RrSG Public Comment: [Registration Data Request Service (RDRS) Policy Alignment Analysis](#)

15 December 2025

The Registrar Stakeholder Group ("RrSG") appreciates the opportunity to comment on the Registration Data Request Service (RDRS) Policy Alignment Analysis ("Analysis") and thanks the ICANN Org team for the work put into drafting this Analysis.

Overview

The RrSG agrees with the determination in the Analysis that many of the potential outcomes considered do require further Policy work, and stands ready to support that Policy work as it occurs through the bottom-up, multistakeholder process. The note on page 3 that this Analysis "*outlines which policy requirements currently apply and areas where more clarity is needed*" omits a third possibility: that the absence of policy requirements could mean policy is not required in that context.

This Analysis provides a useful review of existing policy requirements relating to the RDRS, and the RrSG appreciates that the Board adjusted the approach from a "gap analysis" to "alignment analysis". A gap analysis assumes a specific outcome and considers the delta between the current state and that desired end-point; in the context of ICANN policy development it is more appropriate to consider the landscape of existing policy requirements and PDP WG Recommendations without prejudice towards a particular outcome.

ODA Considerations

The purpose of the RDRS was to gather data to better inform the [SSAD Operational Design Assessment](#) (ODA). **Will that ODA be updated now that the RDRS pilot has concluded? If not, how will the Board use this data which they requested?**

The Standing Committee's Findings Report lays out the development and operational costs of the RDRS as well as providing request rates; this data can be used to understand the ongoing operational cost per request or over a given time period. With development costs of over $1.6 million USD and operational costs of over $1.2 million USD, and a total of 3,264 disclosure requests submitted since the system started operating (a period of 20 months), **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.

If we consider only operational costs ($1,223,958) over the main RDRS operational period (launch in January 2024 through report issued in July 2025, total 19 months) this breaks down to $64,418 per month.

Finally, we note that **these are all ICANN Org costs and do not take into account the costs incurred by registrars** participating in this RDRS due to processing requests outside regular channels, integrating with an external system, etc. Participation in the RDRS significantly increases operational burdens and costs to registrars and we should consider reimbursement for reasonable expenses, especially in emerging regions.

Billing

The RrSG is significantly concerned about the lack of consideration given to billing for cost recovery in the Analysis; although a billing function is mentioned in the list of Identified Gaps (page 4) it is absent from the rest of the Analysis.

Implementation of the recommended billing functionality is a crucial component of any long-term system, in order to operate on a cost-recovery basis with fees paid by requestors rather than being funded by ICANN out of fees paid by registrars and registries—which would ultimately leave the burden for funding the RDRS on registrants themselves, the primary source of ICANN's funds.

The RrSG urges the ICANN Board to confirm that if the RDRS or any other system is maintained long-term or made a mandatory system for registrars to use then the first piece of work will be to build out this necessary billing functionality. This would be in accordance with the Board's fiduciary duty and the EPDP Phase 2 Recommendation #14.

Mandatory or Optional

The RrSG does not believe that the use of the RDRS or a successor system should be mandatory. That said, if the Board believes that it should be mandatory we note tha**t this would be a policy decision and thus would require policy work to support it,** even if that work is to confirm the Phase 2 EPDP Recommendations for the SSAD.

As the RrSG has previously commented, **if the RDRS or a successor system is to be made mandatory for registrars to use then the system must include the agreed-upon components including operating on a cost-recovery basis with fees paid by requestors as they use the system.**

Instead of mandatory participation **there should be a way for non-participating registrars to indicate how they accept requests** and that info should be made available within the RDRS for requestors to find when needed.

The Summary on page 3 refers to "(1) mandatory registrar participation, as presumed under most adopted consensus policies;" the RrSG is uncertain what adopted consensus policies this refers to, as the only policy recommending mandatory SSAD participation has not been adopted by the Board. The phrase "as presumed under most adopted consensus policies" should be removed for clarity.

Page 7 includes: "The RDRS is currently voluntary and it is envisioned that future work on the SSAD would establish requirements for contracted party processing of disclosure requests." As there are currently requirements for contracted party processing of disclosure requests provided in both EPDP Phase 1 and EPDP Phase 2, it is unclear what more requirements need to be established or what this sentence refers to; it should be removed or revised.

API

An API should be made available to voluntarily participating registrars for use to ensure that requests can be processed promptly and without delay, as described in the proposed enhancements section of the Standing Committee's Report. **Any API—whether for registrars or requestors or both—must have robust anti-abuse policies and procedures in place to protect registrars, registrants, and ICANN.**

There seems to be a typo on page 12, the "API for Requestors" chart section "Proposed Path for Policy Alignment" refers to an API for registrars, this should likely say requestors instead.

Authentication

The topic of Law Enforcement Agency (LEA) Authentication is also being addressed in the currently-open Public Comment period for the EPDP Phase 1 Recommendation #18 (Timeline for Urgent Requests). As will be discussed in the RrSG's Public Comment on that Timeline, **any required use of an authentication system must be governed by an adopted Consensus Policy.**

This Policy would address important questions such as who is eligible to be authenticated, who operates and funds the system, who can access system data, and what security measures are in place to prevent fraud and abuse. As such, **we support the text on page 9 confirming that authentication cannot be required until there is a policy to support that (which does not exist at this time).** We also support the consideration on page 5 that "*the recommendations may focus less on prescriptive functionality and more on ensuring that contracted parties can accurately identify law enforcement requestors and the jurisdictions they represent.*"

While the RrSG is not opposed to authentication for other user groups, **the process should be managed and funded by the group itself (not by ICANN).** We note that no other groups should be able to submit Urgent Requests as only Law Enforcement can meet the definition of Urgent Requests.

In the Section 5 "Timeline for Ongoing Work", this is the first time we have seen an estimated date for anything LEA Authentication, and we are unclear what specifically is being referenced for "domain validation" as this has not been thoroughly considered within the RDRS SC.

Privacy or Proxy Data

The EPDP Phase 2 SSAD Recommendations do not attempt to govern how disclosures are handled for domains using a registrar's Privacy or Proxy service, nor should they. This may render the topic inappropriate for an alignment analysis, as **the only policy to align with on this topic is the PDP Privacy & Proxy Services Accreditation Issues (PPSAI) policy currently with the Implementation Review Team.**

The RrSG notes that the Standing Committee discussed enhancing the request process and reporting metrics to better handle requests for domains using a registrar's affiliated Privacy or Proxy service, and this was not taken up by the Committee as some members were unsatisfied with anything short of mandatory disclosure for all requests. **If the future Standing Committee decides to address this then the RrSG would support updates to make the system more usable and improve reporting but does not support mandatory disclosure in any context.**

The chart on page 11 refers only to Proxy services where it should instead refer to Privacy or Proxy services; this should be updated.

Urgent Requests

The RrSG notes the work of the EPDP Phase 1 Implementation Review Team (IRT) on the Timeline to respond to Urgent Requests and agrees with the Analysis as it states on page 8 that the SSAD recommendations include a timeline for Urgent Requests.

Due to the important nature of these Urgent Requests the only appropriate way to address them would be through a system with real-time synchronous notifications; the current RDRS does not provide this.

Within the RDRS the **"expedited" flag has been abused by requestors who simply want faster processing of their request despite not meeting the relevant criteria**. This is evidenced by registrar internal tracking and the high rate of downgraded requests for which registrars have adjusted the priority status within the RDRS upon receipt of the request.

The RrSG is concerned that this pattern of abuse will continue into any future long-term system as well as with requests submitted directly to registrars and suggests that f**uture policy work should consider abuse processes and consequences such as loss of the ability to submit requests, which was discussed but not achieved in the RDRS pilot.**

One registrar tracking RDRS requests notes that 6% of requests received through that platform were marked as "expedited" while only 0.5% truly met the definition. Downgraded requests related to topics including UDRP filings (this was the majority of their "expedited" requests), requestors looking for their own domain data, copyright infringement, unsolicited purchase offers, technical support requests, and completing a take-home exam for a job as a security consultant.

The second paragraph on page 8 incorrectly states that the IRT could not reach agreement for the Urgent Requests timeline; instead, there was agreement in 2023 that went to public

comment and was subsequently unilaterally changed by the ICANN Implementation Project Team without IRT input. The RrSG offered input over 2024 and 2025 which was not incorporated into the current language.

We also note that the Analysis refers to August 2025 in the future tense and this should be updated as August has now passed.

ccTLD participation

While it may be correct that, as stated on page 14, "Policy recommendations are not required for ccTLD participation in RDRS or a successor system," **enabling ccTLD participation while those ccTLD participants are not bound by the policy governing this system will result in unclear requirements and confusion for requestors and registrars; the RrSG does not support this proposal.** At the most, it may be appropriate for a registrar to opt in to process requests for ccTLD data disclosure through RDRS.

Inclusion of ccTLDs in the RDRS is likely to lead to requestor confusion regarding what TLDs are governed by ICANN processes and the conflation of gTLDs and ccTLDs. If ccTLDs are included they must be clearly labelled to help reduce this confusion.

The operational complexities introduced by permitting ccTLD registry participation in the RDRS raise many questions, including but not limited to:

- The RDRS is a system used by registrars and requestors; registries do not have access. What interface would the ccTLD registry operator use to respond to requests?
- ccTLDs may require different data sets than gTLDs do, how would this be handled?
- As ccTLDs are not bound by ICANN policies, there would be gaps in requirements for ccTLDs responding to requests. What happens if the registry does not respond in the manner required under ICANN policy?
- If a ccTLD is enabled in RDRS, is the request sent to the registry, the registrar, or both? What happens if the registry and registrar reach different disclosure decisions?
- Does the requestor choose if the request is addressed by the registrar or registry?
- How will requestor confusion regarding who responds to the request be addressed?
- What happens if the ccTLD registry does not answer requests? They cannot be held to the gTLD policy requirements.
- Can a requestor submit a request to a registry after it has already been denied by a registrar?
- What happens if the registry contract with the registrar requires the registrar to respond to disclosure requests?
- Not every ccTLD registry has a registry/registrar model; how will that complexity be addressed?
- How will ccTLD registries be expected to handle Urgent Requests from LEA, both within and outside of their local jurisdictions?
- Who will pay for integrating ccTLDs into the system? It should not come from ICANN, as this exceeds the scope of any gTLD policy considerations.
- How will compliance for a registrar that fails to respond to a ccTLD request be addressed?

These questions must be considered by the appropriate group—and may require policy development work—before ccTLDs can be included in RDRS. Some of these questions may be addressed by implementing the EPDP Phase 2 requirements related to how registries handle requests, but since the ccTLD registry is not required to follow ICANN Policy it may cause confusion or unfair implementations. This is a significant level of complexity and sets unenforceable requirements on the ccTLD registry with very little (if any) benefit to security or system useability. In addition, ccTLD registries have indicated that they have generally low rates of disclosure requests and many have already established their own systems and processes to manage requests, so the desire to adopt a system built and operated by ICANN will likely be fairly low.

Conclusion

The RrSG supports the Analysis' conclusion that **Policy development work is necessary if mandatory obligations are to be considered.** This relates to the following areas under consideration:

- Registrar participation in RDRS
- Use of an authentication system for LEA requestors
- Disclosure requirements for domains using affiliated Privacy Services
- Response timeline for Urgent Requests

Adjustments to the financial sustainability/cost recovery nature of the RDRS were not considered within the Analysis and the RrSG strongly urges ICANN Org to update the Operational Design Analysis and **proceed with implementing a billing system to recover operational costs directly from requestors.**

Thank you,

Owen Smigelski

Registrar Stakeholder Group Chair