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| **Council Letter to Board 22 Jan 2021** | **ODP Scoping Doc 25 March 2021** |
| Expected costs / resources | 3.5.1 What is the cost estimate to design, build and operate a SSAD, or the estimate to contract for services as related to the SSAD? |
| Expected benefits | ??? |
| Expected time-to-market | 3.1.4.1. What is an estimated timeline to deliver the SSAD… |
| Possible business risks | 3.6.1 Would implementation of the SSAD recommendations create business, legal, reputational, or political risks for ICANN or ICANN org? |
| Possible legal risks | See 3.6.1 |
| Possible reputational risks | See 3.6.1 |
| Implementation considerations (e.g., outsourcing or phased deployment of the solution); | 3.3.1. Who will perform the Central Gateway Manager role?3.5.1. What is the cost estimate to design, build and operate a SSAD, or the estimate to contract for services as related to the SSAD?3.2.2. Should ICANN org conduct a pilot program prior to launching the SSAD system? |
| Opportunity Costs (e.g., what projects, if any, would be put on hold or not move forward to implement the SSAD) | ?? |
| …which further legal guidance it expects to receive, if any, before it feels it is in a position to operationalize SSAD (provided it is adopted by the ICANN Board | 3.1.3. Legal Questions3.1.3.1. Data Protection Impact Assessment3.1.3.2. Data subject rights3.1.3.3. Legal bases for processing3.1.3.4. International data transfers3.1.3.5. Economic and Trade Sanction Matters |
| Recommendation 14 (financial sustainability)  | 3.5.2 How will the fee structure for the SSAD be constructed? |

**Questions from Council and ODP Scope**

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| **Draft Council Letter to the Board** | **ODP Scoping Doc 25 March 2012** |
| What is the expected timeframe and milestones for the ODP?  | 1. The Board requests that the Operational Design Assessment be completed 6 months from the date of the Board’s request, provided that there are no unforeseen legal or other matters that could affect the timeline. |
| Will the ODP include an analysis of the demand for services contemplated by the SSAD recommendations? If so, will the Board use the assessed demand to determine whether it is a fiduciarily responsible decision to implement SSAD? | 3.1.5.2. What is the expected volume the SSAD operational process flow will be able to manage?3.1.5.5. How many potential users may be expected to use the system?3.6.2. Would implementation of the SSAD recommendations create any potential conflicts with the ICANN Bylaws? |
| If the Board decides to adopt the SSAD recommendations, what, if any, impact is this expected to have on the phase 1 implementation which still has not been completed? | 3.6.3 Is there any risk that existing policy or anticipated policy changes, or ICANN contractual requirements or amendments could conflict with implementation of the SSAD recommendations? |
| Would the Board consider a phased approach (as various forms of phased implementation might inform the feasibility analysis) or is that a determination that org/IRT are expected to make? | 3.2.2. Should ICANN org conduct a pilot program prior to launching the SSAD system? |
| In determining whether the policy is in the global public interest, will the Board weigh the fact that nearly half of the policy recommendations did not have consensus within the EPDP team, but were approved by the Council nonetheless because the EPDP team indicated that the SSAD recommendations were intended to be taken together as interdependent? | 3.8.1. What impact, if any, do the EPDP Phase 2 recommendations have on the Global Public Interest as evaluated using the procedural framework that was published in June 2020 and is currently being piloted? |
| Given the proposed Directive on measures for a high common level of cybersecurity across the European Union, repealing Directive (EU) 2016/1148, (“NIS2”), issued by the European Commission, should the Board remand the SSAD recommendations to the EPDP to assess whether any of the SSAD recommendations should be modified in light of this guidance from the European Commission? | 3.1.5.6. Can the SSAD design be flexible enough to incorporate future changes in law(s) or ICANN Policy(ies)?3.7.2. What are the dependencies, if any, on existing law(s) to implementation of the SSAD?3.7.2.1. Specifically, what is the impact of the NIS2, should it be adopted?3.6.4. What is the risk to ICANN and ICANN org if future changes in law(s) impact the implementation of the SSAD? |