

Tucows public comment: Registration Data Request Service Standing Cmte. Report for GNSO Council Review

29 September 2025

Tucows welcomes the opportunity to comment on the Registration Data Request Service Standing Committee's Report for GNSO Council Review ("Report") and appreciates both ICANN Org's and the Standing Committee's work throughout the pilot project and report drafting process.

Recommendation on the future of the RDRS

The report lays out what the Standing Committee (SC) learned and what the metrics showed over the year of operating the RDRS. The Standing Committee notes four possible paths forward; **Tucows supports #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".**

Based on the level of usage, the lack of satisfaction reported by requestors, and the costs incurred to build and operate the RDRS, **Tucows does not consider it worthwhile to put any more time and money into the SSAD project or even into the RDRS.**

In addition, Tucows is concerned about further commitment of financial and personnel resources to the operation of the RDRS for the duration of time between the issuance of this Report and when the Board makes a decision about how to move forward long-term.

Security Considerations

The RDRS provides a single, convenient location where registration data requests from "[...] cybersecurity specialists, government officials, intellectual property professionals, [and] law enforcement personnel [...]"¹ are entered and maintained.

¹ ICANN Org, "Registration Data Request Service", <https://www.icann.org/rdrs-en>, last visited 16 September 2025.

By compromising the RDRS, a malicious entity could immediately gain access to requests that would naturally be associated with investigative work. This makes it a highly valuable target for criminal organizations.

Absent the RDRS, the requestors would interact directly with registrars, distributing the risk and making it more difficult for criminal enterprises to secure access to a comprehensive stash of requests and the information held in RDRS about the requestors.

Standing Committee recommendations

Recommendation 1: Continue the RDRS beyond the pilot period.

The information and experience gathered over the course of the RDRS pilot project has demonstrated that **the RDRS is not satisfactory to either requestors or registrars; as such, Tucows supports shutting down the RDRS.**

If the RDRS is to be maintained, Tucows would only support continued operation of the RDRS as a cost-recovery system that is wholly voluntary for registrars.

In addition, if the RDRS is to be maintained, Tucows recommends **annual reviews of the usage** and cost-per-usage to ensure that the Community continues to desire this service. If after a period of three years usage is found to have decreased below the current level, Tucows strongly supports termination of the project.

It may also be useful for the Board to consider a cost-per-request threshold that is too high (please see our Conclusion below for a discussion of the current cost-per-request), which may also serve as a warning that the usage and cost-per-usage should be reviewed and the ongoing feasibility of the project to be reconsidered.

Tucows does not support further commitment of ICANN's resources to enhancing the RDRS unless and until it is done in the manner envisioned by the EPDP Phase 2 WG: paid for by the users.

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

Authentication of a requestor's identity can be useful to registrars responding to disclosure requests. Tucows supports continued work on requestor authentication undertaken by the ad hoc group of interested stakeholders.

Tucows does not support further dedication of financial resources to the RDRS to support the implementation of user authentication.

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

Tucows supports the Standing Committee's understanding that these proposed enhancements should be considered only after the ICANN Board makes their decision about how to proceed in the long term. The RDRS was created as a data-gathering exercise for the feasibility of an SSAD and has succeeded in showing that the cost to create, manage, and maintain such a system is not supported by interest in using it. Should the ICANN Board decide that the RDRS be updated to operate on a cost-recovery basis or should a new, cost-recovery based system, where the costs are born by requestors, be put in place, then Tucows would support use of those recovered funds to pay for system enhancements.

With that caveat, we address the specific system enhancements, each in their turn, below:

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

As several requestors and registrars have indicated that an API would be useful, Tucows supports the development of an API for the RDRS only in the circumstance that the RDRS has transitioned to a cost-recovery system, with the costs to create, maintain, and update such an API similarly borne by the costs to requestors.

3.2 User Experience (UX) Redesign

The RDRS was not intended to be a long-term system, so it was built based on existing interfaces and without significant efforts put towards the user experience or user interface. If the RDRS will be maintained long-term on a cost-recovery basis, then Tucows would support improvement to the user experience, including input from a professional in the field. In this case Tucows would support engagement of the UX designer not only for the request forms

but also to conduct a full review and provide suggested updates to improve registrar experience as well.

Tucows supports removal of the deprecated guidance text that has proven confusing to requestors.

3.3. Optional ccTLD participation

Tucows notes that there is a typo, this is section 2.3 in the report but should be 3.3.

Tucows does not support expansion of the RDRS to include ccTLDs, even assuming those ccTLDs already use RDAP.

The RDRS is a system that facilitates requests between requestors and registrars; registries are not contemplated as part of the RDRS. Adding ccTLD registries to the current form of RDRS may have contractual implications for registrars offering those TLDs, including Registry Agreement updates and process changes on the part of registrars.

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

4.1. Privacy/Proxy Data

Tucows does not support further policy development concerning how disclosure requests for domains using a privacy service or proxy service are handled in the RDRS.

Registrars that use RDRS may elect to disclose information shielded by their privacy service—or not—under current policy, which may continue without any additional policy development. And registrars cannot disclose information that they do not have, even if it is “required”—either through RDRS or through other mechanisms.

Tucows notes the existence and hard work of the PPSAI IRT and GNSO Council Small Team; the RDRS Standing Committee or future RDRS team should not duplicate efforts or conduct work that would interfere with the work by these subject matter experts.

Tucows further notes that, when a domain uses a proxy service, the proxy provider *is the registrant* and is responsible for the use of the domain; the proxy provider data is sufficient for any inquiries.

4.2. Inclusion of RDRS links in RDAP responses

Tucows is not convinced of the value of updating RDAP responses to include a link to the RDRS but is not opposed to the effort if it is decided that the RDRS should continue on a cost-recovery basis. **Tucows firmly rejects any imposed work updating RDAP responses that points to a temporary system or a system that does not comport with the will of the Community that the system's cost be borne by requestors.**

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

Tucows supports this recommendation.

The EPDP Phase 2 Recommendations are a single interconnected package: although some Recommendations could be implemented on their own, the intent of the Working Group was to provide an overall system and not modular pieces from which to choose.

Tucows supports the Standing Committee's proposal that the GNSO Council should recommend that the ICANN Board reject the SSAD recommendations.

The RDRS project has demonstrated that, due to its high costs and low usage rate, building the SSAD is not in the best interests of the domain name system or the ICANN Community.

Regarding the Standing Committee's analysis of each EPDP Phase 2 Recommendation, Tucows has the following comments to offer:

EPDP Phase 2 Recommendation 1 RDRS SC Response

Tucows supports the RDRS SC's determination that, should the SSAD be built or the RDRS be maintained (and funded on a cost-recovery basis), then it is appropriate to modify EPDP Phase 1 Recommendation 1 as discussed. Tucows notes that the accreditation of non-law enforcement users is not especially useful, as it is not the requestor's identity and affiliation alone that is relevant but that information with relation to their request.

EPDP Phase 2 Recommendation 2 RDRS SC Response

Tucows supports authentication of law enforcement requestors; law enforcement requests, both foreign and local, carry different authority than other types of requests.

Although the Standing Committee agrees that authentication of law enforcement is needed, Tucows notes that the RDRS has operated for a year absent such authentication, so Tucows

supports the ongoing voluntary authentication currently being considered ad hoc by members of the PSWG and other Community members. **Tucows does not support ICANN Org dedicating any funds to this enhancement.**

EPDP Phase 2 Recommendation 3 RDRS SC Response

Tucows notes that, although the RDRS does not include specific functionality for providing Identity and Signed Assertion confirming the requestor's interest in an intellectual property claim, it does support functionality for providing attachments to a request, allowing the requestor to provide this information.

The RDRS SC noted that it may be reasonable to create a focus group composed of requesters and responders reviewing the request form for usability concerns. Tucows supports this work if and when the RDRS is updated to operate on a cost-recovery basis and suggests that, if such a group is formed, it should review both the requestor and the registrar user interfaces.

EPDP Phase 2 Recommendation 4 RDRS SC Response

Tucows supports the Standing Committee's recommendation of enhancing visibility and tracking features to strengthen transparency and operational clarity but only in the circumstance that the RDRS is updated to operate on a cost-recovery basis. Such work is not necessary until that time.

EPDP Phase 2 Recommendation 5 RDRS SC Response

Tucows notes that the inability to have a back-and-forth interaction within the RDRS reduces overall satisfaction with the system; it has been our experience that requests for supplemental information sent directly to the requestor (outside the RDRS) go unanswered. This lack of interactive functionality results either in requests being closed due to lack of information or requests being kept open for much longer than would otherwise be the case as the registrar waits for the requestor to provide information external to RDRS. Regardless of the fact that we share the frustration in this regard, Tucows does not believe that it makes any sense to progress forward with work to resolve these issues unless and until the RDRS is updated to operate on a cost-recovery basis.

EPDP Phase 2 Recommendation 6 RDRS SC Response

Tucows does not support the implementation of higher priority levels in the RDRS. If a request meets the EPDP Phase 2 definition of "Urgent" then it should be submitted directly to the registrar; if it does not meet that request then it is reasonable that it be handled in the order in which it was received.

EPDP Phase 2 Recommendation 7 RDRS SC Response

Tucows supports the SC's suggestion to improve training and provide clearer guidance to requestors and notes that such training will also help resolve EPDP Phase 2's Recommendation 5 with regard to speed of processing. Again, however, Tucows does not support ICANN Org spending time, effort, or money on this Recommendation unless and until the RDRS is updated to operate on a cost-recovery basis.

EPDP Phase 2 Recommendation 8 RDRS SC Response

Tucows supports the SC's reiteration that the choice of whether or not to disclose lies solely with the Contracted Party (in the case of the RDRS, the registrar). To the extent that future work on the RDRS is authorized by the ICANN Board, and only if such future work is paid for by the requestor or otherwise done in a cost-recovery manner, Tucows supports the ability for a requestor to request reexamination of its request by the registrar where the request was denied.

EPDP Phase 2 Recommendation 9 RDRS SC Response

The principle of automated processing is in conflict with the principle, reiterated in the RDRS SC's response to EPDP Phase 2's Recommendation 8, that the decision of whether to disclose lies solely with the Contracted Party.

Tucows understands that some registrars may wish to automate disclosure of all requests or all requests from a particular requestor type. To that end, Tucows suggests that such registrars implement automation on their own systems based on their own criteria rather than imposing the need to create (and pay for!) such automation by ICANN.

In addition, should the RDRS *itself* have the ability to automate disclosure in some form, it would seem to be necessary that registrars would have to upload all registration data to ICANN, to allow for such automation. This is, of course, not an acceptable situation. Our response to the RDRS SC's response to EPDP Phase 2 Recommendation 9 is in accord with RDRS SC Recommendation 3.1. API (Application Programming Interface) Integration for both Registrars and Requestors, allowing registrars to implement automation based on an API.

EPDP Phase 2 Recommendation 10 RDRS SC Response

Tucows agrees with the RDRS SC that, while timely responses are important, it is difficult to enforce uniform SLAs without a trusted requestor authentication system.

EPDP Phase 2 Recommendation 11 RDRS SC Response

Tucows agrees with the RDRS SC that the terms and conditions of the RDRS are sufficient for the RDRS and may need to be reviewed should the RDRS transition to an SSAD, financially supported by requestors. Until then, Tucows agrees that no action needs to be taken on this Recommendation.

EPDP Phase 2 Recommendation 12 RDRS SC Response

Tucows agrees that the RDRS should only accommodate disclosure of current registrant data and only the data elements requested by the requestor. Should a requestor and a registrar wish to proceed with the exchange of additional information or data elements, they are welcome to do so outside of the RDRS. There is no need for additional work on the RDRS to accommodate increased disclosure.

EPDP Phase 2 Recommendation 13 RDRS SC Response

The GNSO Small Team indicated that the ability to request information for more than one domain was a “nice to have” and Tucows agrees that this is a consideration for a future version of RDRS that is financially supported by requestors. Tucows notes that, in practice, it is rare that the information that the registrar needs to review a data disclosure request is *identical* for multiple domains, so it doesn’t make sense to place a high priority on this feature. Tucows supports the SC’s recommendation of more precise framing and exploration of allow-list and block-list mechanisms as currently the options to address abuse of the RDRS are minimal and insufficient.

EPDP Phase 2 Recommendation 14 RDRS SC Response

The SSAD was conceived as a financially-enclosed model to manage requests for disclosure of previously-public Whois data. **It was intended that requestors alone would bear the cost of their demands for data.**

The RDRS was created to evaluate whether or not such a system was feasible or desired by the intended audience of the SSAD: requestors. The RDRS has succeeded in determining that such a system is **not feasible or desired by the intended users of the SSAD** and now the requestors are balking at also having to pay for it. This is inappropriate. Tucows does not support turning the RDRS into a fully-featured SSAD paid for by the Community—by registrants themselves through the payments to ICANN by registries and registrars. This would cause registrants to pay for the disclosure of their private data, a wild perversion of the privacy rights and data sovereignty of domain name registrants.

EPDP Phase 2 Recommendation 15 RDRS SC Response

The logging requirements envisioned by the EPDP Phase 2 Recommendation 15 apply to an SSAD and should not be mapped onto the RDRS, which was a pilot to determine the feasibility of the SSAD. To the extent that the RDRS continues beyond the pilot period, additional logging should only be pursued if paid for by data requestors or otherwise in a cost-recovery manner.

EPDP Phase 2 Recommendation 16 RDRS SC Response

The auditing requirements envisioned by the EPDP Phase 2 Recommendation 15 apply to an SSAD and should not be mapped onto the RDRS, which was a pilot to determine the feasibility of the SSAD. To the extent that the RDRS continues beyond the pilot period, additional audit functions should only be pursued if paid for by data requestors or otherwise in a cost-recovery manner.

EPDP Phase 2 Recommendation 17 RDRS SC Response

Tucows supports the RDRS SC's response that this Recommendation remain unchanged. We have commented in other places about the feasibility and need for accreditation of non-law enforcement requestors (not useful for registrars) and for accreditation of law enforcement requestors (useful and currently being dealt with by an ad hoc group with no need for additional funds from ICANN).

EPDP Phase 2 Recommendation 18 RDRS SC Response

Tucows supports the maintenance of the RDRS SC with limited scope as discussed more fully in our response to the RDRS Recommendation 6 below.

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

Tucows supports the maintenance of the RDRS SC with limited scope until the ICANN Board makes a final decision regarding the disposition of the system.

- Should the Board decide that the RDRS should continue on a cost recovery basis, the SC will be useful to continue to provide valuable input regarding ongoing improvements and adding of features;
- Should the Board decide that the RDRS should be closed because it has provided the valuable information that was necessary and that an SSAD should be created, the SC should become an EPDP Phase 2 IRT to guide the implementation of the EPDP Phase 2's Recommendations;
- Should the Board decide that the RDRS should be closed because it has provided the valuable information that was necessary and that an SSAD should *not* be created, the SC should be dissolved; and
- Should the Board decide that the RDRS should continue, paid for by the Community in contravention of the will of the Community, to continue to gather data to determine whether an SSAD should be created, the SC should similarly continue to guide the gathering of such data.

Possible Technical Updates

Tucows appreciates the work of the RDRS SC in identifying and considering potential technical updates to the platform.

There are no updates necessary to allow registrars with affiliated privacy or proxy services to disclose data requested through RDRS; registrars already may do this. Minor non-technical updates to how these requests are tracked and reported on could make it easier to understand the rate of requests for domains using a privacy or proxy service.

As noted above, Tucows does not support inclusion of ccTLDs in the RDRS.

Tucows is strongly against the expansion of the RDRS to include a data preservation request function. This would broaden the RDRS beyond the scope for which it was built, and would require significantly different processes on the part of registrars receiving those requests. Any legal due process should be submitted directly to the responding party and not via an intermediary such as the RDRS.

Regarding the other proposed updates, Tucows would support the ongoing RDRS SC's consideration of these changes once the system is able to operate on a cost-recovery basis.

Conclusion

The RDRS was created to gather data to determine the financial feasibility and the desire within the requestor community for an SSAD. The RDRS has achieved this goal.

It is clear that an SSAD is not financially feasible.

The [Operational Design Phase Assessment](#) indicated that the SSAD would be extremely expensive and the RDRS has borne this out.

The Standing Committee's Findings Report documents the RDRS costs to date as nearly \$3 million USD. This includes Development costs of \$1,646,835 USD and operational costs of \$1,223,958. The July 2025 RDRS metrics report (covering the same timeframe as the costs in the SC Report) shows a total of 3,264 disclosure requests submitted since the system started operating (a period of 20 months). **Considering the total costs divided by the total number of requests, each request cost \$879.53 USD. If we consider only the ongoing operational costs (not including development) again dividing among the total number of requests then each request cost \$374.98 USD.**

Additionally, we can now use the information gathered through this RDRS pilot project to consider what the [SSAD ODA](#) outcome would be. The ODA considers "low volume" to be 100,000 data requests annually²; **the RDRS had 2199 requests in 2024, significantly lower than the ODA estimate and calling into question the long-term financial feasibility of the SSAD.**

The cost-per-request calculated above is low as we only took into account the *operational* cost paid by ICANN and not the time and effort of the volunteers of the RDRS SC or the time and effort spent by registrars to review the legal basis of requests made through RDRS and evaluating their merits under relevant law—typically necessitating review by attorneys to ensure compliance both with local law and with ICANN Policy.

Tucows does not believe that it is reasonable to continue to expect the Community to support the RDRS.

² ICANN Org, "System for Standardized Access/Disclosure (SSAD) Operational Design Assessment (ODA)", <https://www.icann.org/en/system/files/files/ssad-oda-25jan22-en.pdf>, page 58. (25 January 2022, last visited 16 September 2025.)

Tucows additionally does not believe that it is reasonable to create an SSAD or expand the RDRS to fulfil the requirements of an SSAD because of the demonstrably high cost of doing so.

Tucows notes that SC members who represented requestors indicated that they were uninterested in bearing the high cost of processing and responding to their requests. Tucows agrees and does not think that domain name registrants should have to bear the high cost of processing and responding to requests for the disclosure of their own data, either.

Tucows again thanks the Standing Committee and their leadership team as well as ICANN Org for their work on this important Report.

Thank you,

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