect data about data disclosure system usage, particularly to help inform future discussions between the GNSO Council and the ICANN Board. Namecheap strongly believes that this purpose was achieved and the pilot was a success.

The RDRS pilot will allow the ICANN Board to make a data-driven decision on the EPDP Phase 2 Recommendations for a Standardized System for Access and Disclosure (SSAD) of non-public gTLD Registration Data.

While the RDRS collected data, it clearly showed that the high cost of running the RDRS, combined with low usage, outweighs the value it provides to requestors. ICANN previously estimated that building and operating the SSAD as proposed in EPDP Phase 2 would be even more costly (potentially tens of millions of dollars annually), with no assurance of higher usage or resolution of requestors' main concern: automated or guaranteed disclosure.

Namecheap supports maintaining the RDRS as a voluntary system for registrars. Any improvements to the RDRS and continued operation should be funded on a cost-recovery basis, with requestors covering the expenses.

In the alternative, the RDRS can remain as-is, offering basic functionality without additional funding of enhancements from ICANN Org.

Next Steps

The RDRS Report offered four possible paths forward:

1. Approval of EPDP Phase 2 SSAD recommendations (in current or modified format) which would replace the SSAD proof of concept;
2. Determination that adoption of EPDP Phase 2 SSAD recommendations is not in the best interest of the ICANN community or ICANN and termination of SSAD proof of concept;
3. Modification of EPDP Phase 2 SSAD recommendations by GNSO Council informed by SSAD proof of concept findings;
4. A variation and/or combination of the above scenarios.

Namecheap finds the third path the most optimal for the purpose. Data gathered through the RDRS project has shown that full adoption of the SSAD recommendations would not serve the best interests of the DNS or the ICANN community. That said, the community has long expressed interest in a fully centralized platform to manage disclosure requests, and if implemented and used effectively, the RDRS could potentially evolve into such a system.

Namecheap supports continued community efforts to explore a long-term, permanent solution. In this regard, Namecheap supports maintaining the RDRS as a voluntary system for registrars, with cost recovery through requestor billing- either in its current form or with the Standing Committee's proposed enhancements and a mechanism for ongoing improvements. Namecheap additionally supports the public comment provided by the Registrar Stakeholder Group (RrSG)¹, however we are submitting this comment to emphasize certain RrSG positions or clarify points where Namecheap diverges from the broader RrSG membership.

RDRS SC Recommendations to GNSO Council

Namecheap offers the following input on the specific recommendations made by the Standing Committee to the GNSO Council.

Recommendation 1: Continue the RDRS beyond the pilot period.

Namecheap supports Recommendation 1 as written, and we also support the RrSG's comments regarding this recommendation.

We agree with the RrSG that the RDRS pilot should remain a voluntary option for registrars. While some stakeholders have found the RDRS useful, many registrars already operate their

¹ <https://www.icann.org/en/public-comment/proceeding/registration-data-request-service-standing-cmte-report-for-gnsocouncil-review-19-08-2025/submissions/registrar-stakeholder-group-rrsg-29-09-2025>

own disclosure management mechanisms. Moreover, the RDRS cannot be made mandatory, as it is not required by ICANN policy and has significant limitations.

Namecheap supports maintaining the RDRS in its current form or with the Standing Committee's proposed enhancements as long as it includes the addition of requestor billing functionality for cost recovery. At the same time, the Community should continue to explore a long-term solution or a potential successor system to the RDRS.

Finally, as detailed by the RrSG, Namecheap does not support building the SSAD as proposed by the EPDP Phase 2 Working Group, due to its high costs and the impracticality of the SSAD model from both a data protection and liability perspective.

Recommendation 2: Allow for authentication of interested requestor groups, beginning with law enforcement.

Namecheap supports Recommendation 2 as written, and we also support the RrSG's comments regarding this recommendation. Authentication of law enforcement from applicable jurisdictions can facilitate other ICANN policy efforts such as Urgent Requests. As Namecheap encountered during the RDRS pilot, it can be difficult to determine whether or not a request is from a valid law enforcement agency. With over 17,000 law enforcement agencies in the United States alone², determining whether a request is from a valid law enforcement agency can be problematic and subject to errors.

Recommendation 3: Implement Key System Enhancements to sustain and evolve RDRS post-pilot while more policy work is underway.

Namecheap partially supports Recommendation 3. Namecheap supports enhancements to the RDRS with technical changes only if the costs of these updates are fully covered by requestors using the system. No additional direct ICANN funds should be allocated to evolve the RDRS.

3.1. API (Application Programming Interface) Integration for both Registrars and Requestors.

Namecheap supports Recommendation 3.1 as written, and we also support the RrSG's comments regarding this recommendation. The API to manage requests through RDRS would help add efficiency to registrar processes. As stated above, any enhancements to the RDRS should be funded by requestors on a cost-recovery basis.

² <https://bjs.ojp.gov/library/publications/census-state-and-local-law-enforcement-agencies-2018-statistical-tables>

Namecheap supports the ability to interact with requestors through the RDRS platform; however, we note that this interaction must be limited to coordination and requests for additional information, and no actual personally identifying information (PII) for registrants should be transmitted through the RDRS.

3.2 User Experience (UX) Redesign

Namecheap supports Recommendation 3.2 as written, and we also support the RrSG's comments regarding this recommendation. As stated above, any enhancements to the RDRS should be funded by requestors on a cost-recovery basis.

3.3. Optional ccTLD participation

Although Namecheap does not oppose ccTLDs participation in the RDRS, there are many policy and operational concerns that are raised by the RrSG comment that will need to be addressed before any decision is made with regards to ccTLD participation. Some of the considerations include but are not limited to how to integrate ccTLD registry operators that maintain registration data, how to reconcile that ccTLDs not bound by ICANN policies, registrar compliance (e.g. ICANN does not oversee ccTLD registrars), how to allocate costs of integration, and how to properly account for request costs for ccTLD requests versus gTLD requests.

Recommendation 4: Consider further policy work in the following areas.

4.1. Privacy/Proxy Data

Although Namecheap utilizes the RDRS to process and when appropriate to disclose registration data protected through its affiliated privacy service, Namecheap does not support the SC's recommendation that the GNSO Council should consider further policy development work concerning privacy/proxy data in RDRS.

As the SC notes, there is ongoing work on the accreditation of privacy and proxy providers. This effort includes an IRT composed of stakeholders with subject matter expertise in privacy/proxy data issues. At present, the GNSO Council Small Team is reviewing recommendations from the IRT. Any further policy work on privacy/proxy data should wait until this work is completed to avoid duplication and potential contradictory outcomes.

4.2. Inclusion of RDRS links in RDAP responses

Namecheap supports Recommendation 4.2 as written, and we also support the RrSG's comments regarding this recommendation.

Recommendation 5: Consideration regarding next steps on EPDP Phase 2/SSAD Policy Recommendations

Namecheap supports Recommendation 5 as written, and we also support the RrSG's comments regarding this recommendation.

Evaluation of SSAD policy recommendations

Regarding the Report's analysis of the EPDP Phase 2 recommendations, Namecheap supports the input provided in the RrSG comment. Namecheap also supports the RrSG's recommendation that any further costs should be funded on a cost-recovery basis with fees paid by system users.

Recommendation 1 & Recommendation 2:

Namecheap supports the input provided in the RrSG comment.

Recommendation 3

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 4

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 5

Namecheap supports the input provided in the RrSG comment.

Recommendation 6

Namecheap supports the input provided in the RrSG comment.

Recommendation 7

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 8

Namecheap supports the input provided in the RrSG comment.

Recommendation 9

Namecheap supports the input provided in the RrSG comment.

Recommendation 10

Namecheap supports the input provided in the RrSG comment.

Recommendation 11

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 12

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 13

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 14

Namecheap supports the input provided in the RrSG comment.

Recommendation 15

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 16

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 17

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 18

Namecheap supports the Standing Committee's review of this recommendation.

Recommendation 6: Maintain the current Standing Committee with narrowed Scope.

Namecheap supports the SC's recommendation as written.

Lessons Learned

SSAD policy recommendations

We emphasize once again that Namecheap does not support building the SSAD as proposed by the EPDP Phase 2 Working Group. There are several reasons for our position, including the prohibitively high costs of SSAD and the reluctance of requestors- based on RDRS pilot data- to use a centralized system. Building the SSAD would require significant effort and funding that could be better directed elsewhere.

In addition, the newly implemented Registration Data Policy already requires registrars to maintain a robust disclosure process, and many registrars have well-functioning disclosure request management systems in place. That said, Namecheap supports maintaining the RDRS as a voluntary option for both registrars and requestors. However, whether the RDRS is maintained in its current form or enhanced as proposed by the Standing Committee, requestor billing functionality for cost recovery must be built into the system.

Participation

Namecheap believes that the level of participation in the RDRS project is sufficient to base decisions on, specifically the low number of requestors and requests. Namecheap additionally was concerned about the expectations of requestor participants, a large number who appear to have participated under the assumption that if they made a request then they would receive the underlying data and not considering that registrars needed to conduct a balancing test and might not disclose the underlying data.

Recommendation #1- Accreditation & Recommendation #2 – Accreditation of governmental entities

Namecheap supports the SC's recognition of partial accreditation, including authentication of law enforcement, as key for RDRS or any follow-up system.

Namecheap also recognizes that authentication of law enforcement from applicable jurisdictions can facilitate other ICANN policy efforts, such as Urgent Requests. As Namecheap encountered during the RDRS pilot, it can be difficult to determine whether or not a request is from a valid law enforcement agency. With over 17,000 law enforcement agencies in the United States alone, determining whether a request is from a valid law enforcement agency can be problematic and subject to errors.

Recommendation #3 – Criteria and Content of Requests

Namecheap has nothing to add to this consideration.

Recommendation #4 - Acknowledgement of receipt and relay of the disclosure request

Namecheap has nothing to add to this consideration.

Recommendation #5 - Response Requirements

Namecheap has nothing to add to this consideration.

Recommendation #6 - Priority Levels

Namecheap has significant concerns about misuse of “expedited” requests and resulting data used for other ICANN policy discussions. As of 29 September 2025 Namecheap received 949 RDRS requests. Of these, 35 were submitted as “expedited”. Upon review, only one was truly an expedited request (for an alleged ransomware attack with a 24-hour deadline). All other requests did not involve risk to human life, other highly dangerous or illegal activity, or any facts justifying immediate processing. Claimed reasons for expedited processing included:

- Data requests for UDRP filings (majority of “expedited” requests)
- Underlying data for the requestor’s domain
- Copyright infringement
- Part of a take-home exam for a job as a security consultant
- Previous registrant of the domain name
- Claimed to be a co-creator of Bitcoin
- Desire to purchase the domain name
- Technical support for a website operating on the subject domain

These expedited requests required additional work by Namecheap to review timely and to provide feedback, and were processed as standard requests.

All ICANN RDRS reports have included information regarding the volume of self-identified expedited requests, and based upon Namecheap’s review and analysis of the expedited requests received, almost none were actually urgent. Namecheap strongly cautions ICANN and the ICANN community from using RDRS expedited request data for any policy discussions

regarding urgent requests because the priority is self-identified by the requestor, not independently verified, and based upon Namecheap's data, deeply flawed and inaccurate.

Recommendation #7 - Requestor Purpose

Namecheap has nothing to add to this consideration.

Recommendation #8 - Contracted Party Authorization

Namecheap has nothing to add to this consideration.

Recommendation #9 - Automation of SSAD Processing

Namecheap has nothing to add to this consideration.

Recommendation #10 - Determining Variable SLAs for response times for SSAD

Namecheap supports the suggestion of a "pending requestor input" status which would give more insight into why requests remain open for as long as they do.

Recommendation #11 - SSAD Terms and Conditions

Namecheap has nothing to add to this consideration.

Recommendation #12 - Disclosure Requirement

Namecheap has nothing to add to this consideration.

Recommendation #13 - Query Policy

Namecheap has nothing to add to this consideration.

Recommendation #14 - Financial Sustainability

Namecheap supports the input provided in the RrSG comment and agrees that, based on the most recent metrics: The total cost for the RDRS Pilot was \$2,870,793 (SC Report, page 38), with 3,344 total requests (August 2025 Metrics Report), this equates to a per-request cost of approximately \$858.49 USD. Alternatively, if only operational costs are considered (\$1,223,958)

and pre-system development costs are treated as fully absorbed by ICANN, the per-request cost is still relatively high at \$366 USD.

Even at \$366 USD per request, the cost is too high to be billed to the requestors, and it will not be appropriate for the Registrars or ICANN to absorb these costs, as any costs absorbed by those parties will inevitably be passed to the registrants. It follows that the RDRS Pilot Project has effectively demonstrated that building the SSAD, where the estimated costs are much higher, would not serve the best interests of the Domain Name System (DNS) or the broader Internet community.

Recommendation #15 – Logging

Namecheap has nothing to add to this consideration.

Recommendation #16 – Audits

Namecheap has nothing to add to this consideration.

Recommendation #17 - Reporting Requirements

Namecheap has nothing to add to this consideration.

Recommendation #18 - Review of implementation of policy recommendations concerning SSAD using a GNSO Standing Committee

Namecheap has nothing to add to this consideration.

Possible Technical Updates

Namecheap supports the RrSG feedback that prioritizes the enhancement to make “expedited” requests more visible.

Namecheap also supports the concerns of the RrSG regarding the suggested “Registration data preservation function in RDRS” update. This is a separate process from registration data disclosures and as such is out of scope and the Standing Committee should not be permitted to consider or recommend the expansion of the RDRS to other types of requests. In addition, preservation requests require legal due process which will not be provided via the RDRS, and so the requests should be handled entirely outside of the RDRS following the legal requirements of each individual registrar based upon their local laws such as due process. Like other registrars,

Namecheap already maintains an established and robust process for addressing preservation requests in a manner consistent with applicable laws and due process requirements.

Again, Namecheap thanks the members of the Standing Committee, its leadership team, and ICANN staff for their work on this pilot project and Report.

Thank you,

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