SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Tuesday 02 August 2011 at 1300 UTC

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http://audio.icann.org/gnso/gnso-jas-20110802-en.mp3

On page :
http://gnso.icann.org/calendar/#aug
(transcripts and recordings are found on the calendar page)

Participants on the Call:
GNSO
Rafik Dammak - NCSG - Council liaison - WG chair
Avri Doria - NC
Andrew Mack - CBUC
Krista Papac - RrSG
Carlos Aguirre - Nominating Committee Appointee to GNSO Council
Alex Gakuru - NCSG

At-Large:

Carlton Samuels - LACRALO - At Large - WG co-chair
Tijani Ben Jemaa - AFRALO - At Large
Cheryl Langdon-Or - ccNSO Liaison - APRALO
Alan Greenberg - GNSO Liaison - NARALO
Olivier Crépin-Leblond - ALAC chair
Baudoin Schombe - At-Large
Evan Leibovitch - (NARALO) - At Large joined Adobe Connect

Eric Brunner-Williams - Individual
Sébastien Bachollet - ICANN Board

ICANN staff
Kurt Pritz
Karla Valente
Seth Greene
Wendy Profit
Glen de Saint Gery

Apologies:
Dev Anand Teelucksingh - LACRALO
Evan Leibovitch - (NARALO) - At Large
Alain Berranger - Individual
Michele Neylon - RrSG
Tony Harris -ISPCP
John Rahman Kahn - Individual
Cintra Sooknanan - At-Large
Dave Kissoondoyal - At-Large
Elaine Pruis - Minds and Machines

Coordinator: This is the operator. I would like to inform you that this conference is being recorded today. If you have any objections please disconnect at this time. Thank you.

Glen de Saint Géry: Thank you. Shall I do the roll call for you Carlton?

Carlton Samuels: Yes, please, thank you.

Glen de Saint Géry: Good morning, good afternoon, good evening everyone. This is the JAS call on the 2nd of August. And on the call we have Rafik Dammak, Carlton Samuels, Cheryl Langdon-Orr, Tijani Ben Jemaa, Alex Gakuru, Carlos Aguirre, Olivier Crépin-Leblond, Eric Bruner-Williams, Krista Papac, Alan Greenberg and Avri Doria.

And for staff - I'm sorry - John Ramen Kahn we are just trying to connect him at the moment. For staff we have Karla Valente, Wendy Profit, Seth Green and myself, Glen de Saint Géry. Have I left off anyone?

Carlton Samuels: Baudouin Schombe is off at the minute.

Glen de Saint Géry: Pardon?

Carlton Samuels: Baudouin Schombe...

Glen de Saint Géry: Oh Baudouin - Baudouin Schombe is on the - he's on the Adobe
                    Connect.

Carlton Samuels: Yes.

Glen de Saint Géry: And I don't see anybody else on the Adobe Connect that is not on
                    the telephone line. Over to you Carlton and Rafik. Thank you very
                    much.

Carlton Samuels: Thank...

Glen de Saint Géry: I'll note the apologies in the call announcement. They are Alain
                    Beranger, Dev Anand Teelucksingh, Tony Harris and Cintra
                    Sooknanan. Thank you.

Carlton Samuels: As well as Evan Leibovitch has also sent his apologies.

Glen de Saint Géry: Thank you very much, Carlton. Thank you, over to you.

Carlton Samuels: Thank you, Glen. Hello everybody. Welcome to this call. We have
                    some ways to go today. We are still on the quest of getting closure on
                    a few topics. We are still considering issues around funding and we are
                    still considering issues around in kind services.

                    I want to start off by locking the terms into position. You notice we put
                    the terms on the list and we had expected folks would come back and
                    tell us what their preferences for terms. It's very important because as
                    we now begin to put the final report together it's important for us to use

the same terms and make sure that we're all agreed that the terms we're using actually reflect what we're trying to say.

If you would please I - the terms of use we have those on the Adobe Connect room in the notes section. We also have two responses from members on the list. It would be most appreciated if those of you so moved to look at the terms and make your comments on the list it would be very important because at the end of today we are going to make a call and lock in the terms. So I would really like to see you do that.

The second thing I'd like to see is that we have put the schedule for preparing the report on the wiki. Here again it is the proposal that we want to keep. We're going to start looking at the final candidate draft and we are trying to narrow down the differences so that we get the report finalized.

If you have any disagreement, if you have any substantive comment it would be important for you to make the comments on the wiki and we will take it from there. So those are two small housekeeping matters. They're very important to process. And I think it is important for you to respond.

In the last week we've had some commentary in the area of funding models and funds and process aspects. Avri as you know is our lead in that. I'm going to ask Avri to come on here and see if she can make sense of what the discussion has been about and where she thinks we need to go. Avri, over to you.

Avri Doria: Hello. I'm not sure what I'm making sense of to tell you the truth. Are you talking about the discussions on the list or...

Carlton Samuels: Discussion on the list.

Avri Doria: Okay the discussions on the list as far as I understand there's - I guess there's a discontinuity between talking about funds and foundations that collect funds and several different proposals that are out for funds.

Now the way I am understanding it - and I don't know if this is correct and if this has general agreement though I know it has some is that first of all there's a wall between fund foundations and fee reduction. A fee reduction is a subject in itself and that we are proposing that fee reductions not be funded by funds and foundations.

But I'm not absolutely positive that that bright line exists between those two though I think it does but that's, you know, the chair and everyone else to determine of that one.

Assuming that's the case then there's - there is, A, the need for more funds to be collected and that has to be organized. And there's a proposal in there for asking the group to set up a group that both, you know, sets up the foundation and comes up with the mechanisms for collecting and processing.

Then there's various proposals; there's the proposal that Eric has laid out argument for and explanation of on the establishment of the routing service provider platform that - and I'm sure he'll correct me if I'm wrong - that both can be established physically in regions that do not currently have them and also is a software package or is - no is more -

more than a software package it's something that's actually been instantiated shown to work and can be applied by other people.

But I'm not sure I fully understand. And I totally apologize for my ability to read clearly and understand what's written.

Carlton Samuels: I would think that is a part of what we are now terming the in kind services...

Avri Doria: That's in kind but that has an element that would require funding. In other words the software and such of such a thing whether we're using in kind - and I by the way don't know - I can't find the list of terms that we're agreeing are the words we use so whether it's in kind or some other term. The...

Carlton Samuels: Well Eric is quick on the draw to say he disagrees; it's fund.

Avri Doria: Okay great. I thought it was funded. I thought that perhaps the donation of any software that goes into that may be considered in kind-ish but by and large I thought that money needed to be expended to make this thing happen. As I say I don't know if that's what Eric was thinking.

And so there's that one. There's the one that - the one that I put in a note on this week - as I said I had been talking while I was in (Moissan) to some people from the Registry Stakeholder Group who had, you know, explained to me that with every commentary on the guidebook they had put in a proposal about the COI, the continuation instrument...

Carlton Samuels: Yes.

Avri Doria: ...and had recommended various possible insurance mechanisms. Now it looks like, you know, staff is not going for those in the guidebook. But in these conversations it really struck me that we certainly could advocate and recommend - and this seems in fitting with things that various people have said at various times in this group about ways to work around an impossible COI, you know, for the - for the JAS qualified applicants if that's the correct term.

So basically one thing that could come out of that fund is also the providing of such an insurance mechanism and the subsidy of such an insurance mechanism.

Again though it's not a complete proposal; no idea what it costs. I'm not sure that it's for us to necessarily make the concrete full fledged proposal on these things or certainly for us to recommend that the money that we don't now have and don't know how much it is.

So it - but there's a continuity there between us recommending concrete things and having concrete proposals going against a known pile of money and making the decisions on which things are properly scoped out, are proper usages of the money and giving a go-ahead on actual plans.

So - and that this continuity is something I still think we have to close in the final report. In my view in the final report we have the mechanisms and funds and foundations with the recommendation to the board that they don't wait another second and they get together a group that figures out both how to raise more, how to structure the organization and how to decide on how money is distributed.

And, B, that we put several recommendations like the RFP, like the COI, in general form as these are items that we think need to be considered for funding and specific work needs to be done to scope them out in terms of price and manner of doing it or something like that.

But that discontinuity hasn't been fixed yet and I'm not quite sure where we are on deciding about all of that. Thanks.

Carlton Samuels: Okay no I would say those are (project) aspects and they're well within the remit. Everyone you've heard Avri's recommendations. I would ask that you try to address them here because we need to tag now.

Alan, you have your hand up, sir, you're on the board; you have the floor.

Alan Greenberg: Thank you very much. Yeah, the summary from Avri I think is good. Now our challenge is to actually address all of those things which she identified that we have to firm up in the final report.

I want to comment on something she said very early and I think Cheryl put a thumbs up on it that the $2 million allocation plus whatever matching funds should be - is separate from...

Carlton Samuels: Separate.

Alan Greenberg: ...the price production.

Carlton Samuels: Yes.

Avri Doria: Yeah.

Alan Greenberg: My understanding of what the board said is that is not the case. I think - I thought I asked for it last time but if not maybe we need to make it crystal clear. We need clarification from staff is that the board's understanding or is that not the board's understanding?

If it is, fine, then everything's settled; we don't need to discuss it anymore. If my reading is correct then that translates to us needing to make a very strong statement...

Carlton Samuels: To make it separate.

Alan Greenberg: ...that changes what the board said they're going to do. So we need some clarity on this and we need it really, really quickly. Thank you.

Carlton Samuels: Thank you, Alan. Just for record and in the (grist mill) here this was raised several times before. And we need to - if you would I'd ask staff to make that point and probably we can go ask Kurt to make the request for us.

Andrew is making a point that he agrees with Alan on that. Avri, you are next and then Tijani.

Avri Doria: Thanks. I wanted to make a specific point on that. I think that it was left ambiguous by the board.

Cheryl Langdon-Orr: Yeah.

Avri Doria: I think we should take that ambiguity and run away with it. I think we should make the recommendation that it is not. I don't think we should push on is it or isn't it. I think we should make the argument for why it isn't. We should make the argument for why it doesn't need to be which I think I've included at least some possible text on on how the - the price reduction issue can be met without resorting to this fund.

And, you know, I think that sure asking them is fine but I believe that, you know, it was an essentially political move that they left it ambiguous and we should run with that. Thanks.

Carlton Samuels: Thank you, Avri. Tijani, you are on the board; you have the floor, sir.

Tijani Ben Jemaa: Hey, thank you Carlton. I think I can't read the mind of the board but I can say that what we need to do is to make very strong recommendations about this issue. The cost reduction is the main way to help the needy applicants. And we have to make it very clear and we have to insist on it.

I see a positive attitude from the board when they mentioned in their last recommendation in Singapore the proposal of the GAC of the reduction of 76% of the fees. So we have what we can do and what we have to do is to make very clear and very strong recommendation about it. Thank you.

Carlton Samuels: Thank you, Tijani. Alan, you're up next sir; you have the floor.

Alan Greenberg: Yeah, thank you. Two very brief comments. On Avri's rationale for how a fee reduction can be affected without using those funds I see a fee reduction but I don't see one of 75%-76% coming out of that logic so that's Point Number 1.

Point Number 2 is if indeed our readings of what the board said is correct and it has been agreed to, which I suspect is not the case but nevertheless, then we don't need to waste timing making a very strong argument for it. We have enough other things on our plate so that's why I suggested that some clarity would be useful. But it's the call of the group. Thank you.

Carlton Samuels: Yes. Cheryl has graciously put that part of the exact wording from the board - the board resolution in the chat window. And she's up on the board. Cheryl, you have the floor.

Cheryl Langdon-Orr: Thank you Carlton. Cheryl Langdon-Orr for the transcript record. The closest I can manage to get to divining what at least some of the board if not those people who should have been speaking on behalf of the board at the time may have thought and were willing to put in the public record they meant by all of this because I think it's very carefully written as ambiguous is from the press video that was on the Website for some time and is not doubt still there.

And any time any of the journalists asked what does it mean about the GAC's recommendation and request for a 70 plus - 76% reduction of the fee and what does it mean that the $2 million with or without matching funding from anyone else may or may not be used for it - all I heard was we're going to see what the community and the JAS report says. Just wanted to remind you all of that.

Carlton Samuels: Thank you, Cheryl. Well based on what Cheryl is saying maybe then Avri's approach is probably - would be useful. That is to say we say clearly what we think it ought to be used for and make the recommendation in the report. Am I hearing this as part of it?

I also would like to ask for the - for us to settle and if you believe Avri's plan which is on the wiki does not achieve that 75% reduction; it's very important that you show here the gaps are because we need to tie this down and move ahead.

That said, Andrew, you're on the board, sir, you have the floor.

Andrew Mack: Thanks. Andrew Mack for the transcript. I'm listening to both sides of the argument. I think that the ambiguity actually is - may not be in our favor. It presents us with an opening but I think if we don't put a door stopper in we're going to miss out.

My gut tells me that it makes sense for us to be fairly strong in saying we believe that this - that these funds are not - are not for the purpose of - the $2 million is for other things effectively and that the price and cost issues should be separate.

And I think that that'll strengthen the focus on the price and cost issues and avoid any ambiguity in the future. And I don't know whether that's helpful but I - that's just my sense of the way that it is probably and best likely to go.

Carlton Samuels: Thank you Andrew. I see that Cheryl is agreeing with you there. Are there any other comments on that?

Kurt Pritz: Excuse me, everybody, but this is Kurt. I'm on the call. I'm in a car and I've had really bad reception so I've been on and off.

Carlton Samuels: Okay hi, Kurt, welcome. You have something you want to contribute, sir? Go ahead.

Kurt Pritz: Well I think so but like I said I've been on and off so I've missed a lot of it but the question I heard at the end was how did the board intend for the $2 million to be targeted.

Carlton Samuels: Yes, that's the major question here for the minute.

Kurt Pritz: So I think the board intended that the - so I don't know if this is the answer because I haven't heard the whole dialogue. But the board intended that the $2 million and the matching funds to be targeted for the - for distribution to needy applicants, you know, as defined by the criteria created by this group. Is that an answer to the question?

Carlton Samuels: Well it - we need it more targeted. The concern was what exactly would it be for? Would it be - could these monies be targeted to? What exactly we wanted...

Alan Greenberg: The question I thought is whether that is the same as the GAC's request for a 76% discount?

Carlton Samuels: Yeah.

Kurt Pritz: So I think it's different. I think that the board clearly committed to, you know, creating this fund and soliciting matching funds. And then - then

that would be, you know, determined by whatever committee your panel to be allocated to applicants that are requesting financial aid.

So, you know, I guess the answer to the second part is I don't know whether that's the same thing as a price reduction or not. I think the, you know, the ability to reduce a price absent some funding other than the - this (unintelligible) matching funds is probably difficult so there's other fee reductions that take place or other funding to get - whoops - to give to needy applicants. You know, sources of those funds would probably need to be identified.

Carlton Samuels: So, Kurt, then just let me ask to your mind any fee reduction is a separate part from these funds?

Kurt Pritz: Oh it could be - well, no, well the funds essentially offset the fee so that's not different. I think the question is whether the GAC, you know, the board said can, you know, to explore whether the GAC request for a fee reduction up to 76% can be accommodated.

Carlton Samuels: All right. There are three persons on the board; Cheryl then Avri then Tijani. Cheryl, you have the floor.

Cheryl Langdon-Orr: Thank you, Carlton. Cheryl Langdon-Orr for the transcript record. Kurt, this is something that if not now in the not too distant future, as Alan earlier indicated, we have for and we really do need clarifying. Not just for our own work of the JAS work group and the report pending.

But most importantly I would have thought from ICANN's point of view, from needy applicant point of view and for the future of developing

economies and needy applicants being involved in the first round of
new gTLD's point of view if there is going to be matching funds
attracted that's a pretty basic question.

If I was wearing the hat that was looking at tossing money in one of the
first questions I'd want to be asking is exactly what is this money I'm
throwing in paying for. And if it's for ICANN to pay itself I'm going to
have a different view too if it's directly attributable to increasing the
sustainability, viability and applicability of a developing economy or
needy applicant being successful in its - in its review process or being
able to get into a review process.

So, you know, that's a without prejudice comment but I do think we
need regardless of what the outcome is for someone to step up to the
line and give a clear and very definitive concept of what's the board
intention on it.

Kurt Pritz: Okay so let - so I just - I don't fully understand - oh I'm sorry.

Carlton Samuels: Go ahead, Kurt, go ahead please.

Kurt Pritz: Yeah, so I don't fully understand the distinction you're making. Are you
                 making a distinction between reducing the - using the funds to reduce
                 the fee or use the funds to give to the applicant for other purposes
                 such as developing infrastructure?

Cheryl Langdon-Orr: If it's other purposes then matching funds come from a
                 different mindset and motivation than from a reduction of ICANN
                 working a cost recovery model absolutely.

((Crosstalk))

Cheryl Langdon-Orr: That was Cheryl Langdon-Orr.

Kurt Pritz: Yeah, yeah. Isn't it all money to the applicant? I still don't - so the applicant...

Cheryl Langdon-Orr: Well no...

Alan Greenberg: Yes but not to the donor.

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: The donor has a very different view.

Carlton Samuels: Yeah.

Kurt Pritz: Well the donor - is it all right if we just sort of have a conversation like this? I know it's not probably the right meeting protocol...

((Crosstalk))

Cheryl Langdon-Orr: Yeah, which is why I'm saying it's a without prejudice question, Kurt, because, you know, how donor response to it just depends on what the definition the ICANN board comes up with.

Kurt Pritz: A donor could give money directly to the applicant, right?

Alan Greenberg: It could.

Cheryl Langdon-Orr: No the board calls...

((Crosstalk))

Andrew Mack: They could but they don't necessarily have to.

Cheryl Langdon-Orr: Yeah.

Kurt Pritz: Right, it doesn't necessarily have to.

Cheryl Langdon-Orr: The resolution - the resolution...

((Crosstalk))

Carlton Samuels: Yes, let's go back to the resolution. Thank you, Cheryl. Go back
                there please.

Cheryl Langdon-Orr: ...is talking about attracting matching funds. Otherwise we
                have a closed off (sinking) fund of $2 million for the first round so we
                could divide that by N and say that is how many needy applicants...

Carlton Samuels: It's an offset.

Cheryl Langdon-Orr: Yeah and that's it, it's an offset and it's dead in the water and
                there you go. Or it could be something very different. Don't know.

Carlton Samuels: We don't know and that's the issue. What is coming out of this
                conversation here between Cheryl and Kurt? Is - oh here it is and
                probably why we need to have some definition, some clarity on it
                because, you know, if you look at the resolution and you think that $2

million is offset and you use that as the floor then what you're actually saying is that if you're offsetting fees in this and we are only assuming that this is the biggest one then you only have, as Alex pointed out on the chat, (unintelligible) applicants that could be supported that way.

So I would say that we need some clarity. I am not convinced that may be important to do that. We have three on the board; Avri, Tijani, Andrew. Avri, you have the floor.

Avri Doria: Okay, yeah, yeah. I just want to add to this discussion that I have no doubt anecdotally Bruce came up to me afterwards and said hey isn't it cool about that $2 million? Obviously Bruce speaks better than I do. Isn't it cool about that $2 million? You know, what I was thinking one of the things you could use that for is, as Eric mentioned, you know, establishing registry service providers.

Cheryl Langdon-Orr: Yeah.

Avri Doria: So that was point blank said to me. Granted it's only third-party evidence; it's anecdotal to you all. But I am absolutely sure that the board was not saying that this $2 million - that this fund seeded by $2 million donations from the ICANN board was meant as an offset for fees.

We keep bringing it up; we keep having doubt. I agree that the wording of the text may be interpreted any other way but from my personally speaking to Bruce - and I guess Eric must have spoke to him also to be quoting him - I have no doubt that the fund was not intended for that purpose of offsetting fees. Thank you.

Oh one more thing as this was still my thing. While we were all talking I added placeholders in the candidate text area under funds and foundations going fund proposal, COI, fund proposal, RSP platform. In the one that says fund proposal RSP platform all I did was point to Eric's text. It still has to be turned into something that resembles a proposal but I wanted to make sure that the placeholder was there. Sorry for the extra bit. Thanks.

Carlton Samuels: Thank you, Avri. It's very important to point that out because again I'm going to ask you to look in the notes section you see the schedule that we are proposing for finalizing the report. It's important that you understand what it means and act accordingly.

Tijani you are on the board, sir, you have the floor.

Tijani Ben Jemaa: Okay thank you. What is the interest of knowing what the board is meaning? If the board means that the cost reduction is included in the $2 million fund shall we stop advocating for the separation? Shall we accept that the cost reduction will be part of the $2 million fund? No, absolutely no.

I want to remind you that in our first milestone report we explained very well and very clearly that the cost reduction we are advocating for is not affecting the cost recovery principal. So there is no need to fund it; there is no need to repay it.

So I think that we have to put in our final report what we want to put; what we believe in; if the board will accept it or not is not our problem. We cannot force the board to accept what we want. But we have to

express what we believe very strongly because it's our duty; it's our mission. Thank you.

Carlton Samuels: Thank you Tijani. Andrew, you're on the board, sir, you have the floor.

Andrew Mack: Thank you, Carlton. I just wanted to pick up on one of the points that people were making earlier about our relationship with potential co-financiers. I think having had the chance to speak with the World Bank and others if we go forward to someone and say we need some, you know, we need your help to support specific pieces of work whether they be consulting or other capacity building kinds of things.

I think that there's some possibility that we can do that. I think it is much difficult for us if we try to go - if we have any hope of going forward to say we need this to cut the costs that ICANN has - that the (fund) that ICANN has set up I think that that's much, much more difficult. And so I think that these are very separate issues and we should really be as strong as we possibly can in establishing the separateness of them.

Cheryl Langdon-Orr: Yeah.

Andrew Mack: I also think that we're asking this $2 million if it's - if Avri's reading is incorrect and if the board really wanted those $2 million to go into the cost - the lowered cost of applications we're asking an awful lot of that $2 million; I don't think we're going to reach very many people.

And my concern is is that it may end up reaching so few people as a result - we subdivide it so - into such small pieces that in the end the program won't be successful. Thanks.

Carlton Samuels: Thank you, Andrew. Are there any other comments? I'd like to close out this section. Okay can I close out the section by saying that yes it might be useful for us to have some clarification. Kurt as the head of policy certainly has a different view from significant numbers of us on this call about the intention of the board with respect to that $2 million fund. Maybe it would be important to get some clarity along the way here.

On the other hand, you know, the - regardless of the clarity of it I think we should (unintelligible) how this fund should be used. We should (unintelligible) our position and we should make it known in the final report. That to me is going to be required even if we have clarity; it's important.

I am going to ask you again to look at the notes table and it's reproduced here in the notes section of the Adobe room but it's also on the wiki the schedule we have put together for the final report. If you notice today is the day for us to agree in the terminology we're going to use in the report so we need to have that locked.

We are to agree on the final report structure. You have the final report structure up on the wiki. And we are going to have a look at that. And once we are - we are finished with that then we lock that down. And next week on the 5th we are going to look closely at the eligibility requirements, application financial need and eligibility criteria again to make sure that this is okay.

That said can we move down to the second topic which is the - what we are still calling in kind services for lack of consensus on the wording here. Elaine is supposed to lead here. I didn't see her on the board. Is Elaine on?

Cheryl Langdon-Orr: I don't believe so, Carlton.

Carlton Samuels: Okay.

Glen de Saint Géry: No she's not on, Carlton. It's Glen.

Carlton Samuels: Thank you, Glen. I had brought up earlier a question of RSP services. And when I read Eric's statement - Eric has a proposal and I hope you've all read the proposal. And when I read the proposal I thought it was - it was actually a part of what we term in kind services. Eric disagrees and maybe if Eric is online maybe he can disabuse me of my understanding. And Avri also said that she thought part of it was related to funding and presumably the other parts were in kind services. So that is to the (staff) connections.

Eric, are you on voice? You can probably say something about your proposal on RSP services?

Avri Doria: He says he can't unmute.

Carlton Samuels: Can we ask the operator to unmute him? Eric, you're on now?

Eric Bruner-Williams: Testing.

Carlton Samuels: Yes, Eric, I can hear you faintly.

Eric Bruner-Williams: Oh good.

Glen de Saint Géry: Yes, Eric's on.

Eric Bruner-Williams: Thank you very much, Glen.

((Crosstalk))

Carlton Samuels: Eric, you have the floor, sir.

Eric Bruner-Williams: ...if it was donated by a vendor or some other contracted
                party. It would not be in kind if it originated from the fund or from some
                other resource that wasn't directly arising from a contracted party or
                from a gTLD consultant or some other form of assistance that is
                replicating a function of an existing member of the community whether
                it's an IP service that's offered in kind or a registry tenancy that is
                offered at some price reduction by VeriSign as the in kind.

                So it would be in kind if it arose from some grant or some gift by a
                existing contracted party or a non contracted party which was giving
                their particular relevant expertise. But as this is a consequence of the
                board's decision to allocate monies to be used for some purpose then
                it is a funded rather than a in kind kind of proposal. So thank you for
                asking.

Carlton Samuels: Oh thank you, Eric, now I understand. And so we are saying that it's
                depending the source how we classify it. That's good; maybe if we put

that - that's important to my understanding of it. It's about the source that makes it - whether it's in kind or not. Thank you very much.

Eric Bruner-Williams: Well not entirely. If it's from a source to a destination - that is if it's from a specific donor to a specific recipient then it is a un-fungible transfer of a resource. Here in the proposal it's not restricted to a specific recipient so it is a fungible resource; the proposal is that the resource be made available to all qualified applicants. So it's categorically different from in kind as has been proposed previously.

I don't think anyone has proposed that VeriSign host all of the qualified applicants or that some other resource be made unconditionally to all qualified applicants arising from a resource originating from some existing contracted party or community member. But thank you for asking.

Carlton Samuels: All right, thank you. So there is the question of one to one or one to many and therefore the qualifications would apply if it's either one to one or one to many.

Cheryl has put up a note in the chat remarking on the distinction that Eric has just made. And linking it to the question about source recipient and to make that clear that if it's a one to one or one to many relationship in terms of the source to recipient it needs to be clarified. I agree that would be important so we don't have the kind of problems we have in figuring out what it is.

Are there any questions - there was...

Avri Doria: I have a comment.

Carlton Samuels: Yes, Avri, go ahead.

Avri Doria: Okay, yeah, I guess there is the issue of fungibility and price definitions of in kind. The reason I was seeing it as a hybrid thing first of all if we're building these RSP platforms somewhere there will be - unless it's some existing set of people sort of doing a - setting up something in another region I have been assuming - and this is of course my reading - and the fact that I was thinking about this proposal also - is that there would be some sort of entity, nonprofit, however it would be defined, entity that would be establishing it.

I tended to see it as a hybrid because it was that entity which had an obligation to serve all of the JAS qualified applicants in its area but it would receive financial funding from the yet to be established funds seeded by the board and it could receive in kind services or in kind donations of both equipment and software and perhaps expertise.

So that's why I tended to see it as a hybrid sort of thing. And perhaps we're getting a little bit too deeply into semantics and what we're talking about is in one place where we're talking about the foundation and the fund we're talking about an application to set up these entities and the recommendation on how these entities would be established, how much money they would get, etcetera.

In another place we might be talking about the fact that there are various donations or possible donations of equipment, software and expertise that would - going into creating these entities and so therefore you've got a hybrid situation. And that's the point that I was trying to make. Thanks.

Carlton Samuels: Thank you, Avri. Rafik, you have your hand up, sir; you have the board. Rafik.

Rafik Dammak: Yeah, thanks Carlton. Yes I read the proposal of Eric. I just have really small question because at the end in the recommendation I see that in Point 2 that the program establish a pilot project to demonstrate the technical feasibility at the Dakar ICANN meeting.

I'm just wondering if it's really possible in so short time just to - working to recommend that. And so I'm just really - it's not just about the pilot project but about the whole schedule if it's really feasible in time. Maybe Eric can clarify that and explain how it's possible.

Carlton Samuels: Thank you, Rafik. Eric, do you want to have a quick response to Rafik or should I go onto Andrew; his hand is up.

Eric Bruner-Williams: Continue.

Carlton Samuels: Thank you. Andrew, your hand is up, sir, you have the floor.

Andrew Mack: Thanks Carlton. Sorry I was on mute. I guess I'm - I just would like to understand this a tiny bit better. When Avri is talking about a hybrid organization are we - I think I understand what the goals are; I agree with Rafik that we may or may not have enough time to get them done by Dakar but I think I understand what the goals are in terms of the pilot project.

Did I understand correctly that we're thinking of having a sub-organization that would receive the funds or that would receive the -

that would receive the services? I'm a little confused by that. I'm sorry. Could someone help me understand that better?

Carlton Samuels: Andrew has - Avri, would you...

Avri Doria: I can say what I'm thinking of and I'm never...

Carlton Samuels: Yes.

Avri Doria: ...quite sure of how it dovetails with what Eric is thinking of. But what I had understood when talking to Bruce and where I thought about it since then though I haven't written it down is that after we've shown that we can do this that basically in each of the regions that does not currently have a registry service provider that a registry service provider entity would be created to provide registry services - backend registry services to JAS qualified applicants from that region. And...

Andrew Mack: Okay.

Avri Doria: ...therefore there is a real entity that would need to get money. But the identification of that thing, it's nonprofit nature, how it's organized and all of that is still very hand-wavy and therefore it would need a deeper proposal for that. But that's basically what I've been thinking of.

                 And when I asked Eric whether this was or wasn't included his answer to me indicated, I think, that yes it was included in some language and I think he said Part 3, I don't have the mail in front of me, that basically made me think that his proposal and what I've been thinking of sort of end up in the same place in the end.

And the one other piece of it that we'd need to instantiate - you're right it takes time to do it. We've got at least a year for somebody to actually do this, a year and a half. But what would need to be understood up front is, A, that this was going to happen and, B, that relying on this was something that would be acceptable in an application.

So, you know, there's some pre-work to be done and perhaps some showing in Dakar that this is a real possibility. But then there also needs to be something written in a proposal that says and if you say as a JAS qualified applicant I am going to use that, you know, and yes I understand this, I understand that, I understand the other and I am going to use this mechanism that that would be a valid end. Thanks.

Carlton Samuels: Thank you, Avri. Andrew, your hand is up again. You have the floor.

Andrew Mack: Yeah, I just wanted to real quickly comment. Two things give me a little bit of pause, Avri, although I understand the validity and accept the validity of the end destination, you know, of getting the service providers out and into these regions.

One is I think that the actual final form of this whether this is a for profit, a nonprofit, a public, private or whatever should really be dictated by the needs on the ground. I think presupposing that doesn't - I just don't think it's necessary and I'm not sure we're well placed to make that call at this stage.

The second thing is is that I'm always a little bit afraid of the passive voice in the sense that who's going to do this and who's going to be the driver on this is a big issue. I remember when I worked at the World

Bank and we always used to hear, you know, a decision was taken and it's always by whom and, you know, what the drivers were.

So I guess that's the big question that I have. It's a great destination but who's going to actually take the lead on it and who's going to be a push is the question I have.

Carlton Samuels: Thank you, Andrew. Anybody care to answer that question? That's a process question.

Avri Doria: Avri. Just a quick answer. I think yes, the nonprofit versus for profit, as I wrote in my note, has always been one of the essential intentions in this group and is pretty much always an essential difference in the viewpoint of Andrew and I. And I think it really in the end doesn't really matter.

I think the driver is one of the things that needs to be filled in in terms of any proposal made to the actual fund granting organization once that's established that they can look at it and say, yeah, yeah, they see it.

You know, I think just like we had RIRs on the addressing side established by self selected groups of technically competent volunteers who came together, put together a proposal and said yep, you know, we could do it and showed that I think it would be a similar sort of mechanism of self selected knowledgeable people from the region sort of saying great idea; we're putting together a quick coalition of doing it.

Here's how we can do it. Here's our quality. Here's our proof of being substantial people that can take such money and can actually build

something. And then of course you've got a foundation and a fund yet to be established based upon the board's seeded money and yet to have a name that would look at this proposal and say yes this is the proposal we believe we can do it; we will fund it.

No, this is a fly by night bunch of idiots that couldn't tie their own shoe laces; no we won't fund, etcetera. Thanks.

Carlton Samuels: Thank you, Avri.

Andrew Mack: Just for the record, Avri, I'm largely agnostic as to the form that it takes. I'm not nearly as doctrinaire as perhaps...

Avri Doria: Right.

Andrew Mack: ...made sense. I just didn't want to prescribe in advance...

Avri Doria: I understand.

Andrew Mack: ...what form it should take that's all.

Avri Doria: I understand.

Carlton Samuels: Thank you, Andrew. Any other comments? None in this area. Karla, you have your hand up; you have the floor.

Karla Valente: Hi, I do. We received an email from Kurt. Kurt was on his way to the airport and he dropped off. And so he apologizes for wasting your time and he says can you select someone to point me to the email that has

the specific questions you have or alternatively I will attempt to provide
clarification based on my current understanding. That's it. Thank you.

Carlton Samuels: Okay thank you, Karla. Does anyone want to volunteer to provide
Kurt with some background? No? Do you have something else to say -
Krista, you have your hand up; you have the floor. Krista. Maybe she's
muted.

Glen de Saint Géry: Krista is on mute.

Carlton Samuels: Could you unmute Krista please, Operator? Krista? (Unintelligible).
Krista, it's a star - what is it star 6? Okay she said she's volunteering to
communicate to Kurt what the question was. Thank you - thank you,
Krista. Thanks for that.

No, Alex, I see it, yes but I have a certain view and I would wish to...

Krista Papac: It's so weird to not have a voice.

Cheryl Langdon-Orr: Oh you've got one now.

Carlton Samuels: You've got one now.

Krista Papac: Hi. Anyway you got my point so I'll (unintelligible) mute again now.
Thank you.

Carlton Samuels: Yes, thank you, Krista, appreciate it. It's almost the top of the hour.
Can I just ask one question? There is a - my friend Tijani is very
passionate about the question of objective criteria and subjective

criteria and the way we proffer them in evaluation; which comes first and which have rights of precedence.

And this is the way I'm following the conversation in the evaluation. Could - we are trying to tamp this down and ensure that one of our members have comfort in what we finally put in the report.

If anyone else has any idea about how we balance - and I think that's what he's searching for - it would be very important that you probably make a submission on the list that answers the kind of questions that Tijani is very passionate about. And maybe we can see where we can bridge the gap there.

It's important because if you look at the schedule that we are proposing the next call we want to tie down the applicant eligibility requirements and financial need and ineligibility criteria. And I would hope that we could make this flow smoothly.

We only have a couple more calls to get this thing done and then we have to give up and move on. So I implore you if you have anything to add in this area please communicate it to the list so we can get some closure on this argument.

It's now top of the hour and a minute past the hour. I don't see any hands up on the board. I see no active requests for intervention. And that being the case I'm going to call - make this call ended. Thank you one and all for participating. And we'll see you on Friday. Take care.

((Crosstalk))

Rafik Dammak: Bye-bye.

Glen de Saint Géry: Thank you, Carlton. Bye-bye.

END