Complaint regarding censorship of MODPOD list

Daniel J. Bernstein, 2025-08-27

This is a complaint to the "Internet Engineering Steering Group" (IESG) within the "Internet Engineering Task Force" (IETF) regarding a censorship action by a chair of an IETF "Working Group" (WG) named "MODPOD".

Procedurally, I have two independent grounds for requesting IESG attention to this matter:

- BCP 9, in conjunction with BCP 94, appears to authorize an "appeal to the IESG"; see below.
- Standardization organizations are obliged by law to be open to all interested parties, and to attempt to resolve objections by interested parties, among other obligations; see below. IETF's handling of this specific matter so far is not meeting these obligations.

I am not requesting IESG review at this time of my objections to the *contents* of the current MODPOD draft. Those objections should be addressed by the MODPOD WG—but, instead of enforcing WG consideration of the objections, this chair has been sabotaging WG consideration of the objections. My request is for the IESG to undo this improper chair action.

This document reviews the background, the chair action at issue, and my resolution efforts so far.

1 Criminal antitrust law

I'll begin by explaining what I said above about legal obligations. I'll focus on United States antitrust law here.

First point: **an agreement in restraint of interstate commerce is a felony.** Here's what the law says (source: https://uscode.house.gov/view.xhtml?req=(title:15%20section:1%20edition:prelim)):

> Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding $100,000,000 if a corporation, or, if any other person, $1,000,000, or by imprisonment not exceeding 10 years, or by both said punishments, in the discretion of the court.

Antitrust law is in the news mainly in the context of big corporations being forcibly restructured, but https://web.archive.org/web/20250424170656/https://www.ussc.gov/sites/default/files/pdf/about/commissioners/selected-articles/Howell_Review_of_Antitrust_Sentencing_Data.pdf shows that quite a few people have been sent to jail.

Second point: **the law makes an exception for standardization, but invoking the exception requires conduct to meet the law's definition of "standards development activity", and to by carried out by an organization meeting the law's definition of a "standards development organization"**. Here's the exception in the law (source: https://uscode.house.gov/view.xhtml?req=(title:15%20section:4302%20edition:prelim)):

> In any action under the antitrust laws, or under any State law similar to the antitrust laws, the conduct of-
>
> (1) any person in making or performing a contract to carry out a joint venture, or
>
> (2) a standards development organization while engaged in a standards development activity,

> shall not be deemed illegal per se; such conduct shall be judged on the basis of its reasonableness, taking into account all relevant factors affecting competition, including, but not limited to, effects on competition in properly defined, relevant research, development, product, process, and service markets.

Third point: **an organization is not a "standards development organization" under this law unless it meets the OMB A-119 criteria**. Here's the definition of "standards development organization" in the law (source: https://uscode.house.gov/view.xhtml?req=(title:15%20section:4301%20edition:prelim)):

> The term "standards development organization" means a domestic or international organization that plans, develops, establishes, or coordinates voluntary consensus standards using procedures that incorporate the attributes of openness, balance of interests, due process, an appeals process, and consensus in a manner consistent with the Office of Management and Budget Circular Number A-119, as revised February 10, 1998. The term "standards development organization" shall not, for purposes of this chapter, include the parties participating in the standards development organization.

Fourth point: **the OMB A-119 criteria place specific requirements upon consensus, along with requiring openness, due process, and more**. Here's the OMB A-119 definition of a voluntary consensus standards body (source: https://www.govinfo.gov/content/pkg/FR-1998-02-19/html/98-4177.htm):

> A voluntary consensus standards body is defined by the following attributes: (i) Openness. (ii) Balance of interest. (iii) Due process. (vi) An appeals process. (v) Consensus, which is defined as general agreement, but not necessarily unanimity, and includes a process for attempting to resolve objections by interested parties, as long as all comments have been fairly considered, each objector is advised of the disposition of his or her objection(s) and the reasons why, and the consensus body members are given an opportunity to change their votes after reviewing the comments.

Fifth point: **activity by a standards development organization is still not "standards development activity" under the law unless it has one of the standardization/conformity-assessment purposes specifically listed in the law *and* avoids the activities specfically excluded in the law**. Here's the definition of "standards development activity" in the law (source: https://uscode.house.gov/view.xhtml?req=(title:15%20section:4301%20edition:prelim)):

> The term "standards development activity" means any action taken by a standards development organization for the purpose of developing, promulgating, revising, amending, reissuing, interpreting, or otherwise maintaining a voluntary consensus standard, or using such standard in conformity assessment activities, including actions relating to the intellectual property policies of the standards development organization. . . . The term "standards development activity" excludes the following activities:
>
> (1) Exchanging information among competitors relating to cost, sales, profitability, prices, marketing, or distribution of any product, process, or service that is not reasonably required for the purpose of developing or promulgating a voluntary consensus standard, or using such standard in conformity assessment activities.
>
> (2) Entering into any agreement or engaging in any other conduct that would allocate a market with a competitor.
>
> (3) Entering into any agreement or conspiracy that would set or restrain prices of any good or service.

To summarize: Relabeling an agreement to restrain commerce as "standardization" is not a get-out-of-jail-free card. The exception in antitrust law for standardization applies only under a series of restrictions, including the following. All actions must be for the purpose of standardization or conformity assessment, and must be taken only with consensus. A consensus declaration does not require unanimity, but it must be preceded by

- general agreement;

- fair consideration of each comment;
- a process of attempting to resolve each objection; and
- documentation—for any objection that was not resolved but that was instead overridden by general agreement—of why that objection was overridden.

As further protections, there must be openness, a balance of interests, an appeals process, and due process. When *all* of these requirements are met, the standardization activity is not "deemed illegal per se", and a court will instead evaluate "reasonableness" as the dividing line between the activity and a felony.

2 IETF

The "Internet Society" is a 501(c)(3) organization incorporated in 1992. The Internet Society's revenue is above $40 million USD in a typical year; assets are above $60 million USD.

The "Internet Engineering Task Force" (IETF) is an activity by the Internet Society that has issued nearly 10000 "requests for comments" (RFCs) regarding how the Internet works, along with many more "Internet Drafts".

Despite the gentle "request" name, RFCs are often used as purchasing requirements. The purpose and effect of RFCs is to restrain Internet behavior, promoting some activities while barring others. There is also increasing usage of Internet Drafts for the same effect.

Formally, the Internet Society moved IETF activity to a subsidiary, IETF Administration LLC, in 2018. In reality, both before and after this subsidiary was formed, practically all RFCs were actually prepared by a wide range of third parties, such as employees of Internet companies, receiving the imprimatur of IETF and the Internet Society with only occasional direct supervision.

RFCs are approved by "working-group chairs" and then by an "Internet Engineering Steering Group" (IESG), which also appoints the working-group chairs in the first place. IESG members are appointed via non-transparent procedures by a "Nominating Committee" (NomCom). Membership in NomCom is restricted to people who can afford to frequently attend IETF meetings, for example because they're being paid by Internet companies to attend. (The voting members of the 2024 Nominating Committee were Hang Shi from Huawei, Giuseppe Fioccola from Huawei, Quan Xiong from ZTE, Eliot Lear from Cisco, Thomas Fossati from ARM industry consortium Linaro, Alexander Jonathan Stein from the U.S. government, Kiran Makhijani from Futurewei, Benno Overeinder from NLNet Labs, Nick Doty from CDT, and Michael Richardson from Sandelman Software Works.)

IETF policies are given casual names such as "Best Current Practice" (BCP). These names do not make clear whether the policies are requirements or merely guidelines. Furthermore, the policy details—unlike the RFCs that restrain Internet behavior—are far too vague to make clear what is required.

For example, BCP 9 (RFC 2026), "The Internet Standards Process – Revision 3", refers to "the importance of establishing widespread community consensus", but does not say that consensus is *required*, never mind explaining how consensus is defined. An "informational" RFC 7282, "On Consensus and Humming in the IETF", indicates that "rough consensus" suffices for IETF to approve an RFC, and proposes "new ways to think about rough consensus", while acknowledging that "many of our current practices are not consistent with these principles".

These documents display no awareness of the fact that consensus has a legal definition that IETF *must* follow to avoid falling afoul of antitrust law. The 2020 "IETF Administration LLC Statement on Competition Law Issues" (https://www.ietf.org/blog/ietf-llc-statement-competition-law-issues/) includes a statement "Decision-making requires achieving broad consensus via these public processes", but similarly ignores the question of what "consensus" means. RFC 9680, "Antitrust Guidelines for IETF Participants", also dodges this issue.

Unsurprisingly, it is very easy to find examples of IETF working-group chairs declaring "consensus" (or "rough consensus") without fair consideration of all comments, without attempting to resolve objections, and without documenting why each objection was overridden, never mind having any clear rules for deciding what constitutes "general agreement".

Big companies such as Cisco and Huawei end up free to come to IETF to negotiate rules that match what those companies want, ignoring objections from smaller parties. IETF endorsement of those rules then gives those companies a market advantage.

3 IETF as a criminal organization

There are many clear dividing lines between (1) what happens in IETF and (2) the standardization exception to antitrust law. For example:

- IETF does not specify a dividing line for "general agreement", let alone require "general agreement" to be achieved.
- IETF does not require fair consideration of each comment, does not require a process of attempting to resolve each objection, and does not require documentation of why an objection was overridden. On the contrary, the records show that IETF habitually resorts to votes as an excuse to *ignore* objections. People who perceive themselves as being in the majority typically issue brief positive votes (such as "I support") without commenting on prior objections.
- IETF is not open to all interested parties. On the contrary, IETF provides easily abused mechanisms for the people in power to selectively exclude other parties from discussions.
- IETF does not provide a balance of interests. IETF is dominated by well-funded Internet companies, leaving only a minority voice for the interests of billions of Internet users.
- IETF fails to provide due process—for example, it does not require rules to be clear. More examples of due-process failures appear below.
- IETF activities often have purposes other than standardization and conformity assessment, and sometimes even cross the line into purposes specifically barred by law, such as engaging in "conduct that would allocate a market with a competitor".

Clearly IETF doesn't qualify as a "standards development organization" under antitrust law. Consequently, IETF's activity to restrain commerce is illegal per se.

The limited supervision of IETF activities by IETF Administration LLC and by the Internet Society isn't going to shield those corporations from liability: ASME tried essentially the same argument in the *ASME v. HydroLevel* court case, and lost. The other corporations and individuals conspiring to restrain commerce are also liable; ignorance of the law is no excuse.

4 The MODPOD WG

IESG created an IETF "MODPOD" ("MODeration PrOceDures") working group in October 2024: https://mailarchive.ietf.org/arch/msg/ietf-announce/TBaquQhQAndSOo8kBlfWpjBcSSo/

The English word "moderator" refers broadly to "someone who presides over an assembly, meeting, or discussion" such as "a person who administers an online forum, chat room, or group" (https://www.merriam-webster.com/dictionary/moderator). This concept *can* include extremes such as someone abusing power to censor dissent, but people reading IESG's notice of MODPOD creation were not told that the goal of MODPOD was specifically censorship.

The statement of WG background cited the "IETF Guidelines for Conduct (RFC7154)" and "a number of processes to address moderation of participants in non-face-to-face venues", while making various evidence-free claims about experience "implementing moderation in the IETF".

For example, one claim was "that BCP83 has led to substantial strife within the community". Most IETF participants will not know that BCP 83 is "A Practice for Revoking Posting Rights to IETF Mailing Lists". Participants who look this up still will not know what "strife" IESG is referring to, and will have no way to evaluate the merits of the dispute. For example, was the dispute about company employees abusing their power over anti-spam mechanisms to obstruct input from competing companies?

After the statement of WG background, there was a broad statement of the WG's "Scope of Work":

> The MODeration PrOceDures (MODPOD) work group will revise existing and define new moderation procedures suitable for all IETF communication channels. The approaches the WG defines will (in no particular order of importance):
>
> - Aim to ensure that consistent and fair moderation procedures exist for all channels/forums in the IETF - Determine who can take moderation actions on a per channel/forum basis, how they are selected and the terms of their service, and the authority afforded to them - Determine who can initiate or propose a moderation action - Balance the need between privacy and dignity of individuals involved with the need for transparency to evaluate moderator adherence to policies. - Be flexible to varying circumstances, allowing for timely, appropriate responses in each situation. - Be capable of responding to patterns of behavior across channels/forums and moderating them collectively - Enable the use of more consistent moderation actions across channels/forums - Have a clear, consistent, and efficient path for appeals - Have a process to review previous moderator actions
>
> The WG will elaborate on how the moderation role and associated procedures interact or overlap with other roles such as working group chairs and the IETF Ombudsteam.
>
> As a starting point, the working group will consider draft-ecahc-moderation and draft-lear-bcp38-replacement, and associated discussions. An eventual proposal for the working group can be based on adopting aspects from these inputs or from a new approach.
>
> The revising or redefining of related Ombudsteam policies or practices such as RFC7776, Sections 1 and 2 of RFC 9245, or the IETF Guidelines for Conduct (RFC7154) is out of scope.

If it occurs to the reader to ask "Does this scope allow MODPOD to appoint an IETF Censor with power over all IETF mailing lists?" then the reader sees that the answer is "Yes, it seems to". But the reader is certainly not told that this is what MODPOD is doing.

The current MODPOD WG draft claims broad powers over IETF. Meanwhile there have been only two dozen people sending mail to the MODPOD mailing list. This disconnect is concerning, and seems very easily explained by the fact that IETF participants have not received adequate notice of what is happening in MODPOD.

5 Objection timeline

I filed an objection to the current MODPOD WG draft, by email dated 23 Jul 2025 18:38:29 -0000 to antitrust-policy@ietf.org and to the MODPOD mailing list: https://mailarchive.ietf.org/arch/msg/antitrust-policy/bdXU1Fgg9SrktlTrkQPQs18GRsE/

There were replies on list dated 23 Jul 2025 23:05:43 +0200, 23 Jul 2025 14:13:56 -0700, and 23 Jul 2025 14:16:17 -0700. The third (https://mailarchive.ietf.org/arch/msg/antitrust-policy/JV2QB6dbt5JI8DuHz0YrYt4QviY/) was a chair threatening to "lock" the thread:

> Thank you Pete & Dr Bernstein -- from my perspective as WG chair this contribution is not one which the WG at large can fruitfully discuss. If and when this document proceeds, we'll be sure to flag these concerns for IESG to consider.
>
> Everybody can stop responding to this thread, I'm planning to lock it.

I sent replies on list dated 24 Jul 2025 00:22:55 -0000 (https://mailarchive.ietf.org/arch/msg/antitrust-policy/qVRfrl-mbSZ77s1nPTOsg2t43pM/) and 24 Jul 2025 01:20:58 -0000 (https://mailarchive.ietf.org/arch/msg/antitrust-policy/IOU_u_0DR5tgcmt3Ro0q2bMeADk/), including objections to a "lock". There was no reply from the chair.

A message directed to both lists dated 8 Aug 2025 10:01:06 -0700 (from someone else) appeared only on antitrust-policy@ietf.org, not on the MODPOD mailing list. A reply directed to both lists dated 13 Aug 2025 06:09:24 -0000 (from me: https://mailarchive.ietf.org/arch/msg/antitrust-policy/DpvlXuMUitDtibh9xzK_IsBsDyU/) also appeared only on antitrust-policy, not on mod-discuss. Clearly this censorship is the result of the chair following through on the "lock" threat.

6 Impropriety of the chair's censorship action

IETF BCP 94, RFC 2418, says that it "gives WG chairs the authority to temporarily suspend the mailing list posting privileges of disruptive individuals".

The chair did not claim that my objection was "disruptive"; instead the chair claimed that my "contribution is not one which the WG at large can fruitfully discuss". Furthermore, the chair did not go through any of the warning stages described in BCP 94 ("Unless the disruptive behavior is severe enough that it must be stopped immediately, the WG chair should attempt to discourage the disruptive behavior by communicating directly with the offending individual. If the behavior persists, the WG chair should send at least one public warning on the WG mailing list. As a last resort and typically after one or more explicit warnings and consultation with the responsible Area Director, the WG chair may suspend the mailing list posting privileges of the disruptive individual for a period of not more than 30 days").

Furthermore, even if there's some other IETF policy that supposedly gave the WG chair authority for this censorship action, the action flunked a variety of requirements from antitrust law:

- Was the chair's action taken only for the purpose of standardization or conformity assessment? No, the chair's action was taken for the purpose of preemptively terminating what the chair claimed would not be a "fruitful" discussion. (The chair did not respond when I disputed that claim. Note that, when OMB A-119 says "a process for attempting to resolve objections by interested parties", it doesn't say "or of issuing non-responses claiming that attempting to resolve the objections wouldn't be fruitful".)
- Was the chair's action taken with consensus? No, this was a unilateral abuse of power by the chair. Furthermore, the purpose and effect of the chair's action is to prevent group consideration of a particular objection, whereas consensus requires a process of attempting to resolve each objection.
- Is this censorship consistent with the requirement of openness? No, it's a direct violation of that requirement.
- Does this censorship provide a balance of interests? No, it flunks this requirement in two ways. First, it was a decision made without input from (to use IETF Administration LLC's wording) a "wide range

of perspectives" reflecting "interests from multiple industry sectors, academia, government and non-governmental organizations (NGOs), from around the globe". Second, its evident effect is to limit the range of perspectives allowed as input to further MODPOD decisions.

- Did this censorship provide due process? No: the decision was not made by a neutral decision-maker, for example, and there was never a statement of the policy supposedly authorizing the action.
- Did this censorship provide an appeal process? No. My objection was simply ignored, and the chair followed through on censorship without giving me an opportunity to first invoke what IETF labels as an appeals process—never mind the question of whether that process, lacking any real procedural or substantive constraints, can qualify as an appeals process under the law.

7 Overview of resolution efforts so far

Because the chair didn't identify the supposed authority for this censorship, it is also unclear what resolution mechanisms are available. However, the most closely related document seems to be BCP 94, which says "Like all other WG chair decisions, any suspension of posting privileges is subject to appeal, as described in RFC 2026 [RFC2026]."

There are multiple procedures in RFC 2026, but what BCP 94 *seems* to be alluding to (and extending to cover all WG-chair decisions) is Section 6.5.1 of RFC 2026, which includes the following paragraphs:

> A person who disagrees with a Working Group recommendation shall always first discuss the matter with the Working Group's chair(s), who may involve other members of the Working Group (or the Working Group as a whole) in the discussion.
>
> If the disagreement cannot be resolved in this way, any of the parties involved may bring it to the attention of the Area Director(s) for the area in which the Working Group is chartered. The Area Director(s) shall attempt to resolve the dispute.
>
> If the disagreement cannot be resolved by the Area Director(s) any of the parties involved may then appeal to the IESG as a whole. The IESG shall then review the situation and attempt to resolve it in a manner of its own choosing.

After efforts to discuss this matter with the WG chair were unproductive, I filed a complaint with the relevant "Area Director" (AD) by email dated 13 Aug 2025 16:27:24 -0000. There was a response by email dated 26 Aug 2025 15:09:10 -0700 saying "your appeal is denied". Full quotes appear below.

I am hereby invoking the "appeal to the IESG" paragraph. Let me emphasize that my complaint to IESG is grounded not just on this IETF policy but also on antitrust law.

8 Summary of complaint to the AD

My email dated 13 Aug 2025 16:27:24 -0000 started as follows: "This is a complaint to the AD for the 'gen' area regarding actions by the MODPOD chair to censor my objections to the current MODPOD draft. I'm cc'ing the WG mailing list (mod-discuss) for transparency. I'm also cc'ing antitrust-policy@ietf.org since part of this complaint is that this censorship action violates antitrust law."

My email continued by briefly summarizing the procedural requirements that antitrust law places upon standards development. I pointed to https://cr.yp.to/2025/20250511-antitrust.pdf for citations of, and quotes from, the law. I also commented that it's easy to see that the same list of requirements was

used by IETF Administration LLC to write https://web.archive.org/web/20250528213926/https://www.ietf.org/blog/ietf-llc-statement-competition-law-issues/ where

- openness is phrased as "IETF participation is free and open to all interested individuals";
- a balance of interests is phrased as "A wide range of perspectives is represented, reflecting interests from multiple industry sectors, academia, government and non-governmental organizations (NGOs), from around the globe";
- consensus is phrased as "IETF activities are conducted with extreme transparency, in public forums. Decision-making requires achieving broad consensus via these public processes";

etc.

I then reviewed the specific events at issue, compared the censorship action to the requirements of antitrust law, and requested "that the AD promptly undo this chair action".

9 Comments on the AD's response

The AD's email dated 26 Aug 2025 15:09:10 -0700 started as follows (aside from internal headings not repeated here):

> You appealed

I filed a complaint. It does seem that Section 6.5.1 of RFC 2026 is applicable, but the paragraph that was applicable at that point says "bring it to the attention of the Area Director(s)"; the section reserves the word "appeal" for the subsequent stage of appealing to IESG. That section also says "The Area Director(s) shall attempt to resolve the dispute"; I see no evidence of an attempt to resolve the dispute.

> a decision made by the MODPOD WG chairs

Where's the evidence that this decision was made by the *chairs*, plural?

Note that Section 8 of RFC 2026 requires public accessibility of records of all IETF business, including minutes of meetings and copies of email.

> to the responsible AD pursuant to Section 6.5.1 of RFC2026.

This is not reflecting the stated grounds for my complaint. My complaint said much more about the antitrust constraints, and I am not going to abandon those in favor of IETF's weaker constraints.

> The action by the WG chair in question was to ‘‘lock’’ [1] a thread on the
> mailing list that you began [2].

Here "[1]" is https://mailarchive.ietf.org/arch/msg/mod-discuss/KXrfpbTGvqShy9Xl3GLO7qHv6To/, and "[2]" is https://mailarchive.ietf.org/arch/msg/mod-discuss/RaD2bFirPCsk8sbrv9Rzot8QQ0Y/. This is the action at issue, yes.

> Upon review of this appeal as the responsible AD for the MODPOD WG, your appeal
> is denied.

See below.

> On 23-July-2025, you alerted the WG that the ‘‘current proposals in IETF’s MODPOD WG violate the requirements that criminal antitrust law places upon standardization organizations (including corporate and individual participants).’’ [2]

This is correctly quoting my objection, but it isn't telling the reader that I provided much more detail to back this up.

> Later on 23-July-2025 after several responses to the thread, the MODOD WG chairs ‘‘locked’’ this thread [3].

Here "[3]" is https://mailarchive.ietf.org/arch/msg/mod-discuss/h8NyGsQNtvHW5vo-mMIJFn_yaf8/, the chair message stating the "lock" threat. This was after just two other messages, so "several" is wrong. (Different readers will interpret "several" in different ways, but not as allowing just two; see generally https://www.dictionary.com/browse/several—"more than two but fewer than many"—and, for more detail, https://www.dictionary.com/e/few-vs-couple-vs-several/.) Also, see above regarding "chairs".

Why is the AD exaggerating the number of messages involved, and claiming that multiple chairs were involved?

> In this context, ‘‘locked’’ was a shorthand expression for concluding discussion on the topic

I don't think normal people would abbreviate "We concluded our discussion of the topic" as "We locked the topic". Meanwhile it's clear that what actually happened here was the chair clicking on a button labeled something like "lock thread" in an anti-spam interface that has been repurposed for out-of-control censorship.

> which was out of scope for the WG mailing list.

This claim comes out of nowhere from the AD—it isn't what the chair was claiming (never mind the question of whether there's an IETF policy that would allow a chair to unilaterally censor a topic simply by claiming that the topic is out of scope), and the AD's argument for it is ludicrous (see below).

In any event, the claim is wrong. The actual WG scope (quoted in full in Section 4 above) broadly covers "moderation procedures suitable for all IETF communication channels", while asking questions of, e.g., "who can initiate or propose a moderation action" and what responses are "appropriate". Something illegal is certainly not appropriate.

> Per Section 3 of RFC9680, the appropriate way to ‘‘report potential antitrust issues in the context of IETF activities [is] by contacting IETF legal counsel (legal@ietf.org) or via the IETF LLC whistleblower service’’.

IETF Executive Director Jay Daley, also a coauthor of RFC 9680, says "RFC 9680 is not a policy but an informational document": https://mailarchive.ietf.org/arch/msg/tls/RFEgRAMG0FtMBkrpbDKSecqfqZQ/

Furthermore, RFC 9680 says that IETF participants "**can** report potential antitrust issues in the context of IETF activities by contacting IETF legal counsel (legal@ietf.org) or via the IETF LLC whistleblower service" (emphasis added). The AD suppresses the word "can" and pretends that this is saying that these are the *only* options.

Objections *to the contents of a draft* should be raised on list—which is exactly what I did—and discussed by the full working group. Proponents of the draft should be responding to the content of each objection. Trying to silence the most powerful objections is not surprising but also not appropriate.

> On 13-August-2025, you appealed to the responsible AD of the MODPOD WG on two claims [2] -- ‘‘regarding actions by the MODPOD chair to censor my objections to the current MODPOD draft’’ and ‘‘that this censorship action violates antitrust law.’’

I don't know what "on two claims" is supposed to mean. See above regarding "appeal".

> On the latter claim, the appeals process per Section 6.5 of RFC2026 is not the appropriate mechanism to report potential antitrust law issues. See above reference to RFC9680 for further details.

See above.

> See also IETF Legal Counsel's response to you at [4].

Here "[4]" is https://mailarchive.ietf.org/arch/msg/antitrust-policy/624fKwYaY_0zOJLwhcUmthBs7G0/, a content-free message claiming that my "antitrust concerns" have been "evaluated" and that the "views" of an unspecified collection of people regarding this have been "previously communicated" to me on some unspecified occasion. My reply—which started "I'm unable to figure out what communication this is referring to"—was simply ignored.

> On the former claim, due to the guidance of RFC9680, I find that the WG chairs managed an out-of-scope conversation

See above regarding the AD's claim that my objections are out of scope.

> on the mailing list within the latitude afforded to their roles.

Where exactly is this supposed authority?

> For these reasons, this appeal is denied.

See above.