

Response to Documentary Information Disclosure Policy Request

To: Phil Corwin

Date: 28 June 2012

Re: Request No. 20120529-1

Thank you for your Request for Information dated 29 May 2012 (the "Request"), which was submitted through the Internet Corporation for Assigned Names and Numbers' (ICANN) Documentary Information Disclosure Policy (DIDP). Your Request is attached to the email forwarding this Response.

Summary of Request:

The Request seeks information regarding the inclusion of a \$175K budget item in the Draft FY13 budget regarding a summit on the Uniform Rapid Suspension (URS) process. The Request states: "our request is meant in part to fill in those blanks, as well as to provide us with an informed understanding of what the "Summit" process might entail." The Request seeks specific information regarding the planning work towards the summit, including identification of any community group for inclusion.

The Request also seeks an identification of staff involved in this process.

Response:

Much of the information sought within the request is not in existence. As Kurt Pritz, the key staff person responsible, publicly discussed during multiple sessions at the ICANN meeting in Prague (June 2012), the inclusion of a budget item in the FY13 did not arise as a result of extensive scoping or planning work. Rather, the budget item was included in the budget as a placeholder, in recognition that community discussion was needed. The budget was placed first; the planning is yet to come, and the URS session in Prague was one of the first steps. Kurt also described the reasoning behind the budget item in an email to the GNSO Council available at <http://gnso.icann.org/mailing-lists/archives/council/msg13030.html>.

The documentation of provider inability to meet the cost target of US\$300-500 is already publicly available. For example, NAF submitted a public letter in June 2011 regarding the insufficiency of the cost model.

A large part of the Request seeks information (item c) relating to the primacy of the "cost target" for the URS. The documentation regarding the URS program is already publicly available, as it is the leading to the approval of the New gTLD Program, including the recommendations of the IRT, the STI, additional community input, and GAC advice that informed the Board's decision. There have been no decisions made to change from what is set forth in the Applicant Guidebook. A discussion of prioritization of the characteristics of the URS is part of the anticipated community discussion that is imagined through the summit proposal.

Because the Summit planning efforts anticipated within your Request have not taken place, the broad range of documentation you request does not exist within ICANN. We are providing some documentation that may provide you with further information.

Some documentation that may be responsive to your request is not subject to disclosure pursuant to the following Defined Condition of Non-Disclosure set forth in the DIDP:

- Information provided to ICANN by a party that, if disclosed, would or would be likely to materially prejudice the commercial interests, financial interests, and/or competitive position of such party or was provided to ICANN pursuant to a nondisclosure agreement or nondisclosure provision within an agreement.
- Information subject to the attorney– client, attorney work product privilege, or any other applicable privilege, or disclosure of which might prejudice any internal, governmental, or legal investigation.
- Drafts of all correspondence, reports, documents, agreements, contracts, emails, or any other forms of communication.

About DIDP

ICANN’s DIDP is limited to requests for information already in existence within ICANN that is not publicly available. In addition, the DIDP sets forth Defined Conditions of Nondisclosure. To review a copy of the DIDP, which is contained within the ICANN Accountability & Transparency: Framework and Principles please see <http://www.icann.org/transparency/acct-trans-frameworks-principles-10jan08.pdf>. ICANN makes every effort to be as responsive as possible to the entirety of your Request.

We hope this information is helpful. If you have any further inquiries, please forward them to didp@icann.org.