

EPDP Phase 2 – Webinar Proposed Recommendations for a Standardized System for Access/Disclosure (SSAD)



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Presenters



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EPDP Phase 2 Scope of Work & Approach

EPDP Team Approach

Phase 2 scope:

- Discussion of a system for standardized access/disclosure to nonpublic registration data. (Priority 1)
 - Issues noted in the Annex to the Temporary Specification for gTLD Registration Data.
 - Issues deferred from Phase 1, such as legal vs. natural persons, redaction of city field, etc. (Priority 2)
- Following review of several real-life use cases for requestors of nonpublic registration data, the EPDP Team distilled common themes to develop building blocks and policy principles on a variety of topics.
 - The building blocks include, among others, accreditation of requestors, content of requests, response requirements, query policy, acceptable use policy, automation, logging, financial considerations, etc.
 - The building blocks have been used to form the preliminary policy recommendations in the EPDP Team's Initial Report, which was published for public comment on Friday 7 February 2020.

Overview of Initial Report Preliminary Recommendations

Disclaimer – these slides provide a high-level overview of the Preliminary Recommendations contained in the Initial Report. Please review the Initial Report in detail to ensure a comprehensive understanding of the nuances, noting that certain details have been left out of this presentation for the sake of brevity.

SSAD Expected Benefits

Single location to submit requests

Reduces time and effort spent by requesters to track down individual points of contact or follow individual procedures

Ensures that requests are routed directly to the responsible party

Allows for clear outreach opportunities to socialize the location and method for requesting non-public registration data

Requests and responses can be tracked for SLA adherence

Standardized request forms

Reduces the number of disclosure requests that are denied due to insufficient information

Increases the efficiency of reviewing requests

Reduces uncertainty for requesters who now have a standard/uniform set of data to provide when submitting disclosure requests.

Reduces the need for individual set of required information by disclosing parties

Built-in authentication process

Speeds up the review process for disclosing entities as they will not need to re-verify the requestor

External assurance that requestors have been verified can increase the likelihood and/or speed of disclosure

Standardized review and response process

Allows creation of a common response format and creation of rules, guidelines, and best practices

Allows adoption of common response review system

Allows automation of certain requests and facilitates automated disclosure decision making in some scenarios

Logging of requests and responses allows for auditing and identifying any instances of systemic non-compliance



General principles

- ⦿ The receipt, authentication, and transmission of SSAD requests must be fully automated insofar as it is technically feasible. Disclosure decisions should be automated only where technically and commercially feasible, and legally permissible.
- ⦿ There should be a mechanism for the evolution of SSAD to monitor the implementation of the SSAD and to recommend improvements that could be made. Improvements recommended through this process must not violate existing policies or procedures.
- ⦿ Service level agreements (SLAs) need to be put in place and be enforceable, but these may need to be of an evolutionary nature to recognize that there will be a learning curve.
- ⦿ Responses to disclosure requests, regardless of whether review is conducted manually or an automated responses is triggered, are returned from the relevant Contracted Party directly to the requestor, but appropriate logging mechanisms must be in place to allow for the SSAD to confirm that SLAs are met

SSAD – Main Roles & Responsibilities

1

Accreditation Authority

Role performed by or overseen by ICANN Org. A management entity who has been designated to have the formal authority to "accredit" users of SSAD.

2

Identity Provider

Responsible for 1) Verifying the identity of a requestor and managing an Identifier Credential, 2) Verifying and managing Signed Assertions. For the purpose of the SSAD, the Identity Provider may be the Accreditation Authority itself

3

Central Gateway Manager

Role performed by or overseen by ICANN Org. Responsible for intake and routing of SSAD requests that require manual review to Contracted Parties. Responsible for directing requests that are confirmed to be automated to Contracted Parties for release of data. Responsible for collecting data.

4

Contracted Parties

Responsible for responding to disclosure requests that do not meet the criteria for an automated response. (As a default, the Central Gateway Manager will send disclosure requests to Registrars, but that does not preclude the Central Gateway Manager from sending disclosure request so Registries in certain circumstances.)

5

Mechanism for the Evolution of SSAD

Mechanism representative of the ICANN community responsible for 1) SLA matrix review; 2) providing guidance on which categories of disclosure requests should be automated; 3) other implementation improvements such as the identification of possible user categories and/or disclosure rationales. The Mechanism may also make recommendations to the GNSO Council for any policy issues that may require further policy work.

Overall Recommendations

#15 Financial Sustainability – outlining the EPDP Team’s expectations in relation to the financial sustainability of SSAD

#16 Automation - Receipt, authentication and transmission of SSAD requests be fully automated insofar as it is technically feasible. Disclosure decisions should be automated only where technically and commercially feasible and legally permissible

#19 Mechanism for the evolution of SSAD - Mechanism has the responsibility to provide guidance on the following topics: a) SLA matrix review; b) Categories of disclosure requests which should be automated; c) Other implementation improvements such as the identification of possible user categories and/or disclosure rationales. Specific community input requested on a number of questions such as:

- What existing processes / procedures, if any, can be used to meet the above responsibilities?
- How is guidance of the Mechanism expected to be implemented?

Requestor related recommendations

#1 Accreditation and **#2 Accreditation of governmental entities** – all requestors must be accredited.

#3 Criteria and Content of Requests

#4 Third Party Purposes / Justifications – specific purposes for which third parties may submit disclosure requests, but assertion of these does not guarantee access in all cases.

#10 Acceptable Use Policy, #13 Terms of use and **#14 Retention and Destruction of data** – outlines the agreements that are expected to be put in place such as acceptable use policy, terms of use for the SSAD, a privacy policy and a disclosure agreement, as well as obligations in relation to retention and destruction of data.

Accreditation Authority / Identity Provider

#1 Accreditation and **#2 Accreditation of governmental entities** – outlines the requirements in relation to accreditation for entities and individuals as well as governmental entities.

#17 Logging and **#18 Audits** – outlines logging and audit related requirements.

Central Gateway related recommendations

#5 Acknowledgement of receipt – outlines the requirements in relation to acknowledgement of receipt and steps to confirm that requests are complete.

#7 Authorization for automated disclosure requests – outlines the requirements for which it has been determined that these can be responded to in an automated fashion (i.e. no human intervention) as well as types of disclosure requests that are expected to be fully automated.

#8 Response requirements – outlines response requirements, including definition of “Urgent SSAD requests”

#12 Query Policy – outlines requirements that the Central Gateway Manager must take to monitor the system and take appropriate action in case of abuse or misuse. Also outlines the type of support that SSAD is expected to be provided for requests.

#17 Logging and #18 Audits – outlines logging and audit related requirements.

Contracted Party related recommendations

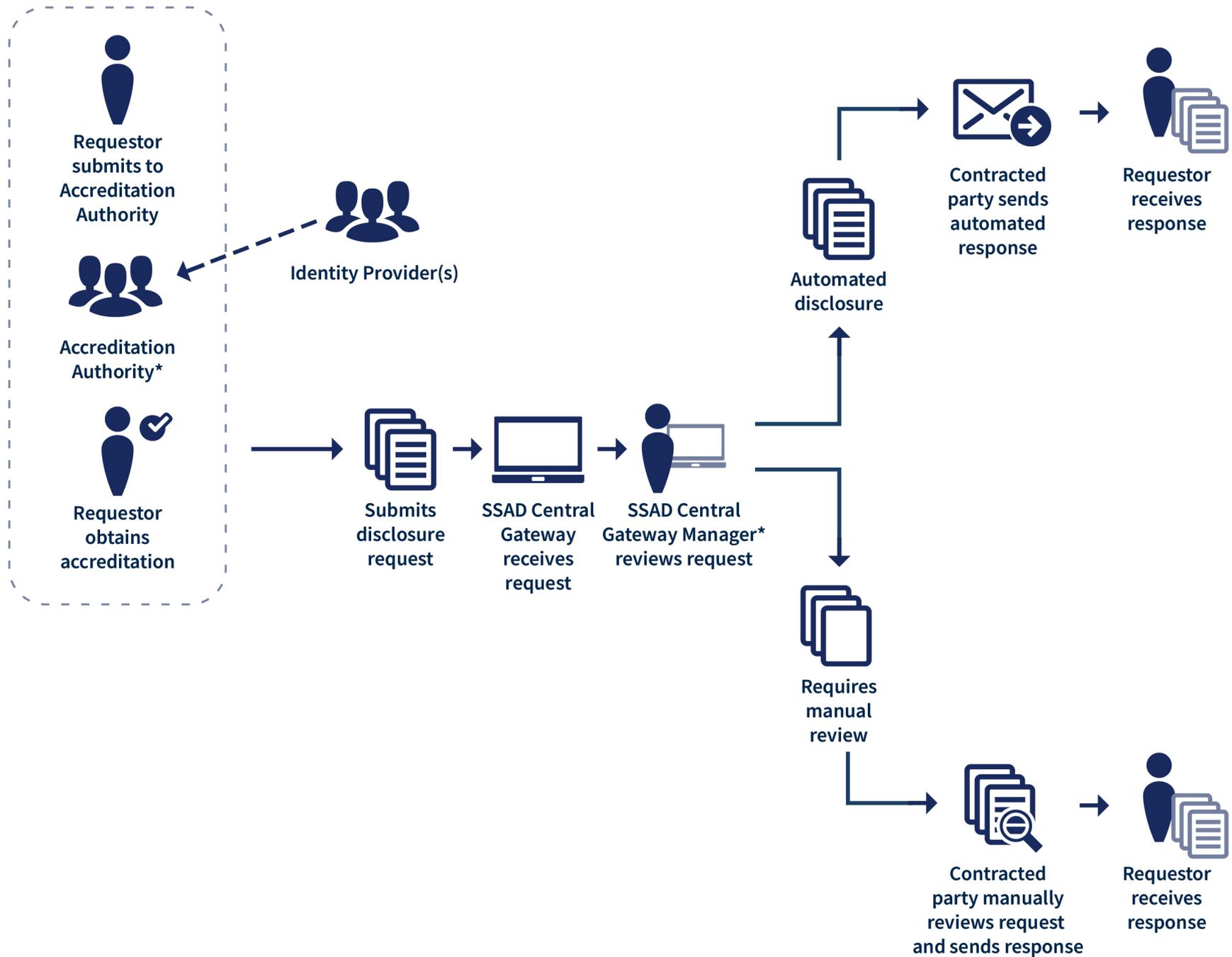
#6 Contracted Party Authorization – outlines authorization steps and requirements for Contracted Parties.

#8 Response requirements – outlines response requirements, including definition of “Urgent SSAD requests”

#3 Determining Variable SLAs for response times for SSAD – puts forward proposed response targets and SLAs for dealing with disclosure requests. Specific community input has been requested on the proposed targets and SLAs.

#11 Disclosure Requirements – outlines disclosure requirements for disclosures provided by CPs (both manual and automatic)

#17 Logging and **#18 Audits** – outlines logging and audit related requirements.



* Accreditation Authority and the Central Gateway are the responsibility of ICANN Org who may outsource this function.

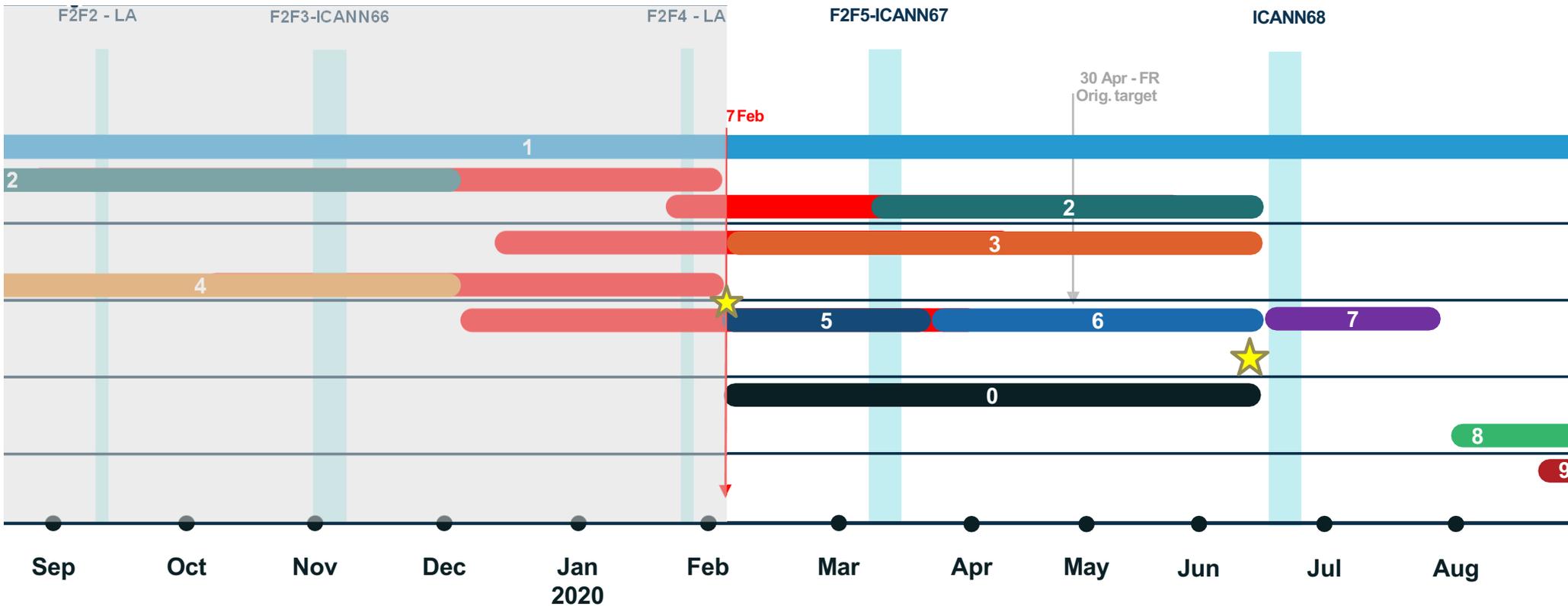
Expected next steps & timeline

Next Steps

- ⦿ Public comment forum open until **Monday, 23 March 2020** – **no extensions possible!** To provide your input formally, please use the google form (https://www.icann.org/public-comments/epdp-phase-2-initial-2020-02-07-en/mail_form)
- ⦿ EPDP Team will commence its work on priority 2 items – for those items that result in quick resolution, it may be possible to catch up and include these in the Final Report. For those requiring more time, either work continues or referral to the GNSO Council.
- ⦿ Focus during ICANN67 in Cancun will be on addressing priority 2 items.
- ⦿ Following closing of public comment forum, the EPDP Team will return to finalizing SSAD recommendations in view of submitting Final Report to the GNSO Council by 7 June 2020.

EPDP Phase 2 - Summary Timeline

07 February 2020



1 Project Management, Workplan, & Factsheet

2 EPDP-P2 Priority 1 Deliberations

3 EPDP-P2 Priority 2 Deliberations(1)

4 Construct Initial Report

5 Public Comment on Initial Report

6 Review of Public Comment & Submission of Final Report

7 Council Consideration of Final Report

8 Public Comment prior to Board Consideration(2)

9 Board Consideration

Complete: 73% Status: Condition:

Behind Schedule

0 Priority 1 – Unplanned



(1) Items from priority 2 could be incorporated in the Final Report for priority 1, depending on their date of completion or they may be presented separately in a separate report and public comment.

Interactive Q&A

Further Information

⦿ Resources

- ⦿ EPDP Phase 2 Initial Report: <https://gnso.icann.org/en/issues/epdp-phase-2-initial-07feb20-en.pdf>
- ⦿ Public Comment Forum: <https://www.icann.org/public-comments/epdp-phase-2-initial-2020-02-07-en>
- ⦿ EPDP Workspace: <https://go.icann.org/2LKujuF>
- ⦿ EPDP Charter: <https://go.icann.org/2MsBAAx>

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