

SSAD ODP Project Update

SSAD ODP Project Team

18 November 2021



Agenda

- Governmental Advisory Committee (GAC) Survey Results
- Business Process Design
- What's Next?
- Q&A

GAC Survey Results

GAC Survey Results

- Total of 13 unique responses:
 - Three countries only provided their names
 - Three countries completed portions of the survey
 - Seven countries completed the survey in full

Business Process Design

SSAD business process design

Based on the policy recommendations in the final report of the Temporary Specification for gTLD Registration Data Phase 2 EPDP, SSAD involves:

8	Types of actors
8	Subsystems
60	Business processes

Actors of the SSAD

- **Data disclosure requestors**
 - Non-governmental natural and legal persons
 - Governmental entities and intergovernmental organizations
- **Accreditation authorities**
 - Central accreditation authority
 - Country/territory governmental accreditation authorities
- **Central Gateway**
- **Abuse investigator**
- **Contracted parties**
 - gTLD registry operators
 - ICANN-accredited registrars
- **Auditor(s)**
- **Data subjects**
- **ICANN org**

Accreditation Authorities

- Act as the sole interface with SSAD requestors
 - Verify requestor identity
 - Manage disclosure requests
 - Authenticate requestors on behalf of the central gateway and contracted parties
 - Manage billing process for requestors
 - Transfer request-processing fees to the central gateway
- May delegate some functions to “identity providers”
- Governmental accreditation authorities must also:
 - Be designated by country/territory government
 - Implement the same interfaces as the central accreditation authority to integrate with the central gateway and contracted parties

Vendor Contracts

ICANN org proposes four categories of vendor contracts:

1. System development, operations, and **central accreditation authority**
2. System development and operations for the **central gateway**
3. **Abuse investigator**
4. **Auditor(s)** for requestor activity and accreditation authorities

SSAD Subsystems



Central Gateway

1. Web portal
2. API



Accreditation Authorities

3. Web portal
4. API



ICANN org

5. icann.org portal
6. NSp



Contracted Parties

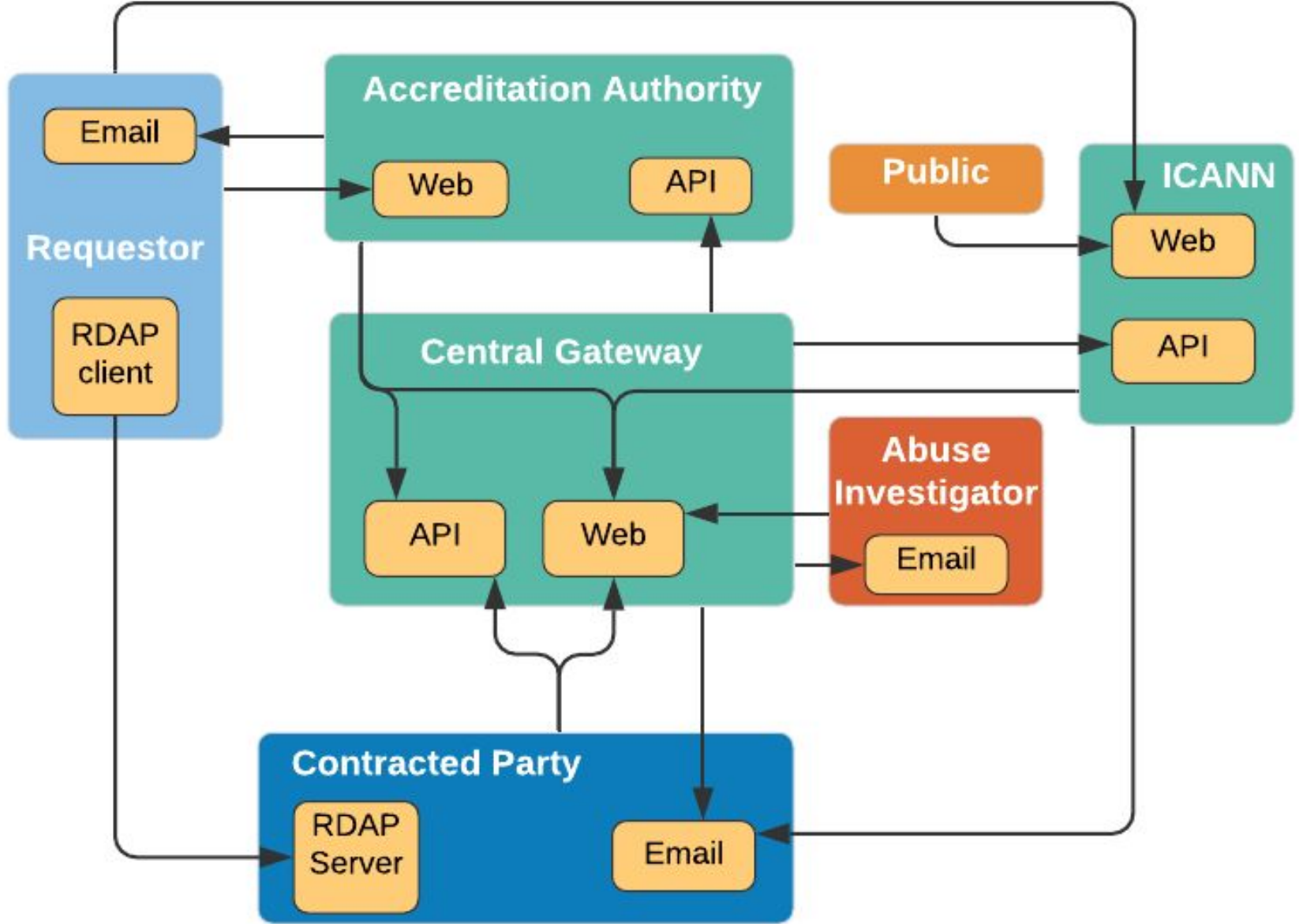
7. RDAP service



Requestors

8. RDAP client

Actors and Subsystem Interactions



Language Support

- The central accreditation authority will support English only for:
 - User interfaces
 - Disclosure requests and supporting documentation
- Governmental accreditation authorities may support any language for:
 - User interface
 - Disclosure requests and supporting documentation, if supported by the relevant contracted party

Requestor Accreditation and Declarations

Requestor Accreditation

- Requestors are accredited by the accreditation authority
 - Accreditation is a requirement for submitting data disclosure requests in SSAD
 - Verification of requestor identity
 - Accreditation needs periodic renewal
- Requestors may manage authentication details, including:
 - Supported electronic IDs (eID)
 - SSAD specific identity credentials

Requestor Declarations

- Accredited requestors may submit relevant declarations for verification by the accreditation authority.
- By the launch of SSAD:
 - **Governmental accreditation authorities** must support the verification of declarations for requests that may be processed automatically as described in recommendation 9.4.1 and 9.4.2
 - The **central accreditation authority** will support verifying requestor declarations of trademark ownership
- In the future:
 - ICANN org may require accreditation authorities to support additional types of requestor declarations.

Fees

- Cost recovery approach for the operation of the SSAD, reflected in three types of fees:
 - Accreditation/Identity verification
 - Requestor declaration verification
 - Disclosure request processing
- Billing expected to be performed by the accreditation authorities
 - Must transfer disclosure request processing fees to central gateway

Non-public Registration Data Disclosure

Non-public Registration Data Disclosure

- The proposed data disclosure process for accredited requestors is split into three asynchronous steps:

1

**Accredited requestor
submits the data
disclosure request**

2

**Contracted party
reviews the request
and communicates
determination**

3

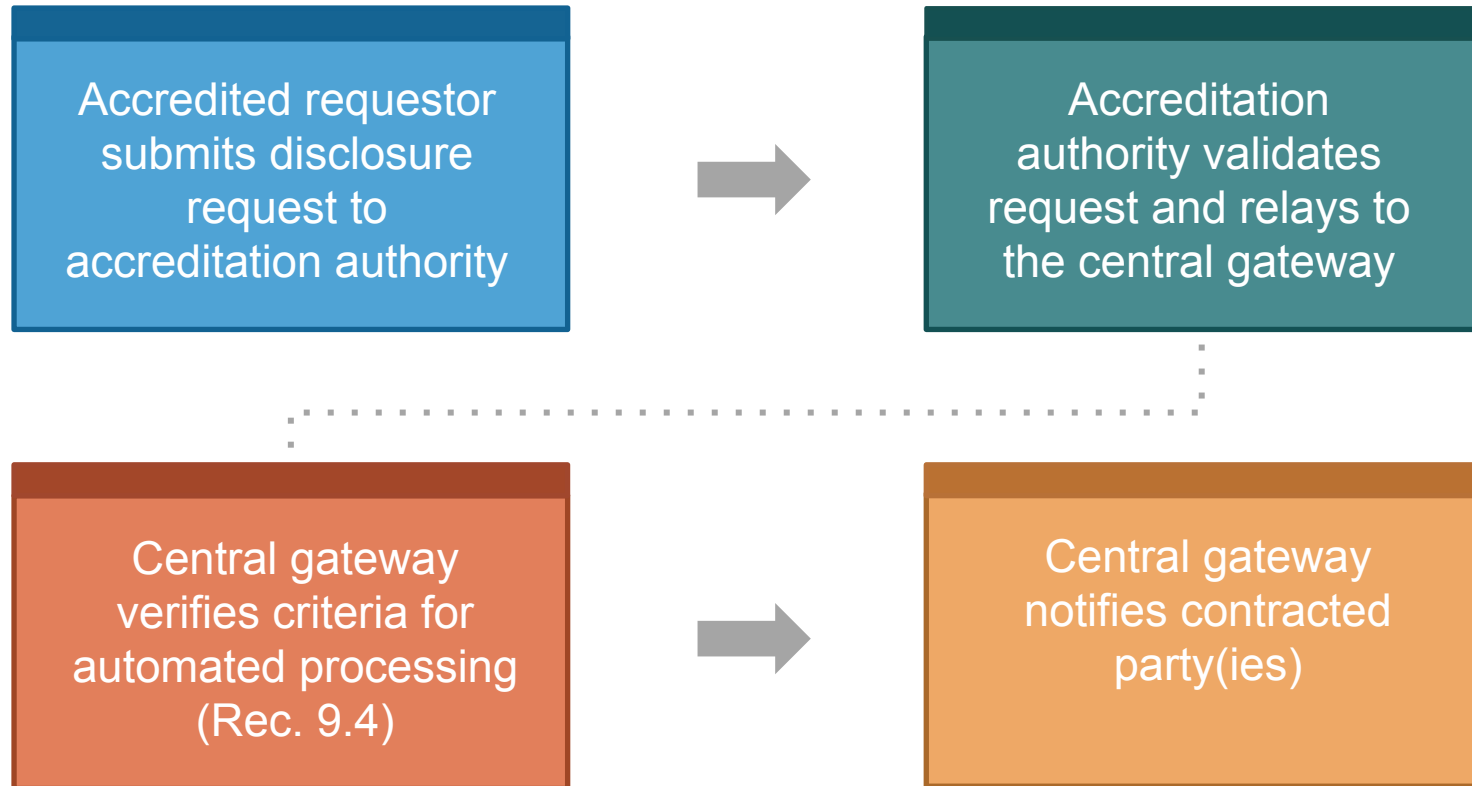
**For approved
requests, requestor
obtains data from the
contracted party's
RDAP service**

Non-public Registration Data Disclosure

1. Submit data disclosure request

2. Review data disclosure request

3. Disclose data of an approved request



Non-public Registration Data Disclosure

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Non-public data disclosure requests

- Specific domain name(s)
- Requested non-public fields ([RFC 8982](#) - RDAP partial response)
- Request purpose and legal basis
- Request priority
 - Urgent
 - ICANN administrative proceedings
 - Other requests
- Supporting documentation
- Verified requestor identity (name, organization, country/territory)
- Verified requestor declarations, if applicable
(*Transmitted in the form of signed JSON web tokens*)
- Confidentiality classification

Non-public Registration Data Disclosure

1. Submit data disclosure request

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3. Disclose data of an approved request

Disclosure recommendation engine

- The central gateway has the option to implement a recommendation engine for contracted parties on whether to **approve** or **deny** disclosure requests.
 - For the purposes of the ODA, the design does **not** consider the recommendation engine at launch of the SSAD.

Non-public Registration Data Disclosure

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Automation of disclosure request processing

- Initially, scope for automation is limited to the 4 scenarios listed in **recommendation 9.4**
- The central gateway will not support adding scenarios for automated processing without additional system development
 - Incorporating other scenarios in the future (e.g. other data protection laws) is subject to review by the GNSO standing committee
 - Contracted parties may automate processing of disclosure requests on their end, based on their own policies and applicable law

Non-public Registration Data Disclosure

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Exemptions to automated processing

- Contracted parties may request an exemption for automated processing of **any specific category** of disclosure requests from recommendation 9.4
 - For example, when not legally permissible, or significant risk is identified
 - Must provide supporting documentation for review by ICANN org
 - ICANN org may reverse exemptions (per rec. 9.5)
- Contracted parties may opt-out of automated processing based on specific:
 - Domain name
 - Requestor jurisdiction

Non-public Registration Data Disclosure

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Automated approval of disclosure requests

- Disclosure requests that meet the criteria for automated processing will be considered automatically approved in the central gateway unless the contracted party:
 - Has previously notified ICANN org it requires an exemption, from automated processing
 - Has previously opted out of automated processing for the relevant domain name(s)
 - Has previously opted out of automated processing for requestors from the corresponding jurisdiction
 - The requestor is sanctioned out of automation, or is being investigated for potentially abusive behavior in SSAD
- All others will be relayed for manual review by the contracted party.

Non-public Registration Data Disclosure

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Disclosure requests routing

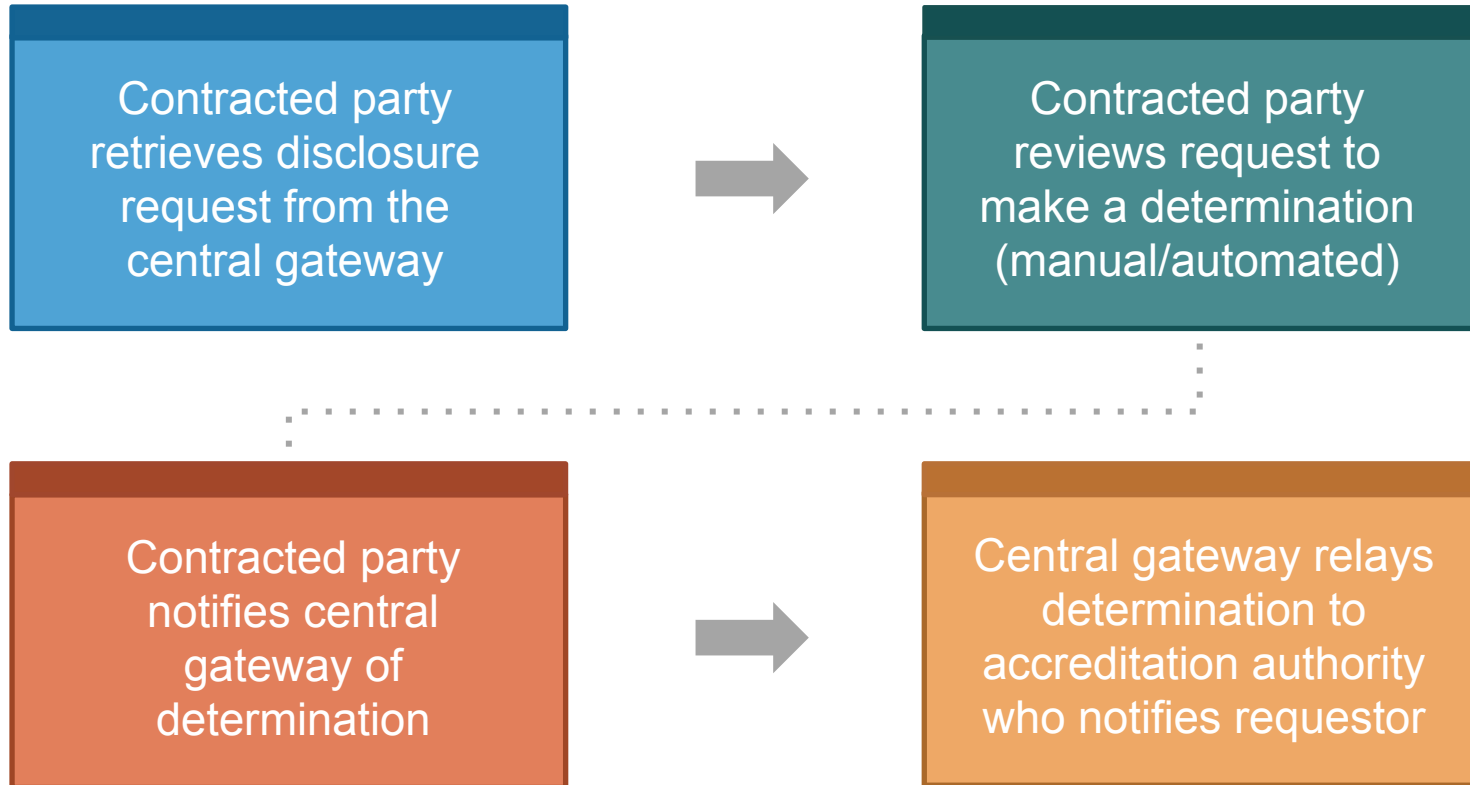
- The central gateway notifies the contracted party via email and poll message through the API
- By default, requests go to the sponsoring registrar of the domain name, except in the case of a thick registration where:
 - Requestor asks to send to the registry operator
 - The registrar RDAP service is not available

Non-public Registration Data Disclosure

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Non-public Registration Data Disclosure

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Contracted party integration with the central gateway

Integration with the central gateway will be available for contracted parties through:

- **Web portal**
 - Expected for low transaction volume
- **API**
 - For parties that prefer system integration
 - Larger processing volume of requests

Non-public Registration Data Disclosure

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Disclosure request retrieval

- Contracted parties retrieve the disclosure request from the central gateway, including:
 - Request details
 - Indication if criteria for automated processing are met
 - Central gateway recommendation to approve or deny (If implemented)

Non-public Registration Data Disclosure

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Disclosure request determination

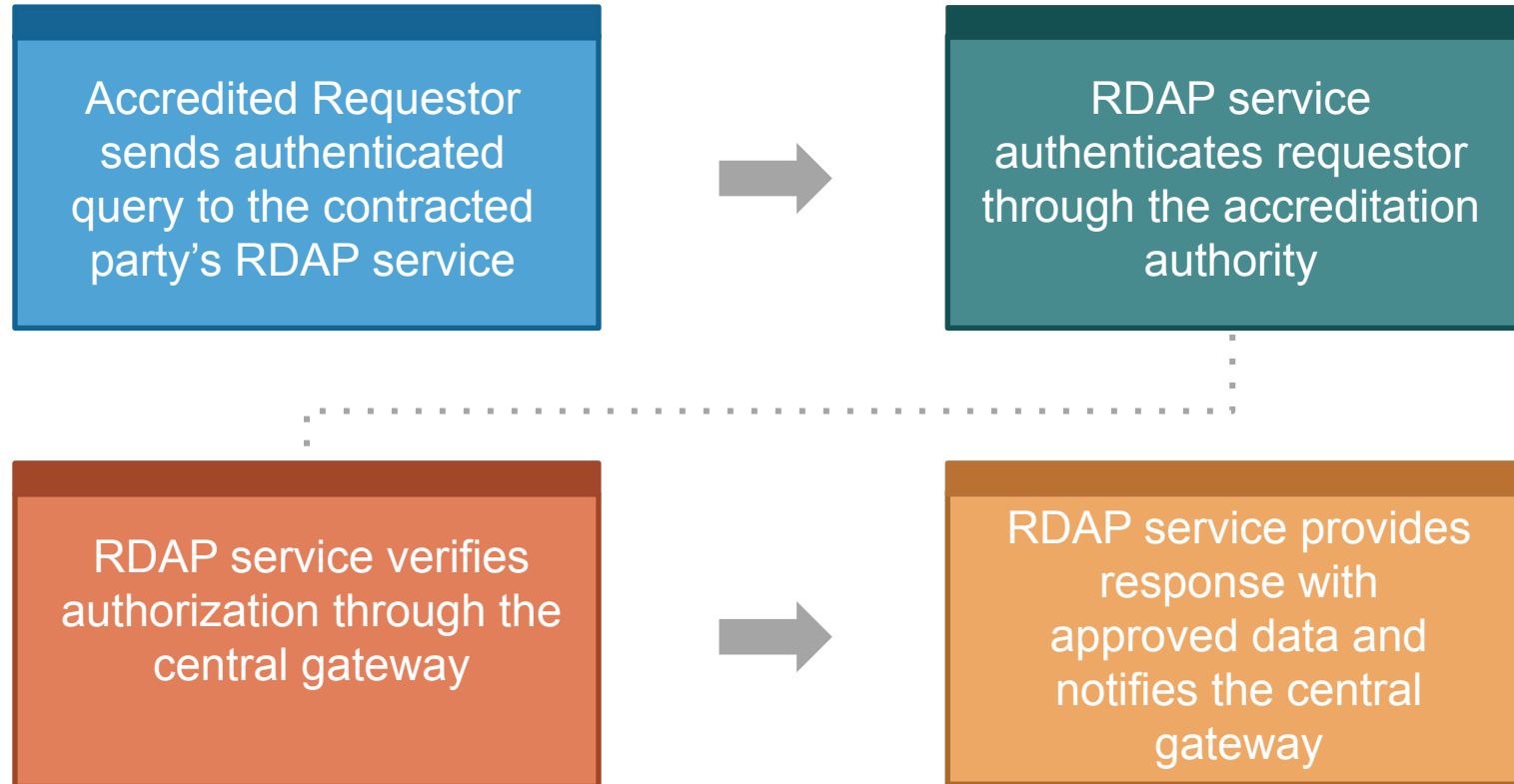
- Contracted parties are the sole authorizers of data disclosure requests directed at them
- Once the request has been reviewed, the contracted party must report to the central gateway:
 - The request determination (approved, denied, or additional information needed)
 - If the disclosure request has been approved because the domain name registration data does not include any personal data.

Non-public Registration Data Disclosure

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Non-public Registration Data Disclosure

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Requestor authentication and authorization

- Accreditation authorities must support federated authentication of requestors using [OpenID Connect](#)
- Proposed design based on the [TSG01: Technical Model for Access to NonPublic Registration Data](#):
 - **RDAP service operators** receive requests for non-public data requesting authentication
 - **Accreditation authorities** provide user authentication service
 - **Central gateway** confirms authorization was provided by the contracted party
 - **Requestors** receive RDAP response with approved non-public data if authentication and authorization are successful

Non-public Registration Data Disclosure

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Added requirements for the RDAP service

- Subject to further discussion with contracted parties, RDAP service operators must support:
 - Base RDAP standards
 - [draft-ietf-regext-rdap-openid](#) - Federated Authentication for RDAP using OIDC
 - [RFC 8982](#) - RDAP partial response
 - Field subsets must be defined
 - Updated gTLD RDAP profile

Requestors' and Contracted Parties' Compliance Enforcement

Compliance Enforcement in SSAD

- SSAD **Abuse investigator** responsible for:
 - Monitoring of standard operation metrics
 - Monitoring requestor compliance with SSAD terms of service
 - Verifying abuse reports
 - From contracted parties
 - From data subjects/public
 - Providing requestors' redress mechanism (rec. 13.1.3)

- **Contractual Compliance** is responsible for investigation of:
 - Contracted parties' potential abusive behavior in SSAD
 - Escalating non-compliance with SLA

Requestor Compliance Enforcement

- Graduated penalties may be determined by the abuse investigator as a result of abusive behavior in SSAD:
 - Rate limiting of allowed disclosure requests
 - Exclusion from automated processing of disclosure requests
 - Requestor accreditation suspension
 - Requestor accreditation revocation

- Requestors may appeal penalizations
 - Abuse investigator to review

Audits

- Performed by an independent auditor
- Audit period:
 - Initial audit before operation
 - Followed by yearly audits based on previous audit results
- Audit scope:
 - Requestors
 - Based on documentation provided to the central accreditation authority and the central gateway
 - Central accreditation authority
 - Designated country/territory governmental accreditation authorities
 - May opt to use their own auditor

Other System Requirements

Service Level Agreement (SLA)

- Central gateway and central accreditation authority systems expected to meet the following SLA:

SLA	Description
99.9%	System availability
≤ 4 seconds	System response time, for 95% of queries
24x7	Customer support in English

System Logging and Data Retention

- Logging procedures are expected to be in place by the sub-service providers in the SSAD:
 - Central/Governmental accreditation authorities
 - Central gateway
 - Contracted parties
- Expected data retention policy is to preserve all operational data and system logs for a total of **18 months**

SSAD Reporting

- Published on a **quarterly basis** through the ICANN org portal including summary details of at least:
 - Number of disclosure requests received
 - Approved/Denied
 - Automated/Manual
 - Third-Party purposes/justifications
 - Per priority level with average response times
 - Information about financial sustainability of SSAD
 - New EDPB guidance or new topical jurisprudence (if any)
 - Technical or system difficulties
 - Operational and system enhancements

Feedback

Opportunity for Community Feedback

- Did we capture all the necessary actions as outlined in the recommendations for accreditation, submitting disclosure requests, and routing them to contracted parties?
- Are there any actors or subsystems missing from this model, or roles and responsibilities not identified that you think should be included?



PLEASE PROVIDE YOUR FEEDBACK!

- Receive and analyze the community feedback through odp-ssad@icann.org
- Next webinar planned for December 2021

Questions?



Engage with ICANN



Thank You

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