
ICANN82 | CF – GNSO: RDRS Standing Committee Work Session
Wednesday, March 12, 2025 – 16:30 to 17:30 PST

TERRI AGNEW

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SEBASTIEN DUCOS

Thank you, Terri, and good afternoon, everybody. Very good to see all your faces off Zoom and in the room. I'm going to make a quick introduction for those that don't follow this riveting subject of ours of RDRS on a daily basis, but I'm going to make this very, very short. I'll invite anybody that has further questions that come and see me or any of the SC members to talk because I want to spend as much time as possible today to discuss the points that we need to discuss: the points of recommendation, potential contention, etc. I also want to give a bit of a warning. I'm at this stage of the week where I can't see anything far, close, anywhere. I have glasses, but

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it no longer works. So if I'm missing hands up or anything like that, please shout loud and I'll hear it. The hearing is still good. So, very briefly, RDRS is a pilot that we agreed to run over a year ago in order to basically test the waters on a potential solution to collecting requests and driving requests for registrant data to the appropriate registrars who then collect those requests, the information, and choose to respond with a disclosure or not, hopefully explain their move, and establish an understanding with the requester on where things are. This pilot was slated for two years. It started in November ... 2023? Yeah, I'm seeing [three] fingers there. 2023. Very good. And so it celebrated its first anniversary birthday last year. And we collectively decided that whilst we weren't going to stop the pilot (we were letting it run), we had started collecting enough information, enough intelligence on it, to start drafting a report. And so we've been at it since January, basically. We're—yeah, you look at me surprised. Roughly. Okay, we've been drafting a report in January. The report is going to be in four sections, four chapters. We are going to discuss today elements of the first two that we've been working on. There's a third chapter that we haven't started yet that is also going to bring potentially both recommendations and discussion contention on analyzing what we've done with the pilot and [inaudible] to the SSAD recommendations. And then we'll have a last chapter with the recommendations that we're sending back to the GNSO Council. Now, to keep within the frameworks and the procedures of ICANN, when I'm saying “recommendation” here, I'm saying it with a very small R. This is not a policy recommendation. It's this group's idea

of how we should proceed. The other thing I want to make absolutely clear is that this group was tasked with conducting a pilot, developing a tool. It's not a policy body. Some of us have opinions on things, where things should go. I will, at the end of this process, cordially invited to join a second team that will be a policy team that I will not drive because I'm completely incompetent in these sorts of exercises. And so somebody else will take that leadership and, and we will work. We'll have, then, a second piece of work that is going to be dedicated in taking SSAD as it was recommended and see how we need to adapt it. Or rather, sorry, this is a smaller recommendation to the Council. The Council will decide what they want to do. And I see some heads nodded. So obviously I'm back on track. With this said, and unless there are any questions from the public, I'd like to open the substantial discussion as quickly as possible. I see no questions. I see no hands. I think we're good to go. So there are members here of the Standing Committee that know each other because they've been talking every second week already for over a year. There are members of the community that I've cordially invited to come to the table, and I invite them to open the mic too. But I would just ask, as you're presenting yourself, to say if you are or not a Standing Committee member—not so much for me, because I know who you are, but for everybody else, so people recognize faces and know exactly. I hope that is okay. And with that, maybe we can start with the first slide. So the first matter of discussion that I'm proposing ... But maybe if you prefer ... I'm trying to give as little directive as possible here. I really want this to be a free and open discussion. I have heard, and

I've heard loudly from several of you, that there wasn't enough of that on substance in the last few calls, and I wanted to make sure that we had time for it. So the first one (personal here, maybe pet peeve) is on volume. There is this general impression that with the low thousands of requests that we're seeing in RDRS, particularly compared with the billions of queries that existed in WHOIS, we're not looking at enough of the landscape to be relevant. I'm trying to be as neutral as possible here because of my seat, my chair, but just looking at the data and looking at what was and what is, etcetera, I personally contend that we're looking at the right scope. We're looking at the scope of people that need to access registrant data that can no longer do it following GDPR and the data going dark, and so request it. There were a hundred other reasons why people were using WHOIS. These reasons still stand. WHOIS is still being very, very heavily used, actually exactly in the same sort of ballpark numbers as it used to be, except for a spike of activity just leading to the temp spec where I suspect a number of actors were trying to get as much information off, scrape as much information off, the WHOIS as they could before it was going dark. It did go down afterwards, but it's not like the WHOIS has disappeared and the only option that is left is RDRS. RDRS is responding to one specific, again, question which is accessing registrant data. WHOIS was answering a whole lot of other questions. I'm also basing myself here, my view of it, on the fact that I'm not running a registrar, but I'm very friendly with a registrar that has the same name as me. I ask these people, and they say yeah, sure, I still get requests that are not through RDRS. It's about 50/50. I ask other registrar friends

and they say it's about 40/60. We're roughly seeing half of the traffic going through RDRS. The reality of it is going through other means that registrars provide. We are roughly looking at 50% of the domain names under registered domain names that are sponsored by registrars that are participating in our exercise. And we'll talk about [it with Sarah] maybe a bit later. So rough estimate: RDRS is collecting a quarter of the request. Now it's not exactly that calculation because I suspect that there are more requests for people that are not playing with us. There are more requests in sort of edges of the registration world that is not participating here. So if it's not a quarter, maybe it's a tenth, but not the ratio between 1000 queries or low-thousand queries that we've seen in RDRS and the millions of queries that we're seeing in WHOIS. That's a contention. So do we consider that what we've done for the last year, the data that we've collected, the number of cases that we've seen through, is relevant enough for us to have an opinion on where we're going, or did we waste our time for the last year because we're looking at such a thin slither of the problem that obviously we haven't been knocking on the right doors? Gabe, go ahead.

GABE ANDREWS

Hi. Gabriel Andrews, for the record, Co-Chair of the Public Safety Working Group and a member of the Standing Committee. I think that we've had some similar discussions on this point in the past, talking about how to address in our reporting of the volume. And I think that what at least I recall our conversation sort of settled on and what I sort of advocate for is a quantitative treatment. We

observed this number. I like how this is actually flagged on the slide where you start with the number of domains that were looked up and the number of resulting disclosure requests and so forth. And I don't know that we need to really opine beyond that, but reporting this in a neutral tone I think is the easiest way to achieve consensus on the data that's presented.

SEBASTIEN DUCOS

Okay, thank you. I'm going to put John on the spot because your name is on it and because your name was on a comment that was sort of hinting to maybe the contrary.

JOHN MCELWAINE

So I'm not sure I was really [... I was] being contrarian there. Obviously it was one of the first comments I was putting into the document, and what I wanted to be cautious about is not making any sort of statistical determinations because in some of the cases, we're not probably hitting a level that you could statistically say it is correct. In other words, I don't think we could say, from this the data on the number, that of all the people utilizing WHOIS lookups, 30% of them will be IP holders, which is coming out at like 29.7%. So it's just an example of that. I don't know statistics well enough. I did take it in college, but that was many, many moons ago. And so I don't think the report right now is really, from what I've seen, making those assertions. I was really just kind of putting down a marker that if we do start making some conclusions that are relying upon statistics, we need to make sure that we've had it looked at

by somebody and it really is significant in that realm. Does that make sense?

SEBASTIEN DUCOS

In that sense, yeah. Well, it makes sense to me, yes. Any other comment? There's a queue. It's even better. I am going to put on my glasses. Marc Anderson, I see your hand up.

MARC ANDERSON

Hi. Thank you, Sebastien. Marc Anderson, and a standing committee member. I have a couple thoughts on here. First, I want to say I don't think it's relevant to compare the volume of RDRS with the volume of WHOIS and RDAP queries that we see. The use case is different, and so I don't like comparing the two. I don't think that's a fair comparison. I really agree with the points Gabriel made about presenting the data in a neutral tone. I think one of the primary tasks we were set out to do was gauge the volume of usage we could expect for this type of system. And I think we've done a reasonable job of doing that. That said, there are a number of detracting factors, I'll say. And Sebastien, you highlighted some of them. We don't have full participation of registrars, for example. And I agree with the point that I think John was making about we should avoid making statistical assumptions about that. Sebastien, you gave a couple of detracting factors and said maybe we're seeing a quarter of the volume. I think you mentioned number of participating registrars versus number of requests that come directly to registrars. And so those are important factors, and we should document them. But I think we should avoid attributing a

percentage value to that. We should say, This is the volume we saw, and we know there are detractor detractors to that volume.” One of course, is there's a pilot. People are going to say, “I don't want to participate in a pilot. Maybe if it's not a pilot but it's actually a production system, I'll participate.” And so I think there are some detracting factors we can call out. But beyond that, I want to just sort of echo what Gabriel said. We can list the detracting factors, but we should just call out the metrics that we do have and use that in our report to council. Thank you.

SEBASTIEN DUCOS

Thank you. So we agreed at the beginning that we would not consider the traffic here as being the metric for success that we wanted to track. This said, there was an implied question from the Board a year and a half ago, who was actually scratching their head and saying, are we talking about something that we're going to have to drive hundreds of thousands of requests a month through, which means a certain type of infrastructure to be able to take them, or are we talking about hundreds of requests a month? And so whilst we can't give a number, I think there might be (maybe not in the recommendation; maybe we decide not to put in the report itself) questions asked there as to what we would assume. I don't want to preempt the questions, but I just want to make sure that this was a query of the Board back then. I see now Steve DelBianco in the queue.

STEVE DELBIANCO

Steve DelBianco with the Business Constituency. You framed the slide to say that it seems to be addressing some level of demand (it's in the second line, first paragraph) or a level of some demand. While true, it's irrelevant. And we didn't measure the demand for registrant data. We measured the demand for a system with very limited participation and no standards for how we submit or how evaluations are done on the legal basis to respond. So we had a low response rate and low participation, low enough that it is not a significant test of the demand for a system that would have broader participation and standards for when disclosure was warranted. We cannot extrapolate one to the other. Word got around very quickly that there was a low participation rate and most were being denied early on. So we shouldn't fool ourselves that we've got data. The pilot is still useful. We learned some things, but what we didn't learn was a notion of demand for actual registrant disclosure. So we shouldn't draw those together. We should report what we learn, but not suggest that we know for a fact that there's justification here to build something bigger. Now, our recommendations from the BC are to maintain the RDRS, providing that staff tells us the costs are reasonable, until we figure out how we are going to make policy changes associated with participation and disclosure. You made a sentence. There's a sentence in chapter one that suggests the policy would be developed in the Small Team, and it wouldn't in RDRS. The policy would be done by GNSO and ccNSO because bringing the cc into this world is essential. So it wouldn't be done by us, and we don't have to lay out exactly how things will be done. Marc has made a

few comments in the doc saying how would we execute that (Marc Anderson), and I don't know that we would be able to answer how something could be executed as we are recounting what we learned from the pilot. But I know that we will not get unanimity if we suggest that saying that there was a level of some demand or some level of demand ... That might be a statement, but it is not a conclusion that leads us to anywhere.

SEBASTIEN DUCOS

Okay, thank you. I see your hand, Volke. For the record, Steve DelBianco was a member, or is a member, of the [GSE]. Volker, go ahead.

VOLKER GREIMANN

Thank you. As one of the registrars participating in this program and this pilot, it's very hard for this program to declare a success because I'm just looking at the last five notifications that we had. So it's February 19th, one request, February 20th, two requests, then it's March 3rd, one request, March 4th, one request, March 6th, one request, and nothing since then. So it's very, very low numbers. And actually we are very happy that these numbers are low because this system doesn't scale. It doesn't push those notifications to us. We have to go log into the secure ICANN portal and look at those requests and respond to them from our ticketing system by copying them over. So it's really hard to do that. And it's not something that we can assign to a lowly abuse manager simply because the access to that ICANN portal is something that we don't want everyone on our team to have. So it hasn't seen any growth

for us over the past year. If anything, the number of users have become lower. In the time that we can address one or two complaints that we get through the portal, we can do 10 or 20 that come in through our normal abuse queues.

SEBASTIEN DUCOS

So I understand that. That will speak to further features and ways to better integrate. I see Paul McGrady's hand. And for the record, [inaudible] was a participant and registrar, but now I participant in the SC.

PAUL MCGRADY

Thanks. Yeah we've heard it sort of phrased in the negative, and, Seb, I don't think you meant to, but you kind of started out a little bit in the negative, and so some of the reaction you're getting might be a little bit because we seem to be approaching the negative where people are saying, well, we can't prove that it's a success. Okay, you can't prove it's a failure either. And you just told me that this system is getting 25% of the demand with ... Nobody could respond to my question in the chat about how many marketing dollars ICANN has put towards this. Is it zero? Is it \$150? I don't know. Right? How much have we spent promoting this?

LISA CARTER

Thanks. Just to answer your question, Paul (I dropped it in the chat as well), ICANN has largely relied on outreach from the Global Stakeholder Engagement team and other ICANN staff that has been attending events with a little bit of social media campaign outreach

as well. So it's been minimal in terms of the social media, mostly relying on ICANN staff and Global Stakeholder Engagement.

PAUL MCGRADY

Okay, so I don't know how to quantify that, but let's call it \$50,000. Why not? Let's make it up. So we've launched a brand new product with what approaches to be a statistically non-existent amount of money aimed at 8 billion people, and we have 25% market share. Like, we're killing it. So the stats can be both ways, guys. So before everybody lines up and says, "Oh we can't prove a success," well, you can't prove it's a failure. And when people ask me ... The "it failed" crowd is out talking it up as if these stats are meaningful in supporting their position. I love the stats too. And in fact, if I could launch a business and get 25% market share with no marketing effort whatsoever on a Salesforce platform, sign me up every single day. Thank you very much. This has been Paul McGrady.

SEBASTIEN DUCOS

Appreciate it, Paul. Thank you very much. Farzaneh, I see your hand up.

FARZANEH BADIEI

Hello. So I have to discuss this with NCSG, but one of the reasons that I actually like RDRS is the monthly reports. We don't get that from ... Registrars have their own reports, but it's nice to have those kind of stats, especially when we want to look at transparency of the system. I think it contributes to the transparency. How many requests are from which countries? What

are the stakeholders that are requesting? So at least from the, I think, the research and accountability and transparency perspective, I think RDRS actually is a good experiment. And I don't see a problem with it remaining as an experiment for a while. So I don't know why we are talking about what success and how we are ... I understand everybody wants to measure success these days, but I just want to say that, from this perspective, for civil society organizations that look at transparency reports and that look at these surveys, that also can have an avenue to provide comments on how does the disclosure take place and bring you our perspective on how to advance registrants' rights and protect our privacy[.] The system is very useful, I believe.

SEBASTIEN DUCOS

Okay, thank you. I had asked Theodora yesterday to give me a time or whatever. I'm sure that we've passed it well beyond. Okay, cool. Sarah. And then we'll close the line on this and we'll go to the next point.

SARAH WYLD

I'm going to do both.

SEBASTIEN DUCOS

Oh, you're going to do both. Fantastic. Then go ahead, Sarah.

SARAH WYLD

Thank you. I think that the pilot was successful in gathering the data that the Board needed. I think it's been great. Good job,

everyone. Regarding the mandatory participation that I see up on screen, we already have a system that is contemplated under policy. We have the recommendations from the EPDP phase 2 for the SSAD which would be the mandatory centralized system. So I really think we should stick to the plan here, and we should let the council and the Board do their work and evaluate the data that we have gathered here. We've all put a lot of work into gathering this information. Let's not get ahead of ourselves. Let's let them look at it and see what they think and decide if those policy recommendations to build the broader SSAD are what's best to do. And if it is, we of course should remember that the RDRS is a pilot project, and the SSAD would have more functionality that's not included here. So that would need to be built in and might affect some people's perspectives on whether it's a good idea. So yes, thank you. I'd like to see the RDRS continue as a system that's available for those who find it useful and continue to be improved upon with the insights from the whole community.

SEBASTIEN DUCOS

Okay, well, don't move because even though my name is on this, I think that is something that was built on one of the comments that you, Sarah, left in the document that had us actually thinking that you were questioning the mandatory participation aspect of [it] in our recommendation (small R) of a future product to follow RDRS because mandatory participation was an aspect of SSAD. Is this something that is questioned for a future product or is this something that your view (the registrar's) is that yes, since it was decided [SSAD], we should, in fine, when we have a fully

operational system, have a system that is mandatory for registrar to participate?

SARAH WYLD

Thank you. I understood your question to be whether I think that if we build the SSAD, should it be mandatory? It doesn't matter what I think on that because there is a policy recommendation that says it should be. But this is not the SSAD. And you know that.

SEBASTIEN DUCOS

Fully agree. No, it's just because I had other participants in the group a bit itching, thinking that that was being put back in question. That's a very good point. Then we are all in our ... This is exactly why we're here today. We've clarified that. Thank you very much. Did I make up the time? Because the second one took 30 seconds. Next slide. So the next slide actually has got Marc Anderson's name. So that point would have been taken from a comment that you made. And again, I'm very sorry, but I am unable to read it close. So far, a bit better without the glasses. But Marc, can you take this?

MARC ANDERSON

Yeah. In order to sort of go over the first one, I was looking over one of the recommendations. And this is maybe taking from the recommendation, so it maybe would have been better to look at in the full context. But I'll try and bring the context through here. So this is getting to the submission of requests and the instructive language that goes around it. And the words in here say,

“Stakeholder group recommends using clear plain language in a form that makes accessible to all users.” These are great words that I think anybody just reading them says yes, that sounds good. But if it comes time to implement them, how do you implement that? At some point somebody put language into the RDRS and thought that that was clear, plain and made sense and was accessible to all users. I'm going to assume that nobody went out there trying to make it inaccessible and not clear and not plain. And so my question with this one is really not the intent of it. I think it's a very noble intent and we should all support it. But how do we go about seeing something like this implemented? And I have some thoughts on this. And so thank you Sebastien for giving me some time to talk about this one. I think if we want to accomplish the goal of having this clear language, then a recommendation that might make sense and be more practical would be a recommendation to create a stakeholder group of requesters that can provide advice on the crafting of clear, plain language in a form that makes accessible to all users. So a recommendation like that I think is much more implementable and takes out some of the subjectiveness of a recommendation like that. Hopefully I haven't rambled too long and that helps provide context around my thinking in raising this particular issue.

SEBASTIEN DUCOS

It took my favorite form of upward management, when you come with a problem and the solution. So, fantastic. Yeah, I think we should add having that. And actually, John and I had been

discussing that sort of thing too. Good idea. Fantastic. I see your name on the next one.

MARC ANDERSON

I'll just point out there's a queue.

SEBASTIEN DUCOS

Sorry again. Glasses. Gabriel, go ahead.

GABE ANDREWS

I'll be very brief. Gabriel Andrews again, speaking on behalf of a requester community. I second the suggestion from Mr. Anderson. I think that that's a very reasonable, constructive path.

SEBASTIEN DUCOS

Fantastic. Alan Greenberg.

ALAN GREENBERG

I'll second it. I'll third it. What I was going to say is it's fine to say these are targets, but a demand that we use clear, unambiguous, non-legal language is perhaps not achievable. And I love the idea of focus groups and things like that actually bringing the people involved in to get them involved in the solution instead of someone in a dark office making the decisions for them.

JOHN MCELWAINE

John?

JOHN MCELWAINE

I'll be a fourth on that, but I would like to add I think it would be useful to have a couple participants from the registrar community on that group as well, so that there's a communication back and forth as to what they intended to ask as a question and what the understanding is.

SEBASTIEN DUCOS

Farzaneh, I see your hand up.

FARZANEH BADIEI

I'm just gonna poke holes in this idea. How about the registrants? that's a stakeholder. You are talking about their data. Yeah. So we are standardizing this, right? We are standardizing the request. And it's not bad to have a couple of registrants.

SEBASTIEN DUCOS

The problem is finding them.

FARZANEH BADIEI

Well, I am a registrant.

SEBASTIEN DUCOS

Exactly. With the NCSG.

UNIDENTIFIED MALE

I think we've got that covered.

SEBASTIEN DUCOS

Okay, good.

FARZANEH BADIEI

No, but a registrant that doesn't have interest in getting the registrant's private data. That's the difference.

SEBASTIEN DUCOS

Okay, understood. But to make it clear, asking the NCSG to represent would be good enough for you. Okay. And for the record, Farzaneh is nodding. I see Alan Greenberg's hand again.

ALAN GREENBERG

I think making a recommendation of what the system should do and a suggestion that things like focus groups might be useful is fine. Going down to the membership of the group and how many times a week they meet, I think, is beyond our needs.

SEBASTIEN DUCOS

Okay, appreciate it. Definitely on the weeks. Maybe not ... Well, we'll see. Definitely not a number of weeks. And your hand is still up. So now with this queue ... Oh, I have a Sarah Wyld. Oh, for the next one. Already you're queuing for the next one, so maybe Marc, I'll put you on the spot again for the next one.

MARC ANDERSON

All So this one deals with the time frames for requests. And this was something that came up in our initial conversations and then again when we were working on the pilot. And this one I feel was always going to be problematic because there's a need for two-way conversation. And I don't think I don't think it's reasonable to put any kind of penalties on registrars if the requester is unresponsive. And I also don't think it's reasonable to put any time frame requirements on the requester. And so I understand that we have metrics to look at how long requests take, and looking at long requests seems bad, and looking at short requests seems good, but just the asynchronous nature of the system I think is not very conducive to putting required time frames, and there are too many factors involved in enforcing those time frames. So that's my thoughts on that one.

SEBASTIEN DUCOS

So, Sarah, I see your hand up. I'll put myself.

SARAH WYLD

Thank you. I think it's hard to look at the duration that a request takes or that many requests take on average when we don't know why they remain open for a longer period of time. Is it that the registrar has not looked at the request and it's just been open for a month, or is it maybe that the registrar immediately looked at the new request, said, "Oh, but I need this other piece of info," contacted the requester to ask for it and, and now is waiting to hear back? Either one of those things could happen, and we don't have that information. So one piece of functionality that is fairly

common in other ticketing systems is that a ticket can be put into a pending status and then if it's not updated within a given period of time, it closes automatically, and then when it is updated later, it reopens. So maybe that is something that we should consider. And in fact, that is something that the registrars have already suggested in the workbook, and it's included in chapter two. Thank you for updating that table of things that have not yet been done because that was missing and now it's there. And I appreciate that.

SEBASTIEN DUCOS

So, recognizing myself for a second, I understand your point, Marc. I think that we need to also look at the fact that in the original recommendations (with a big R, the SSAD ones), there were SLAs. I can't remember where they were at. I can't remember if it was days, hours or minutes, but there were SLAs. And so do we recommend to not look at it and then we'll fall back on what was there or the next team will look at it in that way? Or do we ... Yeah, that's the main question.

SARAH WYLD

Thank you. I'm wary. I'm wary of pulling in more of the pieces from the SSAD without actually having made the decision about whether we're going to build an SSAD. Those recommendations in the EPDP phase two were a package, and they relied upon each other. They connected into each other. And in some cases, agreements were made across several recommendations. If we're doing this, we should also do that. So now if we start taking bits and pieces and pulling them out and building it into the RDRS without having

decided whether we're building the SSAD, how do we pick and choose, of those recommendations, which ones now become mandatory? Thank you.

SEBASTIEN DUCOS

So can I suggest, then, that the recommendation is maybe to leave those timelines fuzzy until we have an actual final product, giving exactly the rationale that you gave, essentially? We haven't ignored it. We've looked into it. There's a good reason why they shouldn't be force-fed into this system. The day we have a final system, we can revisit. But then we'll have to document. How am I doing on time? Fantastic.

SARAH WYLD

Gabe's hand is up.

SEBASTIEN DUCOS

And I see Gabriel's hand, yeah.

GABE ANDREWS

I'll try to be very fast again. I just want to acknowledge Sarah's point that it isn't fair to track a registrar on a chess clock if they hit their button, and the other person hasn't responded to their time. I think it might be constructive here just to note to her point that we don't have clarity in terms of when the registrar took action without speaking to the timelines. Just note that RDRS didn't

measure that piece of it. And that's just objective fact. And I think just acknowledging that is fair.

SEBASTIEN DUCOS

And now I see Paul McGrady's hand.

PAUL MCGRADY

Yeah, we still don't have any data in this because this was a voluntary system. So we have no idea how fast registrars would respond because there was no stick. These were just the good guys that chose to participate as registrars when they didn't have to. So we just don't have any data in this. I think the most [inaudible] thing we could say is it would make sense in a mandatory participation system to bake in time frames or goals, but it would also make sense to bake those in (response times for requesters too) so they're not tying up resources if they don't mean to continue. So if, for example, the registrar needed more information, and they didn't hear back from the requester in 10 days, then I think the system should close that and quit wasting everybody's time, whatever it is. But we don't have any information about whether or not registrars were fast or slow because there wasn't any downside to being faster. There was no upside to being fast, no downside to being slow. So we have to be really agnostic on this one. Thanks.

SEBASTIEN DUCOS

Okay, thank you. I see your hand again, Marc.

MARC ANDERSON

I think Paul makes some really good points, and I'm tempted to put my hand down, but I'll just point out that the SLAs in the SSAD recommendations state that the SLA starts when a validated request with all supporting information is provided to the contracted party and ends when the contracted party responds. And we never had the capability to measure that via RDRS. So I think it's an apples-to-orange comparison. And I don't want my comments on this particular recommendation to be intended to be negative towards the SSAD recommendations. I think it's just an apples-to-oranges comparison.

SEBASTIEN DUCOS

Okay, thank you. I saw briefly Luc's hand, but it went down.

LUC SEUFER

Yeah, no, Marc addressed it, but it's just also to pile upon what Volker was saying before regarding the timely reply. First, we need to have something that is asynchronous or immediate because right now we are one of the good guys, as Paul put it, and it's sending us just email with nothing, just telling us to go look in the portal to know what the RDRS request is.

SEBASTIEN DUCOS

Okay, thank you. So actually we've already started talking about that Point 3, but if you, either Sarah or Marc, wanted to explain here a bit or elaborate on it.

MARC ANDERSON

All right. I flagged this one in response to a comment Alan Greenberg made, actually. So I'm looking over at Alan, warning him that I may be using his name in vain here. Alan had made a comment about how it was difficult to evaluate some of the recommendations without knowing what our overall recommendation is about what should come after the RDRS pilot. And I felt like that really applied here specifically to this particular recommendation. This recommendation might make sense in some scenarios, and it might not make sense in other scenarios. And just using an extreme example, I would say if the recommendation of this group was that, yes, the SSAD is great and we should implement it, then this recommendation doesn't make sense at all. I'm not advocating that as the output of this group at all, mind you. I'm just using that as an example to illustrate that this recommendation is maybe putting the cart before the horse a little bit and that the value of this recommendation depends a little bit on what we think should come after the RDRS.

SEBASTIEN DUCOS

Go ahead, Sarah.

SARAH WYLD

Thank you. I'm just going to say, because my name is on there, I had recommended it. My comment in the document on this recommendation was: I think the title doesn't reflect the content of the point here, which seems to be about organization-level

accounts with individual users under them. So I was really just saying I think it could be written more clearly. But also, wasn't there something in the SSAD either in the recommendations or in the work of the EPDP about the potential dangers of organization-wide accounts? Or maybe it was about the benefits. I don't remember. But we'll have to go back and look. Thank you.

SEBASTIEN DUCOS

Okay, can we note indeed that we need to go back. Caitlin?

CAITLIN TUBERGEN

Thanks Seb. I'm reading a question from a remote participant. "The RDRS system, built on a stronger protocol, is perceived to be a one stop shop for brand holders, attorneys, law enforcement and other interested parties to file registration data disclosure requests and have them transmitted to the relevant registrar for the name. Does the HD ratio, which is one of the qualifiers for becoming a registrar, regulate the speed of response?" This is from Dr. T.V. Gopal, Anna University.

SEBASTIEN DUCOS

Thank you very much for reading the question. Dr., if you are able to come online and speak to your question, it would be very helpful and I'll give you ... Oh, there you go.

TV GOPAL

Yes, thank you. Good morning from India. You know when we are qualifying or accrediting a registrar, we need to specify a HD ratio.

That is the assignable quota of addresses from which they assign, which also implies the capability of the registrar or the complexity of the registrar. In those circumstances he has to give us the data. So will it regulate the pace at which the registrar respond? Nice talk. It was telling that the registrars are voluntary and they take their own time to disclose whatever is requested. We can only route it to the registrar. So why is that time being taken? Is it the HD ratio which they have to comply with the granularity of the registrar?

SEBASTIEN DUCOS

So I think everybody's a bit puzzled around the table as to what the HD ratio is.

TV GOPAL

The [inaudible] of the addresses which are assignable by that registrar. We are now talking about [more than for IPv6]. We are talking about more than—

SEBASTIEN DUCOS

Sorry, I think that you're talking about IP assignment. We're talking about—

TV GOPAL

Addresses which the register controls.

SEBASTIEN DUCOS

But we're talking about domain names here.

TV GOPAL

Yeah, that's right; that many names, that many addresses, will be controlled by the registrar, the concerned registrar. He has to fulfill [that] at least 90% of those addresses are being purchased from him or her.

SEBASTIEN DUCOS

Can I suggest that we take this offline?

TV GOPAL

Okay.

SEBASTIEN DUCOS

Send us your email address. I'll send you an email. I don't think that we're talking about the same subject, but I'll love to have a conversation with you later. Thank you very much. Then I see Alan's hand.

ALAN GREENBERG

I guess I'm a bit confused. An awful lot of what we're talking about here sounds like the deliberations in a policy group.

SEBASTIEN DUCOS

We're still trying to find recommendations with a small R. We're trying to agree to points that we're going to put in our final document.

ALAN GREENBERG

I understand that, but a lot of these points seem to be ... Like, going back to the previous one, talking about to what extent do we define timeline response times sounds like the discussion in a policy group—perhaps a futile one, but nevertheless.

SEBASTIEN DUCOS

So do we want to flag those or color-code those or something and say “Hey, next group that is going to deal with this, we think you should be looking into this”?

ALAN GREENBERG

Certainly things that we have identified and timed (response times is one of them) [that] will be critical to the success of a system. Yes. But deciding what they should be or even ... Okay, I'll stop now. I think the real issue is identifying the things which we believe will be critical.

SEBASTIEN DUCOS

And I think that we fully agree on this. So let's find a way to mark that clearly and then indeed not go into the substance of it. Sarah, I see your hand up.

SARAH WYLD

Thank you. Yes, I think I share some of Alan's concern. I just pasted in the chat some of the language from one of our assignments. And so one of the things I've just found a bit wiggly as we're writing the report is that we're supposed to make suggestions about recommendations that the council might make to the Board. And so that's not quite the same as us making recommendations, but that is how it turned out in the language, maybe just because that's what sort of makes the most sense as you're writing it. But I do think that we can be a bit ... There's even a section called Recommendations. Maybe we call it Suggestions. But yes, we need to be very careful not to get too far into those while also trying to gather up the benefit of what we've learned to share that with the council.

SEBASTIEN DUCOS

So I see Marc Anderson, and as Marc is going to start talking, do we have a slide after this? Okay. Okay, go ahead, Marc.

MARC ANDERSON

I'll just take my hand down. I think Sarah and Alan covered everything I was going to say. I agree with their points.

SEBASTIEN DUCOS

Thank you, Marc. So, next slide. It's been The Marc and Sarah Show, and it will continue being The Mark and Sarah Show. So, Marc, do you want to take this one? And full disclosure, for those that weren't in the [inaudible], Marc and Sarah were not aware that

I was going to put them on the spot like this. Thank you very much for playing along.

MARC ANDERSON

For those not in the room, I'm frantically reading this.

SEBASTIEN DUCOS

Okay, let's skip to cc's and maybe ... Yeah, because it's not clear to everybody. Yeah, go ahead, Sarah, with the cc's.

SARAH WYLD

Thank you. There's been a lot of discussion (and again, I did not quite expect this) in the standing committee about including ccTLDs in the RDRS, which is an interesting idea. And I sort of go back and forth on it. And just to recap for those who perhaps haven't been part of that conversation, right now, the RDRS (and you'll correct me if I'm wrong) uses the RDAP protocol to find the registrar for the domain. And so if the ccTLD is not using RDAP, then RDRS won't be able to identify the registrar. So that is a technical thing that would need to be addressed before a ccTLD can be looked up in the RDRS. Another operational question to consider is where does the request go? Would it go to the registrar, as gTLD requests do, or would it go to the ccTLD registry, which they perhaps might prefer? So that said, what I had flagged as a question is where it says in the second sentence "This could potentially require new policy work." And I'm just curious, if I don't know who wrote that and I'm not sure what they were thinking about specifically (that sounded terrible), to know what was that policy

work that they might have in mind. And then I would like to know if anybody has spoken with the ccNSO or any individual ccTLDs to find out if they are interested in being a part of this. Thank you.

SEBASTIEN DUCOS

Steve DelBianco, go ahead.

STEVE DELBIANCO

Hey, thanks, Sarah. I had mentioned ccNSO earlier from the standpoint of the value of any system at responding to requests. That value is significantly enhanced if it increases participation of g's and cc's. And I think that's just a truism, right? We would assume that. And in the way I read this paragraph, you're laying out not whether you think this is a good idea, but that if we pursued it, it has some complications.

SARAH WYLD

Sorry, I—

STEVE DELBIANCO

You didn't write a comment. Sorry, your name ... The one we just introduced. And when you elaborated on it, what I heard was I don't yet know if Sarah thinks this is a good idea or a bad idea. All I know is if we implement it, there's work to be done. The cc's would have to adapt RDAP, and there's some policy that they have to do that we can't do for them in GNSO, but the Board has some

influence too. So what do you think of including cc's, more important than what are the barriers to getting it done? Thank you.

SARAH WYLD

I actually don't have an opinion yet. I have a concern because it's hard to include ccTLDs in an ICANN policy. That just feels like crossing the streams. But also, we're all here in the same building, we're all here in the same Internet. Maybe it does make sense. I think before I could fully form an opinion, I would want to know who would be managing the requests because it's different for ccTLDs. Why? Because for a gTLD, we have the RAA, and the registry, especially now, is less likely to hold the full data set for the domain. In a ccTLD, the registry is much more likely to hold the full data set. And so the ... I can't recall if registries are supposed to participate in the SSAD. Yes? Yes. Okay. Yeah, I don't know. Sometimes I don't have an opinion, and on this one I really do just feel like we need to talk it through more.

SEBASTIEN DUCOS

Alan Greenberg? And before that, we've got five minutes left in this session, so it's gone very quickly. But go ahead.

ALAN GREENBERG

Sorry, I thought you wanted ...

SEBASTIEN DUCOS

No, no, go ahead. I'm just stating that we're not going to go for novels.

ALAN GREENBERG

Number one, we're not talking about the policy here. We're saying the final implemented system should be made available for ccTLDs to participate in. We've already been told that's the current Board thinking[: that that's] the case. So it's not a policy that they must. It's: when we physically build the system, make sure that there is a capability. And yes, it probably means the registry needs RDAP. In many cases, the ccTLD itself is the registrar and certainly has all the information. So yes, there's logistic work to be done to figure out how to make it work, but we're not talking about policy. We're simply saying that it will be useful for users to be able to query some ccTLDs if the registry wants it. And as I said, we've already heard the Board has like thinking. So I don't think this is a controversial issue.

SEBASTIEN DUCOS

So quick response from Sarah.

SARAH WYLD

Thank you. I think I heard Alan say that we're talking about whether the eventual long term system should include ccTLDs. And so just to note that what it says on the screen is expanding the RDRS. So if RDRS becomes the long-term system, maybe that's what we're talking about. But if it doesn't, then maybe ... yeah.

ALAN GREENBERG

I don't think anyone said expand the current RDRS as it is to include cc's. It may say that. I don't think I've ever heard that.

GABE ANDREWS

So just as a refresher, when we looked at the data for the RDRS, we saw that about a third of the initial input domains were associated with TLDs that weren't serviceable, and they included ccTLDs, although not exclusively. And yes, there is discussion. I've heard it from the Board. I don't want to misquote them, but (from my constituency as well) the RDRS would be very helpful if it allowed for the voluntary participation of ccTLD operators that wish to participate. And just flagging that. And to consider what path they might voluntarily participate in I think is a valid consideration. And I just keep stressing that word "voluntary" because they fall outside of ICANN's remit.

UNIDENTIFIED MALE

[inaudible]

GABE ANDREWS

My apologies for the misphrasing. Boy, I have to be careful with the words. Okay.

SEBASTIEN DUCOS

Thank you. Farzaneh, I see your hand up.

FARZANEH BADIEI

Yes, I just want to mention that we at NCSG could not put transparency and accountability measures in the documents. We want to make sure that there are certain recommendations about that, and we will follow up, and we will put them in. I have read through the whole thing, Steve, but I will do that, yes.

SEBASTIEN DUCOS

So quickly, two points on RDAP and on ccTLDs. Simon, you'll correct me if I'm wrong, but WHOIS still exists. We could have exactly the querying system working for RDAP working for WHOIS if RDAP the and respond.

SIMON RAVEH

We do. The problem is that the cc's don't have the same unified format that the registrar does.

SEBASTIEN DUCOS

But at least they have a format that would allow to say, "This domain exists. Come and call me."

SIMON RAVEH

Yeah.

SEBASTIEN DUCOS

That's first thing. And then second, purely [inaudible], I've spoken to several ccTLDs (European ones) who say something a bit like

what Volker would say, which is, "I don't mind participating if you help me integrate that with my system. As long as it doesn't make my life a hell, I'm happy to participate." Is that a good quote? With this, are we at time? Okay, so we need to wrap up. We will send invites for the next call.

UNIDENTIFIED MALE

[inaudible]

SEBASTIEN DUCOS

No, we still have work and we still have a few months before we get the report up. Okay, thank you very much, everybody. And see you on Zoom in two or three weeks.

[END OF TRANSCRIPTION]