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## ICANN Transcription

### RDRS Standing Committee

**Monday, 08 April 2024 at 17:30 UTC**

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DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the RDRS Standing Committee Call taking place on Monday, April 2024. Statements of interest must be kept up to date. Does anybody have any updates to share? Please raise your hand or speak up now. If assistance is needed updating your statements of interest, please email the GNSO Secretariat.

Observers are welcome and will have view chat only and listen-only audio. Members and alternates will be promoted to panelists. All documentation and information can be found on the wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name before speaking. As a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. Thank you and back over to Sebastien. Please begin.

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SEBASTIEN DUCOS: Thank you, Devon. Good evening, good afternoon, good morning to everybody. So, as I said before we started the recording today, it's been a special day because of the eclipse in North America and some of you, I know, are going to be able to go and see that. So, we will proceed. I don't need to do much more than introduction.

I just wanted to note that in the last few hours there was an AOB added with regards to reporting abusive requesters. And in the last few minutes, I've added one of my own regarding tracking jurisdiction for law enforcement requests. But we'll talk about that towards the end of the call. And in the meantime, unless anybody has anything to add to this agenda, I think that we can proceed. And I'm not quite sure. I guess, Lisa, you'll be walking us through point two. Yeah, I see you. Go ahead.

LISA CARTER: Yes. Perfect. Thanks, Seb. This is Lisa Carter for the record. I just wanted to give a quick update on the enhancements we all discussed on one of our previous calls for the standing committee. Just as a reminder, we were talking about improving air messaging based on some of the concerns that were indicated at the EURALO roundtable, including ccTLDs, non-participating registrars, and unsupported TLDs.

We talked about adding language in the system to indicate which TLDs are not supported. We talked about making the help link a little more user-friendly in the interface so that it links to the proper portion of the page to provide those resources. And then we also talked about updating the FAQs and potentially even the user

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guides to indicate sort of this new information that we have for the system. Just an FYI, that all that is on track to be released mid-April, so we're only a couple weeks away from doing that.

I just wanted to let you know that we are going to also be adding a little more detail in the system on the registrar and requester user guides and FAQs to support some of this new information so that everybody's kind of aware of the same thing. I noticed in the past that there were details provided in one guide that were not in the other, so we're going to try to make those consistent a little better so that everybody's operating from the same level of information.

I did want to point out, and I can drop this link in the chat, that supported TLDs are going to be based off of what we call the gTLD JSON report. Let me just switch this to everyone so you guys can all get the link. That's here. This is public, so everyone has access to it. All of the TLDs listed in there will be the ones supported by the system. Anything that's not listed in there will not be supported, so that includes ccTLDs, .mil, .arpa, .edu, .gov and .int, but that's public for everyone, so everyone will know. I just wanted to point that out. And then if there are any questions on this particular section, please let me know before I move to the next one. Any questions? No?

SEBASTIEN DUCOS: I see no hands. I think you can proceed.

LISA CARTER: Sorry. What is Ellen saying? That does not seem to be a good link. It's not working?

SEBASTIEN DUCOS: No, no, it's working. It's a JSON link, so it's a machine-readable list of TLDs.

LISA CARTER: Yes, that's correct.

SEBASTIEN DUCOS: It opens for me. I can see it.

LISA CARTER: Okay. Anybody else? I can't see all the people who have hands up, so if someone has a hand.

SEBASTIEN DUCOS: There are no hands up, so you're good to go.

LISA CARTER: Perfect. So, moving on, the next thing I kind of want to discuss, and I'll provide a link for this too in case no one has the link to the Impressions document. I wanted to go through a little bit of some of the priorities that were listed for the registrar section of the Impressions document. So, let me just put that here also. One second for everyone. That's here. That's the Impressions document right there, and I will walk everyone through this really quickly.

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I put some ICANN notes in the document so that we can see what the priorities were and ICANN's comments on them. So, Priority 1 for the registrars was listed for requiring address and phone. That is, according to our engineering team, a low level of effort, something we can implement, so I wanted to let you guys know that. I also wanted to ask, because it was also part of something that Sarah sent out to the mailing list about adding, I think, Item 18 as part of that, which was in reference to making organization and affiliation a new field and also optional. That's also a low level of effort.

So, I wanted to confirm that those two could be implemented together as part of what we submit to our engineering team. Number two, Priority 2, I wanted to talk about briefly because it's a little more complex. Priority two.

SEBASTIEN DUCOS: One second. Can I stop you just one second, because as you were finishing, two hands got raised.

LISA CARTER: Perfect. Okay, go ahead.

SEBASTIEN DUCOS: And I see first Sarah's.

SARAH WYLD: Thank you. This is Sarah. Sorry, Lisa, I think you said Priority 1 was the address and phone number, and I lost track of what you

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said could go along with it easily, so if you could just repeat that for me, I'd appreciate it. And maybe we can put it up on screen while we're all talking about it. Thank you.

LISA CARTER: Devan, is that something you can share? That'd be great. Okay. Perfect. So, number 18, Sarah, Item 18 in the list, which is at the bottom, was asking for the organization affiliation as a new field to be added as optional.

SARAH WYLD: Very good. Thank you.

SEBASTIEN DUCOS: And now I see Steve DelBianco's hand.

STEVE DELBIANCO: Hey, Lisa. This document's superbly helpful, although you did mention some assessments of priority and difficulty. But I don't see those reflected either in the appendix or in the table. Is it possible to put in a non-binding judgment column in the table indicating difficulty and priority?

LISA CARTER: Thanks. Sure. The difficulty and the priority actually are listed within the cell to the right underneath as ICANN notes currently. So, it is documented in there, but if we want to make the

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document wider, which I don't know if it'll accommodate, it looks pretty full right now.

STEVE DELBIANCO: Yeah. I did see Priority 1 under the registrar's table. Do you have any other priorities assigned in the requester's table?

LISA CARTER: No, those haven't been done. I was speaking to Gabe, I think it was last week, about potentially prioritizing those from the request perspective, but I don't know where that stands currently.

STEVE DELBIANCO: Okay. Yeah, the Gabe table, as it is so far.

LISA CARTER: Yes.

STEVE DELBIANCO: So, I appreciate that. Since I didn't see any priorities in the requesters, I didn't understand for sure if that had been addressed yet. But thank you for that.

LISA CARTER: Sure. No worries. Anyone else?

SEBASTIEN DUCOS: Nope. You're good to go.

LISA CARTER:

Okay. So, Priority 2, which is line-- Let me just find it. That is line Item 16. So, row 16. Yeah, there we go. This one is a little more challenging. Level of effort here in discussions with our engineering team was large and somewhat manual. This is also similar to a request for number 17, where it's asking for some level of status to help in the process of getting these requests done.

Basically, the internal comments were that adding process to this system was not something originally considered, because this was a system built to have the request submitted, all process happen outside of the system, and then the outcome provided in the system. So, having these statuses is now getting into a process life cycle for the system that was not the original way it was built.

So, just in order to make those types of changes, it would be a large level of effort, and I think we'd have to get a little more detail on how you're thinking the system should function, etc. So, there's a couple of questions to maybe be addressed by the standing committee to flesh that out a little more, so we can really comment on the details of it. I see your hands up, Steve.

STEVE DELBIANCO:

Yeah. Thank you. And when I read this, I didn't see it as a status, as just a status indicator for the purpose of process enhancement. I am reading what Sarah put in to say to track on the duration of time that requests are in that state. And that is potentially a very useful piece of data, right, in terms of the reports that we crank out on what is the average length of time a request is pending, what's



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the average length of time a request is in the duration, in that status that we're there.

So, it's not just a process improvement, it is also a statistical reporting enhancement. That doesn't make it easier to code, but it increases the value if you were to code it. Thanks.

LISA CARTER: Thanks, Steve. Sarah, I think you were next.

SARAH WYLD: Thank you. This is Sarah. Yeah. So, it's not so much that I really want or feel the need to track the duration of time that a request is in an in-progress status. It's not that I'm looking to do that. It's that other people are talking about that already. There is already discussion about how long requests remain in this kind of state. And so, I think right now, there's just an impression that the request is open and kind of in limbo, because there's no other information available until suddenly it's done, right?

So, if the outcome is that we're just going to leave it like that, that's fine. I just think we need to talk about how it's perceived by other people in the community and how that information is discussed. Thank you.

LISA CARTER: Thanks, Sarah. I think I see Alan's hand. Simon, your hand was up. I don't know if it went down.

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ALAN GREENBERG: No, it's up. I'm a little confused. I read this as simply a way in the system to note that it is pending, so we could report on it, not for the system itself to take action on that status and be a process, actually manage the process. I read it just as a way to notate the record that it is in a pending mode, so we could report on it. But maybe I misunderstood what Sarah was asking.

LISA CARTER: Got it. Thanks, Alan. Simon, did you want to chime in?

SIMON RAVEH: Yeah. I want to maybe explain the way we interpreted the request, and maybe it's wrong. Basically, what I understood from the request is that you want to track bucket inside the pending state. So, you can report if a request now, because all communication is happening outside of the system and you have an interaction with the end user requesting for more information. So, you want to somehow flag it so it won't be conceived like a registrar time and requester time when the request is still in pending.

That's the way I interpreted this request, and maybe it's wrong, but if that's the case, that's really a change in the way the naming portal service is processing this request, and that's why we flagged it as a more harder effort. I completely understand the value of tracking that. I understand the comment about the importance, and we're just flagging that as a bigger implication from the implementation side.

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SEBASTIEN DUCOS: So, Simon, I don't know if you see the chat at the same time as Sarah answered that yes, Simon, as you were describing, so I think you got it right. I think your interpretation is the one that Sarah meant.

LISA CARTER: So, it would be helpful, I think, and I think the question is in the documents as well if we could have a little more specific detail written down about what you're looking for. Because right now, I mean, it's all in pending status until the outcome comes back, and all that communication is happening back and forth outside of the system. So, I guess it would be helpful to understand the benefit of showing in the system what that status is if all the transaction is happening outside of the system. Does that make sense?

SEBASTIEN DUCOS: And Simon lowered his hand. Sarah, go ahead.

SARAH WYLD: Thank you. This is Sarah. So, I think the benefit is just granularity of the status and a way to indicate that the request is pending the requester's input. I'm not sure what else I could say that's not already in the document to make that more clear, right? That's what it would be, the status that shows that it's pending input from the requester. We could discuss as a group what makes the most sense, right? Pending input from the requester is indeed different from in progress with the registrar, right? So, do we want to get that granular? No, or maybe we do. So, this is-- Yeah, go ahead.

LISA CARTER: I was just going to say, so I think this ask then would require the registrars to be back and forth into the system a lot more than they currently are. And so, is that something that registrars are willing to do to go update those types of statuses to the right--

SARAH WYLD: Well, that's a good question, Lisa. And so, perhaps suggesting to them that they don't have to make such granular updates would be appealing to registrars because it is indeed a struggle to get people to want to keep participating in this platform just because they end up documenting things in two different places. It is duplicate work in some areas.

So, I've been hearing in some meetings that there's concerns about how long requests remain open with registrars. And what I'm hearing in other meetings is concern about how long requests remain pending input from requesters. So, maybe we just all want to decide that if the request is not closed, then it's open either with one or the other party and we're not interested in tracking that, which is also fine. Yeah, thank you.

LISA CARTER: Got it. Is that something that can be kind of discussed and decided amongst the standing committee for a final decision on this since the level of effort to make that change is on the higher side?

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SEBASTIEN DUCOS: Yeah, I guess we'll have to take it on board and possibly on the document to finalize where we are. If things are not yet clear for you guys to trigger the change, then we need to do a better job of it.

LISA CARTER: Great. Thanks, Sebastien. Sounds good. Moving on because I know we all want to keep this going. Priority 3. Please make an easy way to download the full contents of the ticket. So, this one is a larger effort as well unless the registrar decides to use the PGP key. So, the PGP key will basically allow for an encrypted email to be sent and then decrypted by the registrar to have all the details including attachments that were part of that specific request. So, if that's what is being asked for something completely different like the CSV TXT file, that's what would make this a larger level of effort because currently the system doesn't accommodate that. Go ahead, Sarah.

SARAH WYLD: Thanks. This is Sarah. So, yeah, getting the request via email is not quite the same thing as a text or CSV file that one could download. Even if it comes in by email, that person would still need to copy and paste all the information. You're just copying from an email rather than from the NSP, right? So, okay. Understanding that it's a large level of effort is very good info. Thank you.

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LISA CARTER: Anybody else? Questions? Is that the same hand or different hand.

SEBASTIEN CARTER: Sorry. I should raise my hand too. Assuming that, Sarah, you're done. Just for clarity and for people to understand, we talked about two weeks ago the threshold between the things that could happen between now and June and the stuff that you would have to schedule after June for a longer period of development. Would that fit into the latter category? Or if push came to shove and we really needed this, this is still something we could do faster?

LISA CARTER: I think that would be, in terms of level of effort, I think Simon could speak to that a little better in terms of the task itself and how long. Simon, I don't know if you wanted to chime in on that one or we need to discuss further.

SIMON RAVEH: Yeah, I need to think about it a bit. Right now, at the top of my head, based on the time we have right now where we are, I don't think we'll be able to do it between now and June. So, it will need to come after. But, okay, I'm talking about the CSV, if that's what you--

SEBASTIEN DUCOS: Yeah, that's what we were referring to. That would be interesting also to mark. So, I guess up to Priority 2 is things that can

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be done before and then beyond might be a bit, or noted as a different metric in terms of how you look at it in the work. It would also be interesting.

SIMON RAVEH: No, I agree. Everything that we define as small can be done between now and June.

LISA CARTER: Okay. That brings us to Item 4, which is actually small. So, that could be one of the ones that's done before June. Please show the request date in the page with all the information, not just in the list of requests. So, that's a small level of effort. We could definitely include prior to June.

And then five. Sorry, we're not in sequential order. Five is please update the interface so the request can be viewed without the need of using a filtered view to remove the others. That also is considered a small level of effort. That's line 12. If you want to scroll up on the screen for number five. That's line 12. That one is a small level of effort as well.

We would like to get a screenshot, if possible, just to make sure we're understanding exactly where you're speaking of. So, if someone could provide that. Sarah, thanks for volunteering. That would be great. We can include this as well. And then, just as I mentioned, six and seven, I think, need a little more detail to be able to put a level of effort on it. And so, those didn't have levels of effort attached to them, just as an FYI.

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The other thing that I wanted to chat about, unrelated to level of effort, but specific more to one of the items that's on the list is Item 3. So, there was a question there, I think, about what to do in the instance where the example given is that the requester asked for several data points, some of which were publicly available, some of which were not. And then the request is could we add this, add something like this data point was not disclosed because it's public outcome for each data point.

So, the way this system is currently set up in that example given for anything that was publicly available, the registrar could uncheck the publicly available portion, right, and then the rest of it is obviously still checked. The comment then would be in that open data field to basically you select the denial reason. I think one of the reasons says requested data is publicly available in the RDDS. You would select that denial reason and then in the box at the bottom, you could provide your explanation for selecting that particular denial reason.

So, I think what we currently have can speak to this partially available, not partially available request. Does that make sense? Good info there. Awesome. Thanks, Sarah. Steve?

STEVE DELBIANCO:

Yeah, just a quick question. If data publicly available includes just privacy and proxy and that box is checked, that's very different than a situation where some of the data is actually published. And I wondered whether the registrars would wish to use this check box even if the only data on the registrant was privacy and proxy. Thank you.



LISA CARTER: So, I think in the case-- And somebody can chime in. Sarah, do you want to chime in? Go ahead.

SARAH WYLD: Thanks. This is Sarah. Yeah, I feel like we touched on that at the last couple of meetings also. So, really it depends on what data is publicly available. With a proxy service that the registrar knows about, so they don't always know that the domain is using a proxy, but if they do, the proxy owner's data is public. That's the way it works. So, they would use that check box.

And then with a privacy service, as I think I understand it, and I know I always mix them up, some of the data is made public and some of the data is replaced by privacy service contact data. So, then they would need to do this some in some method that we're talking about here.

STEVE DELBIANCO: Yeah, and Sarah, this is Steve. I appreciate that explanation. I have heard bits and pieces of it on our previous call, but I would suggest that we try to capture that in writing someplace. It might just be Sarah's advice for the time being and there's no policy to make here, but it's really guidance of the registrars, I guess, use this indicator consistently for purposes of statistical compilation. And if your guide can be documented, I'd invite the registrars to see if it could come to consensus and follow that process that you just described. Thank you.

SARAH WYLD: So, Steve, the registrars have already been working on exactly that. We've talked about it at length. And I think that Lisa has her hand up to talk about some additional content that's going to go into the interface to help support that.

STEVE DELBIANCO: Thanks.

LISA CARTER: Yes, Sarah. So, just as an FYI, Steve, in the actual user guides, the example that we just went over here is going to be put in as an example to the guide itself as a way to help everybody align. Just FYI.

STEVE DELBIANCO: Using the words that Sarah used, right, Lisa? Something like that?

LISA CARTER: Yes. So, I'm actually planning on having something in the user guide for registrars, and then I'm actually looking for a place in the FAQs, etc., for requesters to kind of explain in more detail the privacy versus proxy situation and what that means. Sorry, I think Steve's hand is up. Go ahead.

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STEVE CROCKER: Thank you. So, I'm going to play student doll here. Maybe this is covered, but I'm still confused. If the data is publicly available and it's accurate, I mean, it's the registrant's data, that's one situation. If the data is protected by, let's say, a proxy service and it's known to the registrar that it's a proxy service, it sounds to me that you're going to get exactly the same response back, namely that "this is publicly available and therefore the registrar is not going to supply anything more". How is the requester to distinguish between data that is actually available and data that is not actually available?

SEBASTIEN DUCOS: Go ahead, Sarah.

SARAH WYLD: Thanks. So, if the domain is owned by a proxy, then they own the domain, and so their data would be available publicly. If the requester thinks that it's a proxy service, they could look up the terms of service for that proxy provider, which if it's offered by a registrar, then the specification on privacy and proxy services requires the registrar to publish info about how to request more data. So, if the registrar offers the service, and the RDRS is not the appropriate venue to request disclosure because it's a proxy service rather than simple masking, then there's other things that tell you as a requester where to go. Thank you.

STEVE CROCKER: I understand the perspective that if the proxy service is acting as the registrant and is taking full legal responsibility for all of the

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actions and behavior associated with that, that's one thing. But on the other hand, if it's a privacy service, which is providing less protection in a way, or the registrar knows, perhaps because they're operating the proxy service, knows that it's not the actual registrant data, somehow that would seem to be something that would be appropriate to provide back to the requester. It feels a little coy to speak more or less politely. I can ramp it up if you wish. Thank you.

Well, as long as nobody's filled the space. It'd be interesting to hear how this plays from the requester side. Because if it's not providing useful data back to them, and they're not being able to get their job done, and if it, worse yet, is confusing about what state they're in, then I think we have a legitimate thing to discuss. Thank you.

SEBASTIEN DUCOS: So, this is Sebastien. Is this a question? And we've deliberately tried to avoid that, just to complicate the tree of questions and answers there. Is this a question in your view of additional possible answers to be more descriptive about the type of public data that this may be? Or are you seeking something else?

STEVE CROCKER: And I recognize that we're operating here with a defined, reasonably, carefully defined, limited service, and then trying to stay within that. And nonetheless, at the end of the day, hopefully far less than two years from now, we get to say, was this in fact

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useful? That question has to be hanging over all of our heads all the way through this.

So, it's kind of a mixed answer to your question. Yes, providing more information would be helpful. And at the same time, the question of, and how useful is this whole system in terms of satisfying its intended, what the requesters need. I was going to phrase it differently, but I'll leave the focus on the requesters. And so, I think there's parallel questions there. Thank you.

SEBASTIEN DUCOS: Okay. Noted. Lisa, did you want to pursue the requesters side of the sheet? Or do you still have some things on the registrar side?

LISA CARTER: No, I think that was all of the details for the registrar side, including Priority 6 and 7, if we could get screenshots. But I think we kind of, all the small ones that were listed in the priorities we reviewed, I think we could, per what Simon said, slate to put in the next round of enhancements that happened prior to June. And then you guys will come back to us for the ones that are a little more larger level of effort with a bit more detail for maybe post-June discussion.

That was all I had for that one. And then the next one, the next bullet point was related to requester enhancements. So, there was a couple I just wanted to ask about, specifically related to character limits. I know that was something that was brought up in ICANN79. I wanted to propose that we increase the character

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limit from 1,000 to 2,000. I don't know if that's enough, but I wanted to see if that would work for all the folks here as something that we could do. That's a relatively easy one to do also.

And then the second one was, someone had also mentioned that the interface itself, the explanation for what expedited means is not really clear. It kind of speaks to what it's not. So potentially we could add some additional language there to just briefly explain what's already explained, I think, in the FAQs, which is that expedited is really at the determination of the requester. If they think it's something that should be looked at and processed more quickly, the requester really is determining whether they think it should be expedited or not. So, we could add something to indicate that.

SEBASTIEN DUCOS: Thank you very much. Were there any questions there? John McElwaine, go ahead.

JOHN MCELWAINE: Hey. John McElwaine for the record. Not a question, but I think that it is a good idea to increase the character limitation by the 1,000 characters. I think that something that Sarah and I have talked about is whether registrars would prefer to get a little bit more detail in that text box, or if we would also want to perhaps in the, I hate to use the word, the text of instructing people to fill in the text box, suggest that anything over 1,000 or 2,000 words be placed into a letter attachment, which we can do. Thanks.

SEBASTIEN DUCOS: Sarah, go ahead.

SARAH WYLD: This is Sarah. Sorry, I was trying to make notes and so I got distracted by making notes and didn't make more notes. Did you say, Lisa, that you can update from 1,000 to 2,000 characters? And are there any security concerns around that kind of update? This is my question. Thank you.

LISA CARTER: Yes, I did say 1,000 to 2,000. Simon might want to chime in on the ease of that and any potential issues for that, but none to my knowledge at this point. Simon, did you want to speak to that at all?

SIMON RAVEH: Sure. No, I don't see any security concern with that. There might be legal concern about the amount of data, but other than that, I don't see an issue. The same validation will apply from a security concern. It doesn't matter if it's 1,000 characters or 2,000.

SEBASTIEN DUCOS: This is Sebastien here. I just wanted to note, I heard several people asking for having a bit more space, so let's do it, particularly if there's no security issues. I obviously work for registrar and I have been privy to a handful, not the details of, but sort of walk through the process of determining if a disclosure

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should happen or not. And very often, it's on a few words, very few sentences. So, I strongly encourage the requesters to use that space as they see fit and be better able to describe the issue or whatever.

It's not a question of adding more text because more text is more power. The text should be used wisely to describe. On the other end, there are people that are reviewing these things, maybe not by the thousands yet, but are reviewing these things and putting the effort of reading everything, but don't just double the amount of text just because it looks better. The idea is to give you the room to describe what you need to describe, not just to fill in the 2,000 characters because now there's 2,000 characters to fill in.

With this piece, unless you have anything else, I think that we're really getting into the AOB zone. And I was trying in the background to figure out who had brought up the reporting of usage requesters. If the person is there on the call to walk us through the idea there, I'd be more than happy to give that. Deborah, I believe that you're the one that added it. Do you know where that comes from?

LISA CARTER: Sarah typed something. Hold on.

SARAH WYLD: I'm sorry. Did I miss something?



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SEBASTIEN DUCOS: The reporting of usage requesters. Did that come from you? If so, go ahead.

SARAH WYLD: Oh, that did. Yes. Thank you. That did come from me. Hello. This is Sarah. I sent an email recently that I had intended to send to the whole list, but instead mistakenly sent it only to Lisa. So, Lisa and I have been corresponding and I didn't understand why she responded just to me, but we figured it out a couple of days ago. Here we are. So, this is me telling everybody else about it. Okay.

So, the question is, how should registrars report abuse of the RDRS specifically in the case of requesters claiming to represent law enforcement when they do not really? A registrar could deny an individual request, but that would not prevent the requester from submitting further requests to that same registrar or to others who may not know that the first registrar has determined them to be abusive. We would hope that ICANN would ban abusive users, both to protect the integrity of the system and to reduce the workload of registrars for processing requests.

So, then Lisa and I corresponded, and Lisa reminded me that the RDRS pilot does not include an abuse investigator. But I reviewed a little bit more and we do think that we, the registrars, I don't want to ascribe thoughts to Lisa, but registrars think that disabling the requester account would still be a valuable step, even if that's the only step, because it would disrupt the abuse and it would demonstrate that ICANN is committed to these anti-abuse actions and to maintaining appropriate use of the RDRS platform.

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But registrars cannot ban a given user from the platform or even from submitting requests to us directly and also registrars cannot recategorize requests. So that is the origin of this request. Thank you.

SEBASTIEN DUCOS: Go ahead, Lisa.

LISA CARTER: Yeah. Thanks, Sarah. Yes, we had a whole exchange. I thought it was specifically for me, but I'm glad it's now with everyone. I just wanted to remind, too, that though ICANN has the ability to disable a user, right, that doesn't prevent the user from then going back in the next second, creating a new email address or a new something else and still submitting a request. So that problem doesn't necessarily go away by just the disabling. It might slow it down, but it's not going to stop it.

SEBASTIEN DUCOS: Alan, I see your hand up and then maybe Sarah, if you want to add to that. Go ahead, Alan.

ALAN GREENBERG: Yeah, just a quick question for Sarah. Is this a common problem that people are masquerading as law enforcement? Thank you.

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SARAH WYLD: So, to answer both of those, for Lisa, I agree that you can't just ban the person from the Internet entirely, but I don't think that means we should do nothing, right? We should still respond as it comes up and we should still address abuse where we find it. So that's one. To the question of whether it's common, I don't know, because we don't have any way to track it. That's why we're suggesting some way to report abuse to ICANN.

But what I can tell you is about what Tucows has received. So, within our own platform, we found 20% of the RDRS requests that come to Tucows are miscategorized, and we found 24% of RDRS requests labeled as law enforcement are miscategorized. So, the first thing is just an issue in the reporting. It means that the reporting is not accurate. But the second one is dangerous because a registrar might respond to a request as though it comes from law enforcement and really it does not.

So, I think it's the same solution in both cases, which is allow registrars to recategorize requests and report abusive users and for ICANN to prevent those abusive users from submitting further requests. Thank you.

ALAN GREENBERG: My hand is still up. So, I'll say that those numbers are amazing, and I think warrant some investigation for understanding why it's happening, because if that continues to happen, it essentially invalidates the whole use of the system. Thank you.

SEBASTIEN DUCOS: Thanks, Alan. Simon, I see your hand up.

SIMON RAVEH: Yeah. Thank you. I have a question. When you said that flag is law enforcement, are you talking about the request category?

SARAH WYLD: Yes. I think I'm talking about the request category, yeah.

SIMON RAVEH: Because there is also a question about is law enforcement request for data such as subpoena, warranty, or other form and there is a yes or no answer to that.

SARAH WYLD: No, this is separate from that question about whether they have due process like a subpoena. Separate thing.

SIMON WYLD: Okay. Separate thing. Okay. Thank you.

SEBASTIEN DUCOS: Lisa, I see your hand up.

LISA CARTER: Yeah. I'm just wondering if it would be helpful to maybe provide more explanation on that in, for example, request or FAQs or something of that nature that would kind of help people understand what that means. Obviously, if someone's trying to

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abuse it, having something listed in the FAQ isn't going to prevent them from doing it, but maybe it would help just clarify for people who are selecting that and maybe don't quite understand what's happening. Maybe something in the FAQs and or something in the system itself that's more help language. Just thought I would put that out there.

SEBASTIEN DUCOS: Okay. I see Sarah's hand. And, Lisa, your hand is still up.

SARAH WYLD: Thank you. So, from the registrar perspective, I'm not going to try to figure out the best way to communicate to all the requesters. I struggle enough to communicate to all the registrars. And so, I'm sure that the requester group reps here would have ideas about how best to share that info. But from the registrar perspective, I think we have some more requests for platform improvements that did not until now make the document. I think some of this is actually in the Impressions document. So, let us recategorize requests.

That's not an option right now, but it is-- I mean, they're actually Item 2 in the Impressions document was the requester selected the wrong thing. If we would be able to change the type, that would be very helpful. And then request 2 is give us some way to report them to ICANN for ICANN to take action. Thank you.

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SEBASTIEN DUCOS: Okay. Thank you. I see the clock running also. I want to make sure that one, we have time to look at the last item and two, time to free Sarah and time for the eclipse. On this very, very last note, I think that we need to also acknowledge the fact that the original SSAC had more than half of it on making sure that we could indeed identify the requesters accurately. If it is something that this exercise shows us is a problem, it's also good and valuable information to bring back to that side of the policy. But anyway, that's just a quick comment.

The last item I put down, and I put down, it came to me directly from the NCUSG, to be more precise. And to that extent, I invited Farzaneh to join us. I've been monitoring, and I don't think that either Stephanie, who's normally the member from that group, or Gabriel are present. So, I wanted to present this issue more as a question to ICANN, to Lisa, Simon, and the team. There will be a discussion between the NCUSG and the PSWG on best practices and the policy side of it. But I wanted to make sure that technically, it's something that we can do and that we don't lose the ability to do.

And that is to basically be able to report on the jurisdiction where law enforcement requests come from. Now, obviously, this is not something that we can report automatically. We'll need to find a way to do it. And that's why I'm saying that these two groups should be first having these discussions, but I want to make sure that we're not technically shutting doors to it.

So, the idea would be to identify, to be able to identify the jurisdiction that a law enforcement request comes from, to market a report on it. It's not immediately report after a certain period of

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time, or after all the restrictions due to the secrecy of an investigation are lifted, or in whatever form the PSWG sees fit.

But I wanted to make sure that at least that information was available today.

So, I am not law enforcement, so I don't see that request, and I don't know how that is exposed. But either through the user profile that's using it, or within the request itself, do we track the jurisdiction? And in particular, this is also anecdotal, but I'm getting this from-- because I asked the question also internally. My understanding is that internally, historically, internally, I mean, by that, I would go that. Historically, we were getting requests following some kind of a process from the FBI, from the equivalent in Canada, from the Europeans, usually via Europol. Sometimes from Interpol.

All the other requests, or the majority of the other requests that we might get from different other regions, actually, were coming off process. Were coming as an email to our CEO. Were coming as a demand to the default legal address. That sort of thing. So, I don't know that in our case, it's something that we would be able to track, but I just wanted to make sure that we were able to identify that. And by jurisdiction, I don't mean whatever, a court somewhere in Texas. I mean, for anything that is US-based, the US, anything that is Canada-based, maybe Canada, for Europe, I don't know whether--

I see your hand. Farzaneh, I'll give you the mic in a second. But just to know that we have that information, that we don't lose that information, and then we can see policy-wise what we're ready to do. Farzaneh, go ahead if you want to explain this better.

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FARZANEH BADI: Yeah. I'm not going to be able to explain it better. So, I just want to tell you where NCSG stands on this. And we have been having conversations about how we can provide minimal transparency in this kind of request, that it can help with keeping the ongoing investigation confidential, as well as providing transparency, minimal transparency for law enforcement agencies. Because law enforcement agencies are public bodies, they are not private, and it would be great to have an understanding. And it's a standard practice in other sectors as well.

So, we are just putting this topic forward, and as Sebastien said, we are going to talk to different stakeholders, and we are going to talk to PSWG to see how we can go about it. But it's a very good question to ask if it is feasible to at least report on the country that the law enforcement agency's request is coming from.

And law enforcement agencies are not standardized bodies in every country. So, they might frame themselves as a law enforcement agency, they might not be a law enforcement agency. So that's something else to think about. But just to simplify it, in the report that you have, that you generate every three months, it would be great to know which countries these requests came from. But we are, of course, going to continue these conversations with the relevant stakeholders, considering the issue of confidentiality and all that. That is important. Thank you.



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SEBASTIEN DUCOS: Thank you very much for that background, Farzaneh. Before I get to-- Well, actually, Alan, go ahead, and then I'll get to Lisa or Simon to confirm my question.

ALAN GREENBERG: Very quickly, Sebastien. You said identify what country they're from. I assume you mean give them the opportunity to say what country they are claiming to be from, since we don't have any mechanism. I mean, the registrar may have to identify and be sure that they're really coming from that country, but that's not something the system can do.

SEBASTIEN DUCOS: I'm talking about reported information.

ALAN GREENBERG: Okay. Thank you.

SEBASTIEN DUCOS: Simon, go ahead.

SIMON RAVEH: Yeah. I think it goes along with the request to make the address mandatory on the request form. So, if we do that, then you'll have the country where they're coming from.

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SEBASTIEN DUCOS: Okay. Yeah, I guess that's within the request. So, not based on the logged user, but based on the request itself, right?

SIMON RAVEH: Yeah, because I think-- So, the logged in user and ICANN account needs to provide not a full address, but country. So that's one. If we make the address mandatory, we can pre-fill this value. But we are allowed the user to change that if he feels that he needs to, I guess. But that's something we can discuss how we want to do that.

SEBASTIEN DUCOS: Yeah. Okay. Yeah, again, I just wanted to discuss today with you guys feasibility, and then let PSWG and the others discuss how they want to do it. But at least that we're not shutting the door technically from it, because we don't care the data at all. But it sounds like we do.

SIMON RAVEH: We can in the future, if we want to.

SEBASTIEN DUCOS: Okay. We can in the future. Okay. Well, then something to be added to the wish list, I guess. You're saying that today this is not information that we have, or it's not information that we have mandatory?

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SIMON RAVEH: Correct. It's an optional thing today in the system, so if the user requests a report, it is. It's not because it's optional. Okay.

SEBASTIEN DUCOS: Okay. Clear enough. Thank you. I guess you've got your answer, Farzaneh, and I'll go ahead and discuss that with the others. Okay. Well, this concludes our agenda for today. Again, very conscious that Sarah has an eclipse to go and see. I'm ready to adjourn this meeting. Thank you very much and talk to you all in two weeks to review the next report. Thank you very much.

**[END OF TRANSCRIPTION]**