

25 November 2019

**Subject line: Financial sustainability issues of the SSAD**

From: Janis Karklins  
EPPD-P2 chair

To: Göran Marby  
President and Chief Executive Officer, ICANN

Goran,

I am writing you in my capacity of the Chair of the EPDP Phase 2 Team to seek input on financial sustainability issues of the SSAD.

The EPDP Phase 2 Team is considering the financial sustainability of the System for Standardized Access/Disclosure (SSAD) currently being deliberated. This will likely involve ICANN managing or operating a centralized system to facilitate requests for disclosure of non-public gTLD registration data.

The Team is contemplating how considerable cost implications would be to develop, operationalize and run such a System. The EPDP currently considers principles on which such a system may be based. Work is still in progress, but the Team is discussing principles such as:

1. The SSAD should operate on a cost-neutral basis. No party should operate or seek to operate this service as a for-profit service, as this would invite abuse and manipulation of the SSAD functions.
2. Costs to operate the SSAD should be borne by the *direct* beneficiaries of the service. The costs of SSAD should not be transferred to Data Subjects (Registrants), either directly via fees from ICANN or indirectly via fees to Contracted Parties who provide the SSAD with data and bear the legal risks of disclosures.

In the absence of responses from both the EPDP letter to the Board, and to the Strawberry Team's query as presented to the European Data Protection Board, the EPDP team is not in a position to consider a single model for the potential SSAD. Accepting that financial sustainability is a vital consideration for the initial report, and as we have not yet determined the model for the SSAD, we must therefore present the financial sustainability of each of the general model types so far postulated:

- Fully Centralized (e.g. with ICANN at the core)
- Centralized Accreditation and request portal, distributed decision-making, with final response via Centralized portal (e.g. CZDS).
- Central Gateway, with distributed review and disclosure

The Team understands that a cost analysis is difficult to conduct while the exact details of the SSAD are still being determined. We hope that looking at existing systems such as TMCH or CZDS might provide useful baselines and identify dependent assumptions that impact cost models. CZDS, for example, is itself a centralized system for access to data (in this case zone file data), sharing many similarities with the SSAD being contemplated.

Equally, financial sustainability analysis of the UAM could provide some useful indications for Team's deliberations.

In order to understand if it is possible for the SSAD to adhere to these crucial principles, we are requesting ICANN Org's help in understanding all the likely costs associated with both the development and the ongoing operation of the SSAD. Once we understand the anticipated costs, we would expect to propose a credentialing and transaction fee structure which would pay for the System and allow us to better understand the cost/benefit balance of the SSAD as a whole.

Your input on financial sustainability issues will be highly appreciated.

Best regards

JK