

2 September 2019

Mr. Cherine Chalaby, Chair
ICANN Board of Directors

RE: GNSO Council Request – Additional Resource Support for EPDP Phase 2

Dear Cherine,

On behalf of the GNSO Council, I write to request for additional resources for ICANN meeting travel, remote participation services and legal services to support the remaining EPDP Phase 2 work.

The GNSO Council appreciates the Board's continued commitment to provide additional resources in support of the EPDP Phase 2 efforts. The Council also appreciates the Board's timely response to our previous EPDP-related requests. As the Board is aware, the EPDP activities are funded from ICANN's contingency fund, and, accordingly, the GNSO Council and the EPDP's Project Cost Support Team (PCST) are committed to exercising fiscal prudence in how the requested funds are utilized to best support our policy development efforts.

As you will recall, the GNSO Council sent the Board two previous requests for EPDP Phase 2-related resources. The Board approved these requests but noted no further requests would be considered until the EPDP Team fully developed, and the GNSO Council subsequently accepted, a detailed work plan. The GNSO Council is pleased to report that the EPDP Leadership Team delivered its proposed work plan to the GNSO Council in mid-August, and the Council accepted the work plan without objections shortly after its receipt. At a high level, the EPDP Team is targeting December 2019 to publish an Initial Report for public comment and April 2020 to deliver its Final Report. These target dates will be confirmed shortly after the EPDP's second face-to-face meeting in mid-September 2019.

With the GNSO Council's acceptance of the EPDP Team's work plan, the GNSO Council now requests Board consideration of this third request, which is expected to cover the remaining resources required for the EPDP Team to deliver its Final Report in 2020. As a reminder, the Council's first request for resources was based on an anticipated immediate start for the EPDP Team Phase 2, which included costs associated with hosting face-to-face sessions in Marrakech prior to the conclusion of fiscal year 2019. We understand actual expenses from this allocation were less than \$12,000, and the unused funds were returned as a requirement to conclude FY19. Our second request included expenses related to face-to-face meetings and was sent prior to the Council's approval of the work plan due to the 90+ day requirement for in-person meeting event planning. While the EPDP's work plan was only preliminary at that stage, it was agreed, based on the EPDP Team's work in Phase 1, that face-to-face engagements greatly advanced the Team's work, and that September 2019 was the preferred timeframe for a face-to-face meeting. The Board approved a total amount of \$239,000 for two face-to-face engagements, including the requested facilitation services for each. The GNSO Council would like to thank the Board for its approval of these previous requests, and the EPDP Team is moving forward in its work plan, as required.

The GNSO Council now requests the following additional resources for the EPDP Team's work in Phase 2:

- **ICANN Meeting travel** – based on prior experience, the Council has been informed that no more than seven members will request and qualify (only in cases where an alternate is not available) for travel support to an ICANN meeting. The remaining team members receive funding through other means. The EPDP Team's work plan includes face-to-face sessions at ICANN66 in Montreal and ICANN67 in Cancún. While the use of facilitation services at the ICANN meetings is not currently finalized, the Council would like to ensure the option to provide facilitation services remains available.
- **Remote participation services** – the Council previously requested resource support for remote participation within its April request, but that allocation only included FY19. As such, we want to ensure the same support will continue for the remainder of this project for FY20. We are anticipating lower expenses in this category due to the lower cost of Zoom and the EPDP Team's agreement that a requirement for a 24-hour return from transcripts is no longer required.
- **Legal services** – this is perhaps the most important component of this request. The Council recognizes and accepts how advice on certain policy and legal topics will be critical to any conclusions regarding a viable System for Standardized Access and Disclosure (SSAD). The EPDP Legal sub-team has been meeting regularly in an effort to formulate questions for outside counsel. We understand the EPDP Team will send its first set of legal questions to outside counsel shortly, in an effort to receive the requisite legal advice in advance of its face-to-face meeting in mid-September. At this point, it is difficult to quantify the amount of legal advice that may be required for this policy effort. The EPDP leadership anticipates that legal expenses will likely be more than what was allocated to the EPDP Team in Phase 1, but they are also very aware of the necessity to exercise prudence in the allocation of legal fees. The Council fully supports the function of the Legal Committee of the EPDP Team, and, considering the additional PCST oversight, we are confident expenses in this category will be closely scrutinized and used judiciously. We will defer to ICANN org regarding an appropriate amount to meet the EPDP Team's needs.

The Council looks forward to receiving your feedback. If you have any questions or would like to discuss this request further, please let me know.

Sincerely,

Keith Drazek, GNSO Chair

Cc: Mr. Goran Marby, ICANN CEO
Mr. Janis Karklins, EPDP Chair and Rafik Dammak, GNSO Council Liaison to the EPDP