



KIDS.US TAKEDOWN PROCEDURES

NeuStar, Inc.

I. PROCEDURES FOR REMOVING INAPPROPRIATE CONTENT FROM THE KIDS.US DOMAIN

Introduction

The Dot Kids Implementation and Efficiency Act of 2002¹ requires that NeuStar, Inc., as the Registry Operator for the kids.us domain (the Registry Operator), maintain a domain that “provides access only to material that is suitable for minors and not harmful to minors.”² To carry out the content enforcement obligations of the kids.us Act, the Registry Operator is required to establish a “process for removing from the new domain any content that is not in accordance with the standards and requirements of the Registry.”³ We recognize, however, that even with strict enforcement procedures and clear content guidelines, there remains the possibility that unsuitable content could make its way into the namespace. Because it is the goal of Congress that there be an online area for children that is free from harmful material, the Registry Operator was given broad enforcement authority. This document provides the details of the required enforcement process.

To address the instances where an individual or an entity endeavors to corrupt the kids.us domain with content that is inconsistent with the kids.us Act and the kids.us Content Policy⁴ the Registry Operator has developed the following procedures for removing inappropriate content (which includes the domain name itself). These procedures include the following steps:

- Initial review of content complaints;
- Notification process;
- Internal review, including categorization of the content violation, determination of the “severity” of the violation, registrant contact, zone file modifications, and, if required, takedown of the domain; and
- Cure and reactivation of domains.

Registry takedown occurs at the third-level domain name, (e.g., “example.kids.us”), thereby being a *de facto* takedown of all sub-domains.

¹ Public Law 107-317.

² The kids.us Act defines “harmful to minors” “with respect to material, that – (a) the average person, applying contemporary community standards, would find, taking the material as a whole and with respect to minors, that it is designed to appeal to, or is designed to pander to, the prurient interest; (b) The material depicts, describes, or represents, in a manner patently offensive with respect to minors, an actual or simulated sexual act or sexual contact, an actual or simulated normal or perverted sexual act, or a lewd exhibition of the genitals or post-pubescent female breast; and (c) Taken as a whole, the material lacks serious, literary, artistic, political, or scientific value for minors.”

³ Dot Kids Implementation and Efficiency Act of 2002, Section 157, Subsection C, 5.

⁴ See kids.us Content Policy.

Initial review of content complaints

In all instances where the Registry Operator is notified of alleged inappropriate content within the kids.us domain, it will administer the following procedures in a neutral and even-handed fashion. The alleged content violation will be reviewed in accordance with the kids.us Content Policy⁵ – the identical content standards followed for all potential registrants in the initial content review prior to activation and the on-going content monitoring of active kids.us registrations. The Registry Operator will maintain records of all kids.us Content Policy violations.

Pursuant to the kids.us Act, all enforcement procedures and actions by the Registry Operator are subject to public scrutiny. Specifically, the kids.us Act requires that the Registry Operator “prepare, on an annual basis, a report on the Registry’s monitoring and enforcement procedures” for the kids.us domain.⁶ The Act further requires that the Registry Operator submit that report to the “Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.”⁷

Notification process

The Registry Operator may be notified of alleged content policy violations by any person or entity using either of these two (2) mechanisms:

- Content Manager contact made to the Registry Operator, or
- Direct end user contact of the Registry Operator made by e-mail, fax, or toll-free phone calls.

The Registry Operator will clearly publicize, the contact information for end user complaints on the kids.us website. The Registry will respond to all inquiries within a reasonable timeframe. Each individual handling content policy complaints will receive training about the requirements of the kids.us Act and the kids.us Content Guidelines and Requirements. For all direct end user complaints, individuals registering an alleged violation are required to provide the following information:

- Name;
- Contact information (place to follow-up for contact, if necessary);
- Exact URL of alleged content policy violation;
- Date and time the alleged violation was detected; and
- A description of the alleged violation (by category, if possible).

⁵ For further information regarding “inappropriate content” please see the kids.us Content Policy.

⁶ Dot Kids Implementation and Efficiency Act of 2002, Section 157, Subsection H, 5.

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Upon receipt of any complaint alleging violation of the kids.us Content Guidelines and Requirements, the Registry Operator will initiate internal review and takedown procedures.

Internal review, categorization, severity determination, and takedown

Internal review and takedown involve multiple steps. First, upon notice of a violation of the kids.us Content Policy, the Registry Operator will access the website containing alleged kids.us content violations and take a screenshot of the page or pages with alleged violations. Next, a determination will be made as to whether the alleged violation does in fact involve content that is inconsistent with the kids.us Content Policy.

If the content within the domain is not found to be in violation, no further action will be taken. If the content is found to be in violation, a determination of the category of content violation will be made.

The categorization of the content violation will be made in accordance with the twelve (12) categories defined in the kids.us Content Policy as follows: mature content; pornography; inappropriate language; violence; hate speech; drugs; alcohol; tobacco; gambling; weapons; criminal activity; and technology restrictions.

After the category is determined, the Registry Operator will determine the “severity” of the violation involved.

In accordance with the enforcement policy defined in the kids.us Content Policy, the categorization of content violations assigns a “severity level” that will guide the Registry Operator in the next phase of takedown procedures. The severity level and the penalty for each level are as follows:

Level 1 violation— The domain name will be immediately removed from the kids.us zone file resulting in takedown of the domain. The Registry Operator will notify the registrant according to the contact information included in the content registration form. The Registrar of record (listed in the Whois) will be copied on this correspondence.

Level 2 violation— The registrant will be contacted and informed they have 4 [business] hours to modify the content. The registrant must inform the Registry Operator when the content violation has been cured. If the violation is not cured and the proper notice is not provided within the specific timeframe, the domain name will be removed from the kids.us zone file. The Registrar of record (listed in the Whois) will be copied on this correspondence.

Level 3 violation— The registrant will be contacted and informed they have 12 business hours to modify the content. The registrant must inform the Registry Operator when the content violation has been cured. If the violation is not cured and the proper notice is not provided within the specific timeframe, the domain name will be removed from the kids.us zone file. The Registrar of record (listed in the Whois) will be copied on this correspondence.



Cure and reactivation of domains

When a domain name is removed from the kids.us zone, the registrant will be required to reactivate their domain name and place the content through the formal review process if it desires to reactivate its name. The registrant will remain registrant of record for the remainder of that term and any subsequent renewal term. The registrant will repeat the initial content review process for compliance with the kids.us Content Policy. A reactivation fee of \$400 will be charged by the Registry Operator to the registrant in each instance that a name is removed from the zone and reactivated. When the content passes the content review process, the name will then be reactivated in the kids.us zone file. The registrant's "initial activation date" for the domain name registration and content registration will not be changed as a reflection of the takedown procedures.

The Registry Operator reserves the right to cancel any domain name registered to registrants who repeatedly violate the kids.us Content Policy.

Registrants are entitled to initiate an administrative proceeding ("Challenge") in the event that the Registry has taken action to remove a kids.us domain name from the zone file or has issued a Content Violation Notice of Intent to Remove a kids.us domain name from the zone file (the "Removal Notice") for violation of the Content Policy.

Notification of law enforcement (as needed)

NeuStar reserves the right to report any content policy violation to an appropriate law enforcement agency if it deems in its sole discretion that such report is warranted.