



# **Proposed System for Standardized Access/Disclosure to non-public domain name registration information (SSAD)**

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# Agenda

- Background
- Current Collected and Published Data
- SSAD
- Does the SSAD provide a Workable Access Solution?
- Questions?

# Background

- ICANN bylaws indicate the provision of RDDS by Registry operators and Registrars as firmly within ICANN's mission
- The Bylaws include “maintenance of and access to accurate and up-to-date information concerning registered names and name servers
- This includes facilitation of third party processing for legitimate and proportionate purposes related to:

Law enforcement, Competition, Consumer protection, Trust, Security, Resiliency, Stability, Malicious abuse, Sovereignty and Rights protection.

# Background

- Processing of personal data must be in a manner compliant with GDPR (came into full force 25 May 2018) and other data protection legislation and laws
- The Temp. Spec came into effect on 25 May 2018 to replace WHOIS
- It provided a single, unified model that ensures a common framework for registration data directory services.
- Until a unified access model is in place, registries and registrars will have to determine which requests are permissible under the law

# Background

## **ICANN Purposes for the collection of the data**

- 1a. Activate a registered name and allocate it to the Registered Name Holder.
- 1b. (i) Establish the rights of a Registered Name Holder in a Registered Name; (ii) Ensure that a Registered Name Holder may exercise its right in the use, maintenance and disposition of the Registered Name.;
2. Contribute to the maintenance of the security, stability, and resiliency of the Domain Name System in accordance with ICANN's mission.
3. Enable communication with the Registered Name Holder on matters relating to the Registered Name;
4. Provide mechanisms for safeguarding Registered Name Holders' Registration Data in the event of a business or technical failure of a Registrar or Registry Operator, or unavailability of a Registrar or Registry Operator;
5. Handle contractual compliance and disputes regarding or relating to the registration of domain names
7. Enabling validation to confirm that Registered Name Holder meets gTLD registration policy eligibility criteria

# Current Collected and Published Data

Registrant	Status
Name	Collected but not published
Organization	Published if provided
Street Address	Collected but not published
City	May be published
State/Province	Published
Postal Code	Collected, not published
Country	Published
Phone	Collected, not published
Email	Collected not published

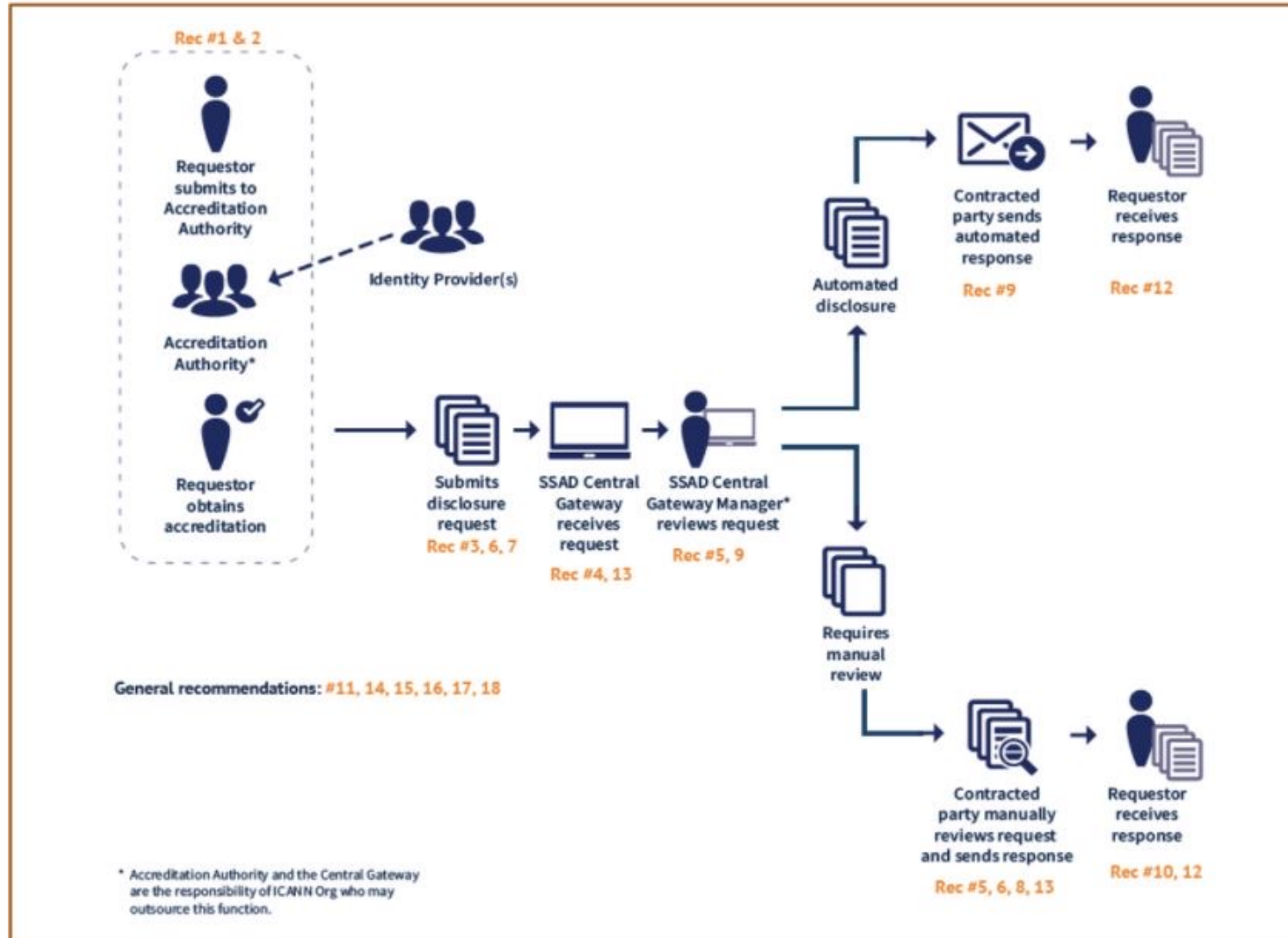
Technical contact	
Name	Published if Provided
Phone	Published if provided
Email	Published if provided

# Current Collected and Published Data

Data Elements (Collected & Generated*)	Collection Logic		
Domain Name	Required	• Phone ext	Optional
Registrar Whois Server*	Required	• Fax	Optional
Registrar URL*	Required	• Fax ext	Optional
Registrar Registration Expiration Date*	Optional	• Email	Required
Registrar*	Required	Tech Fields	Optional
Registrar IANA ID*	Required	• Name	Optional
Registrar Abuse Contact Email*	Required	• Phone	Optional
Registrar Abuse Contact Phone*	Required	• Email	Optional
Reseller*	Optional	Name Server(s)	Optional
Domain Status(es)*	Required	DNSSEC	Optional
Registrant Fields	Optional	Name Server IP Address(es)	Optional
• Name	Required	• Additional data elements as identified by Registry Operator in its registration policy, such as (i) status as Registry Operator Affiliate or Trademark Licensee [.MICROSOFT]; (ii) membership in community [.ECO]; (iii) licensing, registration or appropriate permits [.PHARMACY, .LAW] place of domicile [.NYC]; (iv) business entity or activity [.BANK, .BOT]	Optional
• Organization	Optional		
• Street	Required		
• City	Required		
• State/province	Required		
• Postal code	Required		
• Country	Required		
• Phone	Required		

Required   
 Optional 

# SSAD





# SSAD

How does the SSAD work?

- SSAD Must only accept requests from accredited users
- Any user to the system could be accredited
- A single accreditation authority managed by ICANN org.
- For governments: Accreditation by a country's/territory's government body or its authorized body would be available to various eligible government entities this includes:
  - ❖ Civil and criminal law enforcement authorities
  - ❖ Data protection and regulatory authorities
  - ❖ Judicial authorities
  - ❖ Consumer rights organizations granted a public policy task by law or delegation from a governmental entity

# SSAD

How does the SSAD work?

The accreditation authority is responsible for:

- Verification issuance
- Ongoing management of identity credentials and signed assertions
- The accreditation authority may work with third parties “Identity provider”
- The identity providers verifies the identity and authorization information associated with those requesting accreditation

# SSAD

How does the SSAD work?

- The Accreditation Authority MUST be audited by an auditor on a regular basis
- Accredited entities MUST be audited for compliance with the accreditation policy and requirements on a regular basis
- The Accreditation Authority MUST establish a timeline and requirements for the renewal of the accreditation.
- The Accreditation Authority MUST send periodic reminders (e.g., yearly) to accredited users to confirm user data

# SSAD

How does the SSAD work?

- The central Gateway receives all requests.
- Standardized submission of requested data elements and supporting documentation
- The request includes request type (priority levels)
- The central gateway manager must confirm that all required information is provided
- If the request is incomplete the central gateway manager must notify the requestor and provide an opportunity for the requestor to complete the request

# SSAD

How does the SSAD work?

- After the confirmation that the request is complete and correct, the central gateway manager must immediately respond with an ack. of receipt and relay the request to the relevant Contracted Party (CP)
- The response also includes the expected timeline in accordance with the SLAs
- The response may include a recommendation to the CP whether to disclose the data or not

# SSAD

How does the SSAD work?

- If the CP does not follow the recommendation of the gateway manager it must inform the gateway manager of the reason so that the gateway manager can learn and improve its future recommendations
- If the CP decides not to disclose it must document the rationale, communicate it to the requestor and to ICANN org if requested
- ICANN org should establish an alert mechanism to enable viewing if discloser or non discloser is a result of systematic abuse by CP

# SSAD

How does the SSAD work?

Priority levels

- Priority 1 - Urgent Requests - The criteria to determine urgent requests is limited to circumstances that pose an imminent threat to life, serious bodily injury, critical infrastructure (online and offline) or child exploitation
- Priority 2 - ICANN Administrative Proceedings
- Priority 3 - All other requests.

# SSAD

## How does the SSAD work?

Request Type	Priority	Proposed SLA <sup>32</sup> (Compliance at 6 months / 12 months / 18 months)
Urgent Requests	1	1 business day, not to exceed 3 calendar days (85% / 90% / 95%)
ICANN Administrative proceedings	2	Max. 2 business days (85% / 90% / 95%)
All other requests*	3	See implementation guidance below.

Phase 1 begins six (6) months following the SSAD Policy Effective Date.

PHASE 1 (only applies to priority 3 requests) During Phase 1, and continuing on thereafter, Contracted Party response targets for SSAD Priority 3 requests will be five (5) business days.



# SSAD

How does the SSAD work?

Automation of requests

- Central Gateway manager MUST automate the receipt, authentication, and transmission of SSAD requests to the relevant Contracted Party (CP)
- Only the following cases can be automated:
  - The investigation of an infringement of the data protection legislation allegedly committed by ICANN/Contracted Parties affecting the registrant;
  - Request for city field only, to evaluate whether to pursue a claim or for statistical purposes;
  - No personal data on registration record that has been previously disclosed by the Contracted Party.
  - Requests from Law Enforcement in local or otherwise applicable jurisdictions with either 1) a confirmed GDPR 6(1)e lawful basis or 2) processing is to be carried out under a GDPR, Article 2 exemption

# SSAD

How does the SSAD work?  
GNSO Standing Committee

# Does the SSAD provide a Workable Access Solution?

- Phase 2 priority one recommendations & Current Phase 2A
  - Legal vs Natural
  - Unique contacts
- Phase 2 Priority one recommendations - SSAD

# Questions?

## Thank You!