SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPTION
Friday 15 October 2010 at 1400 UTC

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http://audio.icann.org/gnso/gnso-jas-20101015-en.mp3

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

Participants on the Call:
ALAC
Tijani Ben Jemaa - AFRALO - At large
Alan Greenberg – ALAC

GNSO
Rafik Dammak - NCSG - Council liaison
Avri Doria – NCSG – Co-Chair

Elaine Pruis - Mindsandmachine
Eric Brunner-Williams - Individual
Fabien Betremieux - Individual

ICANN staff
Gisella Gruber-White
Karla Valente
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Apologies:
Baudoin Schombe – At Large
Alex Gakuru – NCSG
Carlos Aguirre - At Large
Evan Leibovitch – Co-Chair
Sébastien Bachollet - ALAC
Cheryl Langdon-Or - ALAC chair

Avri Doria: Gisella, can you go through the roll such as it is.

Gisella Gruber-White: With pleasure. Good morning, good afternoon, good evening to everyone

on today's JAS call on Friday the 15 of October.

We have Avri Doria, Tinjani Ben Jemaa, Elaine Pruis, Rafik Dammak. From staff we have Karla Valente, Glen de Saint Gery and myself, Gisella Gruber-White.

We have apologies from Carlos Aguirre, Sebastian Bachollet, Alex Gakuru, Cheryl Langdon-Orr, Baudouin Schombe. And Evan Leibovitch will more than likely only be joining us on the Adobe Connect.

Thank you very much. If I can please remind everyone to state their names when speaking for transcript purposes. Over to you, Avri.

Avri Doria: Okay. Hi. This is Avri and for transcription purposes I'll be speaking a lot.

The first thing I wanted to ask is to go through the SOI, DOI. On the SOI, Statement of Interest, it basically relates to your employment or other circumstances that may affect your participation in ICANN and in this group. Does anybody have any additions or changes to make to their SOI at this time?

No? Okay. Thank you.

On the DOI, this is a Declaration of Interest that relates specifically to the topics under discussion at this meeting so in general the topic has to do with aid to applicants for the new gTLD. So if anyone has any intention of, for example, applying for that aid and has never made a declaration of that before please, you know, update your DOI at this point.

Any updates? Okay. Hearing none I'll assume there are none.

I'd like to mention though on the DOI we've been having discussions about this and the policy (unintelligible) groups. And basically one thing to be remembered is that if all of a sudden we do hit a topic that is something that

touches on a particular interest of yours even during a meeting please feel free to, you know, basically say so at that time.

That being the case on the agenda I've put a couple things. I've put a discussion of Cartagena -- Karla has basically a question for the group in terms of what would we like to do -- a quick update on the poll and how - we can talk about how we use that.

Then going through the final draft again I've changed a fair amount of language since the first time we did a walk-through. So I want to make sure that that language is acceptable to people. Depending upon what we decide to do when we talk about the update on the poll we can look at some of the language that is being polled upon and see if there's any small changes or whatever we would make to that language that would make it more acceptable to one side or the other without losing people on one side or the other.

But I don't think that we're - we haven't closed the poll yet because only about 2/3 of the members of the group have answered. So we're certainly not going to be pinning the consensus-level determinations yet.

And then if we get there, start talking about the agenda, I'd like to at least get to enough so that we talk about the approach we're going to be taking on the agenda. Any comments or changes on that agenda?

No? In which case -- other than the fact that I spelled discussion wrong -- in which case, Karla, would you sort of re-discuss what you were talking about, about the options for this group in the Cartagena meeting so that we can get a little discussion going on it?

And by the way since Evan isn't here I will be both, you know, when we get to the document thing, the editing thing and looking at hands so please be patient with me if I miss something.

Okay. Karla?

Karla Valente: Okay. Thank you. Basically we have two options that I proposed. One is I proposed to the - internally to staff to have one (unintelligible) session that is like an update session on all of the various issues and working groups.

In this scenario we would have a representative from each working group that would, for about 10, 15 minutes, give an update on, you know, this is what this group is about, this is what we have done and this is what's next so people have like a global view of everything that is, you know, going on related to new gTLDs. So that's one option.

The second one is to have standalone session about applicant support that would basically showcase the final report. This is something similar to what we had in Brussels.

Now one thing doesn't exclude the other. We could probably have two sessions as well.

It would be nice to have a decision soon because next week the meetings team is trying to close the slots of the sessions which means booking the rooms and making sure that the calendar, you know, the agenda starts working out.

Avri Doria: Okay? Thank you. One other thing I'd like to add to this discussion, in addition to determining those two I would also like to recommend that this group or at least some members of this group request time on the GNSO's schedule on the weekend and on the ALAC and GAC schedules whenever it works for ALAC and GAC. And so I'd like to get - and that would involve certainly at least Evan and I to some extent and as many of the rest of you as would be able to be there either remotely or in person.

So we're talking about five possible meeting slots for this group. And I see Rafik has his hand up. Rafik? Yes.

Rafik Dammak: So if I understand correctly, do you want -- how to say -- to make a working group update on the weekend for GNSO?

Avri Doria: I think not only a working group update but I think it might be good to also just have a chance for some question and answer if that fits into the GNSO schedule.

Rafik Dammak: So maybe - and for that I need to ask (Chuck) and (Stefan) and - to see because I know that (Stefan) and -- how to say -- and they are working in preparing this (unintelligible) so they - I think we should contact them as soon as possible.

Avri Doria: Okay. Well and that's one of the reasons why I'm asking this group if they think it's reasonable. Certainly the GNSO has not come to us saying hey we would like a report from you.

By the way, you don't need to - whoever did accept, Rafik, don't need to actually accept this request to speak because that turns it into a microphone and it makes things confusing although it's okay. But then you have to kill the microphone and he can't.

Does anyone else have any comment on those meetings? Does anyone think that we shouldn't - okay, the first question is: are we content - does it - is it sufficient for this group to just be part of an overall update on what all working groups working on items on new gTLDs have been doing or do we think we need our own session to talk about that? Yes, Tinjani.

Tinjani Ben Jemaa: Thank you, Avri. First of all I love very much your idea to go and update GNSO council, ALAC committee and GAC if possible about our work and the point where we are now and answer their questions.

We need support from all the constituencies. So it's a very good idea. I support it.

Second I don't think it's a good idea to be in a general session of new gTLDs. We will be, if you want - it will be a detail inside a big thing. And I think that the item or the subject of the support for new gTLD applicants is a very important subject that needs to be very officially addressed, not inside a big event if you want, a big - a general briefing about the new gTLDs. That's it.

Avri Doria: Okay. Thank you. I would think - by the way I think that if a - if there is a general reporting session definitely I think we participate in it. So what I really take from this is that we should be doing both, not that we shouldn't be reporting when everybody else reports but...

Tinjani Ben Jemaa: Good.

Avri Doria: That we should also have a special session where we go in-depth on our recommendations.

Tinjani Ben Jemaa: Good.

Avri Doria: Is that a correct way to take it?

Tinjani Ben Jemaa: That's right.

Avri Doria: Okay. Rafik and then Alan.

Rafik Dammak: Yeah. Just I think I forgot to say that I read the report to the GNSO council last week and I had the question about the design for sending comments from stakeholder groups and constituency.

Avri Doria: Right.

Rafik Dammak: I didn't answer that question.

Avri Doria: Right. Yeah. I - yeah, and I tried. I was listening at the time and I tried to
                  answer.

                  And what I tried to say is that we included the if you have any comments
                  please send them more as a courtesy. What we are going to be doing is once
                  we have finished this report at this point we will be doing a full, you know,
                  community and constituency, etcetera, review.

                  So there's no specific request on the table at the moment for the GNSO or
                  the ALAC or even the board at the time. It was if you read it and you have a
                  comment, you know, please tell us. But there was no specific request that
                  they do a constituency/GNSO comment at this time.

Rafik Dammak: Yeah. Just I wanted to - I ask of them strongly that officially - well as ICANN
                  community because specifically maybe a need from some members of
                  ICANN community some support and assistance. But it should be, anyway,
                  interesting to push them finally for having their feedback.

                  And also that - because that presentation I made, it wasn't really updated
                  regarding what happened in the - in our working group. So I think that maybe
                  we need authors to make presentation when we finish the - our report.

Avri Doria: And that's one of the reasons why I was thinking at this point, you know,
                  Evan and I making a, you know, going into the GNSO and having a timeslot
                  to discuss. So - oh and just...

Rafik Dammak: (Unintelligible).

Avri Doria: Comment before I go to Alan on that is that what I will do if I feel that this
                  group is generally in agreement or certainly not in disagreement with talking

to all three of those groups is I will, you know, certainly ask you, Rafik, as liaison. But I will also do the chair-ish thing and, you know, send a note to each of the chairs indicating our interest to come talk to them about, you know, our final report which should have - must have been out by then.

Thanks. Alan?

Alan Greenberg: Yeah. Regarding presentation to the GNSO I don't think we're going to get a lot different amount of time allocated regardless of whether we're part of the same group or part of an overall gTLD presentation or as a separate one.

On the other hand based on at least experience at the last session - at the last meeting, reporting sessions that are purely working-group-focused with, you know, in a segmented time are not well-attended. So if we ask for 20 minutes or a half an hour or whatever it is as a separate time from the general gTLD reports we risk having very, very few people there.

Avri Doria: Okay. So you...

Alan Greenberg: So...

Avri Doria: You're recommending...

Alan Greenberg: So...

Avri Doria: That we would ask...

Alan Greenberg: That - I put my money on putting it into a session that people are all going to attend.

Avri Doria: Right. Okay. So for - and this is different than I think the question Karla was asking which was about main sessions. But this is in terms of the weekend

request what we should be requesting is a 20-minute slot in the new gTLD review session?

Alan Greenberg: I would strongly...

Avri Doria: Something like that.

Alan Greenberg: Advocate it. At the last meeting several PDPs reported and we ended up having about four people in the room from the...

Avri Doria: Okay.

Alan Greenberg: From the GNSO.

Avri Doria: Thank you. That's good advice. Okay.

Karla Valente: Yes. Avri, this is Karla. Glen is the person who takes on the agenda for the GNSO.

Avri Doria: Yeah. I understand. Thank you.

Okay. Alan - okay, so you were done, right?

Alan Greenberg: Yes. I'm done.

Avri Doria: Okay. I'll move on to Rafik. And then I'd like to kind of close this one. So I'd like to ask anyone who wants to speak against asking for, you know, timeslots all around to please get their hand up or please get a red X up. Yes Rafik?

Rafik Dammak: Thanks Avri. As far as I remember always a session about the new gTLD is well-attended, even not just GNSO council. So maybe if we have room in that

for - in the weekend for GNSO, that session about the new gTLD I think at least we can have the attention of the audience.

Alan Greenberg: That's what I was...

Avri Doria: Okay. Thanks.

Alan Greenberg: That's what I was suggesting.

Avri Doria: So yes, I understand you to be supporting Alan's perspective on that. Okay then.

So is anyone against my requesting time - so basically to Karla and to Glen we're saying yes we'll participate in the group gTLD reporting session but yes we would also like to have a separate discussion where we make our case about all of our recommendations and yes I should take the initiative to contact GAC, ALAC and GNSO about some spot where we can speak with them. And in terms of the GNSO what I should be requesting is a time slice of the general gTLD discussion. Any objections, any dissent on that issue?

Okay then, in which case I'll move on to - is that - Karla, just before I move on, that answers it all?

Karla Valente: I believe so.

Avri Doria: Okay. Thank you. And I'll, you know, I'll work with you and with Glen as well, you know, and Evan in terms of figuring out the hows, wheres, whens of various schedule pieces.

Karla Valente: Perfect. Thank you.

Avri Doria: Okay. Next item was the update on the poll. I did not - and Evan and I spoke about this late last night, somewhere around 1:30, 2 o'clock in the morning

our time. And we - the poll is still open. There's only been 14 responses so far as I indicated. We have 21 or 22 people in the group.

And one of the things that we've been discussing in the, you know, working group guidelines work team is that when you do these sort of outreach things it's very important to at least have the opportunity for all those people who haven't or can't participate in the phone calls for one reason or another to make sure they've had a chance to participate on the list or participate in the poll.

So we discussed certainly not closing it yet even though the majority of the regular participants have now stated their opinions. And, you know, and I think you very much for doing that so quickly.

Okay. I see (Fabian) with a check. And I'm not sure what the check means. But I also see Alan with a hand up. But let me get to this.

But what I'd basically like to do is - and we don't have - oh okay. I see (Fabian)'s answer: I intend to answer but I need to catch up first. Thank you very much. That basically while we haven't closed yet we can look at these things and while not do the work of saying okay we know we have consensus or we know this is strong support but actually as we're going through the draft in the next section of the agenda basically based on some of the knowledge that we've gained and figure out whether there's a tweak we can do to the wording that as I say makes the people on the less-supportive side able to move on to the more-supportive side without displacing the people who are on the supportive side and just to give us a better clue.

Alan, please.

Alan Greenberg: Yeah. If the poll is still open then I suggest we send out a reminder but please in the email include a direct link to the PDF or the DOC file so people look at.

To have to start finding it through some laborious sets of links is a pain in the butt.

Avri Doria: Okay. I will certainly do that. Thank you. I, by the way, have - I keep a fairly updated copy on our wiki page at most times.

Alan Greenberg: I know. But it's...

Avri Doria: One version off but...

Alan Greenberg: It took me about six clicks to get to that.

Avri Doria: Okay. I will certainly do that. Thank you for the recommendation.

Alan Greenberg: It just makes it, you know, if you're rushed and you have to start looking for something you put it off and don't do it.

Avri Doria: Yes. No, I understand. And I am constantly looking for things that I can put in the mail messages to make it easier for other people so I know how laborious it can be...

Alan Greenberg: Yes.

Avri Doria: To find them all. Anyway okay, thanks.

Oh and Alan is actually talking. Okay.

Alan Greenberg: Well I just clicked the button wondering what would happen. And suddenly my screen went gray and I...

Avri Doria: And you were talking. Okay. This is a magical tool. It's got so many powers.

Okay. Anything else on that? I mean have people looked at it? It's actually interesting.

I think on a couple of the questions I've actually been surprised in that things that I thought were just a minority opinion of one have actually turned out perhaps to be, you know, strongly supported position. So that's been interesting.

But if there's nothing else on the poll at the moment and I believe what we'll try to do is close it on Monday so that by the Tuesday call we have the final results and that. And what Evan and I have discussed doing is that after the poll has closed he and I will basically talk it through and make our next approximations at what it means in the document and then of course give the document to all of you to review and say we don't think you've got it right or yes we think you got it right.

Of course we prefer the yes we think you've got it right answer. But if that's not the case, you know, I'm sure you'll all feel free to say it's not the case.

Anything else on the poll at this point? If not I suggest we move to the - going through the document. Any objection to moving on?

Okay. Now let's close this big window here. And...

Alan Greenberg: Avri?

Avri Doria: Okay. So we've got the document. Hello? Oh sorry. I see your hand, Tinjani. Yes.

Tinjani Ben Jemaa: Yes. Excuse me. I just - I am a little bit worried about the comprehension perhaps of the question because I am really surprised for at least two questions where we had only one opposition and now we have more than

50% against. So I am not sure the question perhaps is not well-posed or perhaps -- I don't know -- there is a problem.

Avri Doria: I - okay. This personally it happens to be one of the reasons why I'm always uneasy around polls, having taken a full-semester course on how to design polls. Yes, testing the questions is always something that one spends several weeks on a poll before actually doing it which of course we don't do in these cases.

I tend to think that it might be what you say, that people didn't understand. And we'll certainly review that. And that's one of the things that will come out when, you know, Evan and I look at it and say okay this is not a minority position, this is a strong support with strong opposition support or significant opposition support and then we put that down and everybody goes wait, wait, wait, wait, wait, that's not what we meant, that's not what the question meant and we'll go back to it.

I tend to make an assumption that people are understanding it. If not people would have been writing to the list saying does this mean this.

In a couple cases we have had people write to the list and say does this mean this. And, you know, we - clarifying answers have been given out.

And we're a small enough group where that kind of give and take works remembering again this isn't a vote. It's just an indicator. You know? So we'll come back to that.

So certainly if on any of the questions where you're seeing this reversal or what you think is a reversal as opposed to just a hidden truth coming out, you know, please send a message to the list saying I want to make sure everybody understands Question 14 -- and I'm just guessing at a number; I'm not positing a specific number -- you know, I want to understand - I understood by 14 A, B, and C, is this what everybody else understood there.

And then if we get feedback that says oh wait a second, no I understood it the opposite way we know there's an issue. Is that, you know...

Tinjani Ben Jemaa: Okay.

Avri Doria: And perhaps today when we're going through the document if one of those questions comes up, one of those areas comes up please, you know, feel free to bring it up.

Tinjani Ben Jemaa: Okay.

Avri Doria: Okay. So now that being the case let me move on to the document. By the way, if somebody else wants to have the poll in front of them during the document talk I don't have enough screens in front of me to have the document, the poll and this screen up.

So in this 16.3 I think my first changes -- and these were not significant but -- is on - is around 158, 159. And I've already done more work on mine. So again my line numbers are bound to be off by ones and twos because I don't stop working on the doc after I send it out. I then notice. So let me find it here.

By the way I assume the sync is okay for you all.

Alan Greenberg: No. It's backwards.

Avri Doria: It's backwards? You think I'd remember from one meeting to another. Okay. How's it now?

Alan Greenberg: Okay.

Avri Doria: Thank you very much.

Alan Greenberg: Now you have to tell us what line you're looking for again.

Avri Doria: I am looking for line - in this case - in your case it is 162, 64.

Alan Greenberg: When I didn't have control I didn't bother listening. Thank you.

Avri Doria: Here, wait a second. Is this the right version up?

Alan Greenberg: There's no changes in those lines.

Avri Doria: Exactly. Well the - we've got a clean copy showing. But yeah, basically because what's showing there is the clean version, not the version with all the edits. The change that was made - no, this is the wrong version, sorry. Let me get the right version up. I apologize. For some reason we've got the wrong version up.

Alan Greenberg: There's...

Avri Doria: Documents - let me get the right one from my computer because then I'm sure that at least on this screen - okay. Oh I don't - that's it. When a new document comes in it immediately turns the sync off. No, that is the same one.

                    I don't know what's going on. Give me a second.

Alan Greenberg: I don't know what you've done. But we can - when you scroll down the scroll bar changes but we still only - I still only see the first page. Oh, now the page back and forward buttons work but the scroll bar doesn't.

Avri Doria: I didn't do nothing.

Tinjani Ben Jemaa: It works for me. Alan, it works for me. Yeah.

Alan Greenberg: You can scroll down with - pull it up and down and it goes up and down?

Tinjani Ben Jemaa: Moment. I will - yes. Yes. Yes, exactly.

Alan Greenberg: I keep flashing. When I scroll then I end up seeing the top of the same page again.

Tinjani Ben Jemaa: No. It's not the case for me. Moment.

Alan Greenberg: Oh well.

Avri Doria: I am trying to unconfuse things now. And I apologize for the dead time on the thing. I am going to put up...

Tinjani Ben Jemaa: It works properly.

Avri Doria: Exactly the document that I am looking at on my screen which says it's Version 217. But that's - it's basically 216.3 that I've just updated the version on because I'm editing it.

And it should be the same as the 216.3 that I sent out. But I have a feeling that I made a mistake when I created the PDF last night.

And I apologize for this. I shouldn't do things at 1:30, 2 o'clock in the morning.

Alan Greenberg: That was very curious. If I press the up and down arrow I can go to different parts of the document but if I actually pull the handle up and down...

Avri Doria: Okay.

Alan Greenberg: It didn't move.

Avri Doria: This is - and I'm just sending it out so anyone that can't get to...

Alan Greenberg: Do you have control of it?

Avri Doria: Okay. I'll - I'm - just give me a second. Anyone that can't get to the Adobe Connect for any reason has the document also.

Okay, sent it. I'll give back control. And now even though it's got - okay, you should be able to control it now. For some reason Adobe - okay.

Alan Greenberg: You've done something funny in this document that they behave differently on my Adobe.

Avri Doria: Apologies. Okay. You'll see on Line 114 I corrected an error. I put the S there. So this document here contains the latest I've got from everybody's - that - on Line 131 I deleted the word just so sometimes referred to, not sometimes just referred to.

Please, I'll just walk through these and if people have any issues with them put your hand up or shout out if I don't happen to be looking at the hand-raising part.

Okay. And then next is - it's actually easier to do this with the change-showing version. Okay. I correct the O in offered.

Okay. Now we're back to 159, 160. We had one recommendation that said different kinds of support should be made or I think it was Tinjani recommended that different kinds of support to be made available.

I argued against the to be made as a imperative because just to acknowledge that at least at this point in this introductory under the highest title the recommendations we are giving recommendations and that should was more appropriate than to. It's a small point. So if anyone, you know, Tinjani, certainly your recommendation -- Tinjani has his hand up -- for it to be to - I think it was Tinjani. If I'm wrong forgive me.

Tinjani Ben Jemaa: No. I agree with should. But if we keep should the sentence is not complete: the working group recommends a number of different kinds of support that should be. But if you use...

Avri Doria: Oh okay. That's fine then.

Tinjani Ben Jemaa: If you use to we don't need that.

Avri Doria: I got it. So I got the wrong point there. Okay. So I'll put that should be made available. Anybody object?

    Okay, moving on. A valuable...

Alan Greenberg: No. That whole sentence doesn't parse anymore then.

Avri Doria: The working group recommends a number of different kinds of support that should be made available for potential applicants which fall - so it would be fall into the following five categories.

Tinjani Ben Jemaa: No. It doesn't work. You are right, Alan.

Avri Doria: Why doesn't that work?

Alan Greenberg: I don't think we need the word that's there. The work group recommends a number of different kinds of support to be made available to applicants which fall into -- it should be fall instead of falls.

Tinjani Ben Jemaa: Yes, but if you put should there, the sentence that's okay.

Avri Doria: Okay, too?

Alan Greenberg: Yes, sounds okay to me but.

Avri Doria: Okay it's fine. I have changed it. I made my point and I was wrong. Okay, moving on and so.

Alan Greenberg: If the word that is needed it should be after the word recommends.

Avri Doria: Oh okay, now I've changed it to as you guys want so let's move on.

Alan Greenberg: Okay.

Avri Doria: Any objections? I don't see any...

Alan Greenberg: Can you read the whole thing because there was some tense problems.

Avri Doria: Sure. The working group recommends a number of different kinds of support to be made available for potential applicants which fall into the following five categories.

Alan Greenberg: Okay you made it fall, okay, fine.

Avri Doria: Yes. Okay then the next one was B) other types of aid which matches the current sections of the document.

Tinjani Ben Jemaa: Yes I have it.

Avri Doria: Okay. Cost reduction.

Tinjani Ben Jemaa: Avri?

Avri Doria: Yes, oh sorry, to Tinjani yes.

Tinjani Ben Jemaa: Yes, okay I think that the financial instrument is one kind of support. So it is not another kind. It's a kind of a support. It's not another type of support, if you want.

We can put it here because we don't have lots of things in other kind. You have vertical integration which is not really support. If you want, it's something that can help.

But the financial instrument can be a real barrier for applicants. So I propose to put it as a point here.

Avri Doria: So you propose changing E) to financial instruments?

Tinjani Ben Jemaa: Yes, please if possible.

Avri Doria: Of course, it's possible. What do other people think of that? Do others agree? And I guess that would mean that vertical integration paragraph would have to get moved either to some other category or it would need to be that we'd have to have yet another category that was vertical integration comment as Elaine has her hand up.

Elaine Pruis: Yes thanks Avri. I'm not clear on which line we're on. Can you...

Avri Doria: Okay sorry, 166. If I understand Tinjani correctly, he's saying that as opposed to having other types of aid that includes both vertical integration and the financial instrument issue that the category should be called financial instrument or, you know, some appropriate title for that.

And that we move vertical integration to somewhere else under perhaps, you know, I'm not sure where it would go?

Alan Greenberg: Avri...

Avri Doria: Or build a sixth category, so I think that's the issue. It was line166 but of course it has implications for the structure of the section; so any other comments? Does anyone object to Tinjani's recommendation that financial instruments and what do we properly...

                So basically just elevating that to a section title and moving vertical integration somewhere...

Alan Greenberg: And then...

Alan Greenberg: Maybe I'm blind but I don't see vertical integration there.

Avri Doria: Vertical integration is when you go to the - much later on, other types of aid is the proper section for it.

Alan Greenberg: Oh okay. These titles are then major titles somewhere later in the document?

Avri Doria: Right.

Alan Greenberg: Okay.

Avri Doria: This is basically an outline, a view, of what's happening.

Alan Greenberg: Got it.

Avri Doria: And then you get down to and...

Alan Greenberg: Let's put that in the queue.

Avri Doria: Okay, I just want to finish. You get down to 342, financial continued operation instrument obligation.

Alan Greenberg: Okay.

Avri Doria: That that would become, get elevated to a heading of its own. Okay, I still have Elaine with her hand up and I have Eric.

                     Elaine, did you have more to say or were you just (unintelligible)?

Elaine Pruis: Yes, I don't understand what financial instruments as compared to other types of funding support in B.

Avri Doria: And B at the moment has other types of aid and it basically has only two entries in now. It has the vertical integration issue and the financial continued operation instrument obligation.

Alan Greenberg: Avri may I suggest when we get down to that section, we make it appropriate. And then you can fix the index in lines 150, 160 something to match it.

Avri Doria: Okay, it's a good suggestion. Eric, you have your hand up?

Eric Brunner-Williams: I thank you Avri, this is Eric Brunner-Williams and I want to express again my preference that vertical integration not be mentioned because it doesn't really exist. Thank you.

Avri Doria: Okay thank you. And if no one minds, we'll take Alan's recommendation and continue those sections and I'll fix this later.

Alan Greenberg: Okay.

Avri Doria: Is that okay with you Tinjani that we'll have that as a pending fix depending on what we do later?

Tinjani Ben Jemaa: No problem.

Avri Doria: Okay thank you. Okay cost reduction, there was just an organizational issue where Tinjani made a recommendation that cost reduction, that's 2.2, that's the main heading. And then basically that 2.2 or 2.5 or the 3s or 2.6 or whatever will move under it as their level.

I basically declined to make that change. And as I mentioned in my report I mean my update A) I hate pushing things down to where then we end up fourth level at some point to the cost reduction with sort of a -- I guess is was 2.1, that's it.

I'm being so confused doing too many things at one time. One fifty eight is two-one is kinds of support that should be offered. Tinjani's recommendation was that 2.2 through 2.5, cost reductions.

And then all the others be subordinated at the third level. I declined to take that suggestion simply because I thought this was an introductory paragraph that went into the others and that they should be stand-alone at the second level.

So I just wanted not to have lost that comment that I rejected. I don't know if it's important to Tinjani to argue for that at the moment but I didn't want to have lost it.

Tinjani, are you okay with what I didn't do? Or would you like to make an argument for, you know, your proposal?

Tinjani Ben Jemaa: No it's a minor problem, I agree. But for better understanding of the document, since the cost reduction is 2.2, any cost reduction must be 2.2 something. Normally it's like this.

I am an engineer. I understand it like this. So but if you see it another way, it's not a problem for me.

Avri Doria: Okay, but that's a slightly different issue. That' saying that anything that is a cost reduction therefore should be moved to 2.2 as opposed to being elsewhere. So perhaps that will apply to your financial instrument argument. Okay?

Tinjani Ben Jemaa: Okay.

Avri Doria: So there's no changes until the next, the next changes I show were...We're (unintelligible) much time here on this really meaty stuff here. We're pretty much set on it.

Okay then here basically I have the support for build-out in underserved languages and scripts. And I had moved this from being its own section to subordinating it to cost reduction.

And I believe Tinjani was not comfortable with that move. And again, that was another one of his recommendations that I did not accept. But again, wanted to make sure that I brought it up in this meeting to allow him to, you know, convince you that this is what I should be doing.

Alan Greenberg: Thank you Avri. And if Tinjani wants to speak to this situation I can wait.

Tinjani Ben Jemaa: Pardon?

Alan Greenberg: If you wanted to respond to Avri, I can wait.

Tinjani Ben Jemaa: No, no go ahead.

Alan Greenberg: Okay. I think the issue here is those under supported, under served languages, does that constitute a kind of need?

If we put this particular item regardless of what the title reads, but the issue of under served languages, if we put that underneath finance then need remains primarily the material need or the financing need.

If it is a equivalent structural item that is at the same level on the table of contents, then we're conveying the idea the absence of a script and language is a kind of need. And I believe that was the Meta issue shared by both Andre, Tinjani and myself. That language diversity is a kind of need. Thank you.

Avri Doria: Okay if I understand and I'm repeating it and if I repeat it wrong, please correct me. Your suggestion would be that this be promoted up to the second level and just talking about the mechanics.

And if so, I would probably put it after sponsorship and funding and not between financing and sponsorship and funding. Is that a correct interpretation of what you would suggest?

Alan Greenberg: It's one of the choices. And I'm sorry...I think you should use your best judgment on this Avri as to simply...

Avri Doria: Okay. As to where I put it; you'll leave that up to me but you do suggest that it be promoted to the second level?

Alan Greenberg: Well I suggest that we configure the issue and decide one way or another.

Avri Doria: Okay.

Alan Greenberg: Whether the absence of language is a kind of a need or if the absence of money is the only kind of need.

Avri Doria: Okay. Well the sorting in this section is the kinds of assistance is really the target. So this is a kind of assistance.

Now the question is, is this kind of assistance a purely financial costs reduction assistance? Or is this kind of assistance something that is categorically different than financial assistance.

And I think that's the criteria that I would look on. And it's the one that I've been on the fence about. And that's why I had it in one place at one point and at another place at another point.

So I did previously have it as stand-alone. Then as I started to understand it better, it was the essence of the kind of assistance we'd be offering so in the cost reduction type. That it had nothing to do with the kind of need per se.

It had to do if your need was this then the kind of assistance would be fee reduction.

Alan Greenberg: Okay.

Avri Doria: And that it wasn't categorically different whereas it wasn't a category in itself of kind of assistance since that's what this discussion is about.

Alan Greenberg: If I may?

Avri Doria: Okay, yes I see. Eric please and then I have Alan.

Eric Brunner-Williams: Thank you Avri. If this assistance can only be provided through financial means then it would be appropriate to stick it in a financial section.

If it can be met by two or more means, one of which includes finance, then that other means needs to be identified somehow structurally within the document. Thank you.

Avri Doria: Okay thanks. Alan?

Alan Greenberg: Yes I'm a little bit confused by this. The lack of language support is a need of the world of the Intranet. But it's not a need of the applicant. So the word need applies to it but I don't think it's in the terms that we're using need here.

It's one of the rationales why financial, or technical, or whatever sort may be needed. But I don't think it's a need in the sense we're using it here.

Avri Doria: I'll just say, this section isn't so much about needs. It's about types of support. Okay. Okay Tinjani?

Tinjani Ben Jemaa: Yes as we changed it last call, it can remain there where you put it now because if you remember, the language was not like this. And that's why I was opposed to put it there.

Now it is a reduction for the ITN scripts for applicants that need support. It can be there. It's a type of cost reduction. That's right.

Avri Doria: Okay thank you. So does anyone object to me leaving it where it is? And Tinjani, since this was your original issue, you know, I thank you for your comment on leaving it.

But since the question is open and Eric spoke about it, Eric do you have any objection to it remaining where it is? Anyone, do you have an objection to it remaining where it is?

Seeing no objection, how about I move on? Thank you. Let me make a notation here to remain.

Okay. Sponsorship and fund raising, nothing and 250, capitalize C as I was requested. And 254 only those meeting those conditions for 4.0 can thus be supported should just be support. Let me fix that in my copy -- for support.

Okay I've been trying to basically go through and everywhere talking, you know, so I'm talking about financial need or financial support, changing it back to just support so that we're not speaking of it wrong.

I think I caught them all. But if somebody notices that I still have a issue, okay. And 260, 261, the language was that ICANN establish program development function.

We talked about whether it was a person or a thing and, you know, need employ and director and speak more about the function. So that was a wording change. Any issue with it? I see a bunch of hands.

I've got Alan and Tinjani.

Alan Greenberg: Yes, I'm just curious about this discussion of whether it should it be a permanent position or a contract person. Within ICANN a huge number of the people are contract people. And generally that's transparent to us.

You know, as far as I know a large number of the policy staff people are contract people. I don't think it's particular relevant in this context to be discussing that.

Avri Doria: Yes, well...

Alan Greenberg: Not a big issue but I think it's a red herring and it confuses the issue.

Avri Doria: Yes, well and in fact, if you look at the pool, you know, there was no consensus on the form such a function should take.

Now perhaps because there's no consensus, we may decide that we just want to eliminate that sentence; which is a possibility. Tinjani?

Tinjani Ben Jemaa: Okay just a minor thing. I am not sure if my language is good. The first line, there was consensus that ICANN establishes with "s" no?

Avri Doria: Does ICANN establish? No, I think establish is correct.

Tinjani Ben Jemaa: Okay, excuse me. Sorry.

Avri Doria: Please correct me if I'm wrong anybody. But ICANN is a single entity or ICANN establishes. You might be right.

Alan Greenberg: They both sound right. I don't care.

Avri Doria: They both sound right. I'll go to my...

Alan Greenberg: Let someone else judge.

Avri Doria: I'll go to my grammar maven. I live with someone who has been correcting my grammar for 30 years and has all the books to prove it. And I will check on that. Eric?

Eric Brunner-Williams: Thank you. I've actually changed my mind on this issue after the release of the (Trom) time work product. And I'm no longer convinced that this function should be carried on inside of ICANN whether it's by a contractor or by an employee.

I just have lost faith I suppose that A) the money will be segregated from the general fund and B) more importantly that the program will be pursued vigorously rather than pursued in a desultory or a token fashion. Thank you.

Avri Doria: Okay. So and if I look at the pool of it, I'd say we have complete divergence. I think that question has been the best visual cue of what divergence can mean and no consensus.

So we have a sentence here that says there was no consensus. And then we do at line 270 have a full consensus statement on whatever is done, those monies should be separate.

Do you think something stronger is needed?

Alan Greenberg: From my point of view, it's fair game to say there was no consensus on whether it should be done within ICANN or outside of ICANN.

But the issue of whether it's a permanent position, I just don't see fitting here at all. First of all this is something associated with GTLDs and we don't know what the future is. ICANN isn't going to commit to someone for ever and ever on the basis of this kind of thing.

So it's never going to be a permanent position as I see it. But even if it is logically permanent, it's micromanaging ICANN to say what the form of the agreement is with the actual person.

Avri Doria: Okay. I've got Tinjani and then I've put myself, the next person will comment in the queue after Tinjani. Oh Tinjani just changed to agreement.

Alan Greenberg: Okay.

Avri Doria: Did you want to speak Tinjani?

Tinjani Ben Jemaa: Yes.

Avri Doria: Okay, please.

Tinjani Ben Jemaa: No, no. It's only to support what Alan mentioned.

Avri Doria: Okay. I want to offer a contrary point of view to what Alan just said and why I think there's value in that statement. And as I say, I'm making this as a

personal statement not as an editor statement. I'll go whichever way the group goes.

If there is a permanent position in the company in ICANN it becomes something that basically you've hired for and therefore you essentially have a budgetary continued requirement for it.

A consultant who helps setup a program that is an appropriate program either inside or outside of ICANN is a different thing. It's a short-term defined need to get a job done.

So in defining that we say we think they should hire a permanent person, we're saying that this is a thing that should be established inside ICANN going for a long time.

And saying that there should be a consultant to start working to put this together, this could be and especially if the B statement starts to take precedence that in the end there's a decision at the Board level based on bottom-up processes. That really there should be something like an ICANN Foundation, a linked group, a something that is separate.

ICANN would still need a consultant to try and help, you know, put this together and help drive the formation and help establish the financial links or however these things would or wouldn't happen but wouldn't need this to be more than a transitional position to set something up to do something while the outside thing is being established.

So that's why I think there's actually a very large difference between ICANN setting up a permanent development position or having a temporary function. Thanks. Go back to having editors add on. Caleb?

Caleb Queern: Hi Avri.

Avri Doria: Hi.

Caleb Queern: So my understanding, you're always going to have the need of having a staff member even if it is coordinating or incorporating with that consultant. Because the Board resolution, we need to put together this website in which all of the organizations are featured. And in which all of the applicants in need of support are listed and so forth.

So you still need the staff member that will be the key point to make sure that these things happen. There is a level of expertise that will be required from a consultant really to identify what entities could offer the kind of support and so forth.

But I don't think that one thing excludes the other. You still need a person internally to make sure that those things are done and featured internally.

Avri Doria: Okay, thank you.

Alan Greenberg: I think we're confusing the term consultant and contract.

Avri Doria: Ah perhaps we are. Tinjani?

Alan Greenberg: Not having a consultant is right. But saying the remuneration and financial terms and longevity terms between the person and the organization whether it's contract or employment, there are legal and tax implications of those and pension implications. But I don't think we care about those.

Avri Doria: Right. Do you think -- and I have Tinjani with his hand up -- but do you think that what's said here is talking about that employment relationship?

Or what we have here is talking about whether it's a permanent, internal position or a...

Alan Greenberg: Permanent internal means it's a true employment as opposed to a contract relationship. And I don't think that's our call.

Avri Doria: Okay. Tinjani?

Tinjani Ben Jemaa: Yes, I think this is an operational detail. And I think that we have a lot of to do before that especially to define the need that is the essential point before which the Board will not listen to us.

So this is a detail; we will not discuss it now. I think we're gathering the pool. We don't have to detail it right now. We will not say if it will be a staff, or a contracted person, or a consultant, we'll not speak about it. And go ahead.

And we need time now, really we need a lot of time to define the need.

Avri Doria: Okay thanks.

Alan Greenberg: Do remember that we had a President and CEO that was a contract person. And we still do for all I know.

Avri Doria: So and I know we don't want to discuss it now and I agree. Do we want to basically propose that we're taking one or both of the sentences out after there was no consensus on the form that the function should take period?

Then I could drop the other two sentences if that's what people think is the right thing to do. Does anyone object to dropping those sentences?

Tinjani Ben Jemaa: I don't.

Avri Doria: I mean I have no problem. And is it drop both of them; one of them talks about the differentiation between permanent and consultant. And the other one talks about fund raising and grant work should be done outside of ICANN itself in an affiliated.

Perhaps I just drop this first sentence and not the second?

Tinjani Ben Jemaa: I think so.

Avri Doria: Okay and then of course I still have to fix the second but that's okay.

Alan Greenberg: Okay.

Avri Doria: And as some members of the group felt that the...Okay so now it reads:
                     Some members of the group felt that the fundraising and grant administration
                     work should be done outside of ICANN itself in an affiliated philanthropic
                     organization.

                     So I've left that sentence in but I've removed the one before, okay? People
                     will see that in the next version. I'll leave it in italics so people know that it's a
                     change made during this meeting.

                     Okay moving on. The next one I record here is at 292. Some of it was just
                     language. The following kinds of logistical support then there was
                     restructurings are identified.

                     And then there was a...And 296, and 299, and 302 basically just reshuffling of
                     the sentences to try and make them read correctly and show that these
                     things had full consensus. Any objections to the changes made in 291
                     through 304?

                     Okay, moving on, 305, certain of the requirements, okay. Three zero eight,
                     kinds of technical support are identified again, language change. Moving on,
                     at 318, 319, there was from Tinjani, it's not clear, okay, was the position.

So there were several recommendations that involved lower cost and our shared backend registry services. And then within these, I think these are issues that are still pending answers from the poll.

So unless somebody has wording changes that they recommend that, you know, that they voted one way or they polled one way, and would change the poll another way if only the following word was changed, that would be a good thing to bring up now.

Otherwise I'd say, we leave these as they are until after we discuss the poll. Any issue? Okay, moving on.

Okay now we're at the issue. There is the other types of aids. Now this is the section that jointly, if I take the two recommendations from Tinjani and from Eric, we would get rid of because we would take the first one, 261, and promote to its own second level issue.

And we would take the second one, vertical integration and delete it because it's reached the point of being overtaken by events. And we know that there will be no application.

Now the reason I kept it in was just to respond to Eric's point and I see Alan's hand up. The reason I kept it in is because just because the VI working group is not going to come up with anything. We do not know what recommendation will come out of the Board.

And it's not beyond the pale that the Board could come up with a notion of exception if it wanted to given that the VI group talks a lot about these things. And then didn't come to a conclusion.

So my reason for leaving it in at this point -- and this is an editor's reason for leaving it in -- is that while the working group is not going to tell us, we still

don't know what's going to show up in the final version of the application guidebook. Alan?

Alan Greenberg: Yes, I guess I completely disagree with Eric on this one. I think it's important we keep this in for just the reasons you mentioned.

The fact that there might be -- there might, we don't know for sure -- there might be community applications that will need the ability to integrate. And whether that's an exemption or whether we go full trade and everyone has that exemption doesn't really matter was almost unanimous in the group.

And the Board is going to have to do the work that the VI working group could not. That is, they will have to come up with an answer if indeed we open the application around for GTLDs.

Therefore if we feel that for some community applicants, and particularly the ones that we're talking about, is maybe necessary, we should be mentioning it.

They don't have to listen to us. But if we feel it may be an issue of success related to the possible success or failure of these GTLDs then I think it's important that we mention it.

Avri Doria: Okay, Eric. I don't know who keeps turning you guys into microphones. Not me, okay, Eric.

Eric Brunner-Williams: Yes I wondered about those microphones too.

Avri Doria: The problem with turning them into microphones is that immediately this deconstructs the ordering of who raised their hand first.

Eric Brunner-Williams: Really?

Avri Doria: Yes. As...

Eric Brunner-Williams: I'm affrighted.

Avri Doria: Okay, no, no, no. Your hand is up. Alan did but he finished.

Eric Brunner-Williams: Thank you. For those of you who haven't been in the VI working group, the idea of having an exemption based on the need of the applicant or on some policy reason was unfortunately - we were unable to separate it from brands wanting a kind of exception also.

There is good language in the (Gack's) recommendation to the Board. Referencing that language would be appropriate I think.

But referencing the work product of the vertical integration PDP I don't think actually does anything for policy as a motivation for exception to the Recommendation 19 that all registries use registrars which are distinct from those registries to provide the registrar function.

Thank you.

Avri Doria: Okay thanks. Two things - one, the language that we have now does not mention the Working Group. It only mentions that if the final Application Guide allowed for any exceptions from the Vertical Integration requirement, that such exceptions would be applicable to those applicants that meet the criteria established for support.

So it does - it no longer references the Working Group; and B, perhaps, you know, adding language if you think that would help here. I could certainly go back to the letter and try and weave in or even quote, you know, from the GAC letter. So that would be my, you know, editor's response to those two issues. Alan.

Alan Greenberg: I do...

Avri Doria: Oh, sorry Eric. Yes, (Eric), if you wanted to respond.

(Eric):   Thank you Avri. The reference to the GAC carries with it or imports the policy rationale of the GAC. Your reference to Vertical Integration doesn't contain any policy rationale for any particular goal, any particular outcome.

                  So I prefer since we are acting out of a desire to affect some policy, and that in each reference we make is grounded in a policy framework or - thank you.

Avri Doria: Okay, thanks. Alan.

Alan Greenberg: Yes, I don't have the GAC letter in front of me but I suspect what (Eric) is recommending would be fine with me. I do not agree with the current wording which says, "If there is an exemption that it would be applied to our friends."

                  I think the needs of the group we're looking at may be the prime reason that there be an exception or not an exception, the ability to integrate under some circumstances.

                  So it should be phrased in a positive way that we need this - that it be available for our applicants, not that if it's available for others it should also be available for them.

Avri Doria: Okay, got you.

Alan Greenberg: We should just phrase it in a positive way saying we need it as opposed to conditional on some other decision outside of our group.

Avri Doria: Okay.

Alan Greenberg: And I suspect the GAC words may well be appropriate.

Avri Doria: Okay, I see Rafik has agreed with that. Does anybody disagree with that? What I'm hearing is that I'm hearing basically three things and people, tell me if I'm wrong on any or all of them.

I'm hearing, one, this should stay in at this point but it should be reworded and that I should go back to the GAC and find appropriate wording and suggest it to you all; two, that they should be listed under a category called Other Types of Aide, that if they're worth mentioning they're important in themselves; so three, that basically I should promote both of these to the second level, both Vertical Integration and the one above it, the second level, and I should adjust the introductory words to have six categories of issue.

Is - anybody disagree with my interpretation of what I've heard? Does anyone want to speak otherwise to it? No, in which case I will make those structural changes.

I will also write - go back to the GAC letter. I'll write a new paragraph. I'll send it out on the mailing list and I've got a bunch of errands to run after this meeting, but I'll do it by, you know, mid or late afternoon.

I ask everybody to look out for this, discuss the wording with me on the list so that it doesn't drag long. Yes, I see (Eric) and Alan, so (Eric) first.

(Eric): Thank you Avri. Just a suggestion as you go about wordsmithing - if you can avoid Vertical Integration and instead use terms like the Registrar function or some exception at the Registrar function, rather than referring to Vertical Integration.

The process that we have the Registrar function exercised by the needy applicant, by the qualified applicant, not that Registrys and Registrars are in general allowed to commingle their equity. Thank you.

Avri Doria: Okay thanks. One question - so you wouldn't even suggest that I mention that this is often discussed under the topic of - you would say - you would suggest that I leave out the word Vertical Integration completely.

(Eric):   Yes. I think referring to the Registrar function being exercised by the Registry is sufficient to convey the actual policy goal that we want, and referring to Vertical Integration takes us directly into the great mess.

Avri Doria: Okay, thanks. If anybody - I take that advice. If anybody thinks that's not right - I see at least one check. Please put up a red X, otherwise I'll take that as my sort of way to proceed.

(Eric):   Better not to wave red flags, yes.

Avri Doria: Okay. Alan, you spoke but you have more to say?

Alan Greenberg: Yes, I wanted to go backwards to the Financial Instrument one and this was one of the questions. This is regarding the survey. The survey asked, "Do we agree that there should be a one-year - that the three-year should become one-year?"

                It wasn't clear from the survey question what the alternative is. Is the alternative it's three years, or the alternative is the six months?

Avri Doria: Yes, I was afraid of that as I saw this was going on.

Alan Greenberg: And given that there was a 50-50 split I think half the people read it one way and half the other.

Avri Doria: Okay.

Alan Greenberg: I just pointed that out that when we come to analyze that question, I'm not sure how you're going to interpret the answer so I've raised the issue instead of on the email list.

Avri Doria: Okay, now I appreciate that and I think I noticed that one myself. I think the first statement we have here that there was consensus, that it be reduced was - is still a consensus thing.

Alan Greenberg: Yes, I think we're - I think disagreeing with the three to one meant it gives three to a half.

Avri Doria: My...

Alan Greenberg: But I'm not sure everyone read it that way.

Avri Doria: Right. My opinion at this point would be to leave, A, at consensus; B, there was a minority view; and C, there was another minority view, so that there was a split between those two views and I might actually take them out of minority view and rephrase it as one. There were those who felt it should be one year and those that felt it should be six months, you know.

But yes, I'm afraid you're right. So okay, so have we covered what needs to be covered in this Other Types of Aide that are going away? And basically both of them are being promoted and we now have six concepts.

Alan Greenberg: Avri, back on the previous one. I'm just looking at A and B under the Financial Instrument, and I don't think you can have a consensus on going to six months and a minority view that it should be a year. They're disagreeing with themselves. Is consensus different from full consensus?

Avri Doria: Yes.

Alan Greenberg: Okay.

Avri Doria: Yes, full consensus means there's absolutely nobody that is, you know, raising their voice to disagree.

Alan Greenberg: Okay, consensus means there were some others. Okay, sorry.

Avri Doria: Even if one person has a different viewpoint they can mention it. I don't think that in all cases of consensus we need to list the minority view if someone doesn't raise their hand and say, "I have a minority view." But yes, a full consensus would be no one disagreed.

Alan Greenberg: Okay. Then it's consistent. Let's go on.

Avri Doria: Okay, so I've got my marching orders as it were on to 6. Moving on, okay 377, 378 there was a language thing. I'm not sure I got it right yet. "From the support applicants who meet the need criterion, Working Group recommends the following categories that applicant receive support."

I think that's wording we've talked about a lot. I think I got corrections on capitalization and the word for being removed. Is that wording okay now? Okay, then when I think we get down to 289, 293 we might find that I need to rewrite that and that I'm not sure and this is I think probably one of the ones Tinjani was speaking of earlier.

Alan Greenberg: Yes, Avri sorry. Back at 380, 381, if you have the following categories of applicant received then the Working Group recommends that.

Avri Doria: Well, give me a line please.

Alan Greenberg: Three eighty.

Avri Doria: Three eighty. "These potential applicants have the benefit of being relatively well defined as groups."

Alan Greenberg: No. Okay, we have a different 380 then. "From the support applicants who..."

Avri Doria: Oh, that's one I've already made changes - I'm sorry, I've already made changes on the copy I'm looking at.

Alan Greenberg: Currently it reads, "From the support applicants who meet the need criteria, Working Group recommends the following categories of applicant received support."

Avri Doria: And that goes where? That the Working...

Alan Greenberg: Recommends that I think the following categories.

Avri Doria: Okay.

(Eric): Yes.

Avri Doria: Certainly. So now that is now in. That's right, I've been making edits on my copy of this therefore my lines have changed. I was going to say I gave you guys what I had. I think Tinjani has his hand up.

Tinjani Ben Jemaa: Yes, we talked about the ABCDE and we said that it is not in order.

Avri Doria: Okay.

Tinjani Ben Jemaa: So what - either to change them by bullet points or to write without any order or to mention that it is not in order.

Avri Doria: I just changed them to bullet points. Does anybody care?

Tinjani Ben Jemaa: Okay, thank you.

(Eric):   Sorry, I'm not raising my hand in time.

Avri Doria: That's quite all right.

(Eric):   In our - Alan and - not Alan, sorry. Andrew and I have been having these discussions about the language issue, and we find ourselves trying to refer to these and just calling them the bulleted points was when we were talking about A to E we actually know which one we're talking about.

                      So we can refer to B or C or D while discussing the language issue, but when we're attempting to refer to the same things by a bullet points we actually have to go and figure out which bullet point is which.

Avri Doria: Okay, I have put the ABC back in and I'm adding the phrase, "The following categories of applicant received support in no..."

Alan Greenberg: Just in parentheses not in priority order.

(Eric):   Yes, thanks. Just talk about them without them importing - imputing some order.

Tinjani Ben Jemaa: Very good.

Avri Doria: Okay, so basically "received support (not in priority order)," or not - right, okay. Not in priority order. I've got that wording in there. Okay, anything else on this set?

                      Okay, moving on. Just bullet versus iii changes. Okay, just formatting changes at 422, 23 area. More formatting. Okay, 440, 442 in mine. There's probably a couple off than yours.

Tinjani Ben Jemaa: What is it? It is G, E or C. What is it?

Avri Doria: I think it's D bullet.

Tinjani Ben Jemaa: D bullet, okay.

Avri Doria: Okay, I've got a - I made some changes on the wording. I think that's it. There
                   was - and again we have the designation and this wording may indeed
                   change when that - so I'm not sure that there's a lot to be said at the moment.

                   But on limiting any exception allowing some support for an applicant, that has
                   government support. So there - I made this change I guess last night. Some
                   people had been saying that this was phrased confusingly, so we went back
                   and tried to clarify it so hopefully I did.

                   As I say we have to deal with the phrasing and of course if we find that, you
                   know, the bullet becomes the main point and the main point becomes the
                   bullet, then we'll deal with that when that becomes the case.

Alan Greenberg: So currently we have, and ignoring the square brackets, there was
                   consensus on limiting any exception, allowing some support for an applicant
                   that has government support to community applicants. I'm afraid that doesn't
                   - that still is...

Avri Doria: Works for me. I understand it.

Alan Greenberg: Well yes, but you wrote it.

Avri Doria: Okay, I mean, basically so there was the - there was consensus on limited
                   any exception allowing some support for an applicant - an application that
                   has government support, to community applicants.

                   Is there a punctuation missing on it because it's a - there's a dependent
                   clause on it. In other words if you take out the dependent clause, then that's

what's missing is the - because what there is is - so it's there was support on limiting any exception to community applicants. And the dependent clause...

Alan Greenberg: Oh, okay. If you simply say, "of limiting this exception to community applicants," I think it...

Avri Doria: Oh, okay. This exception, yes, because it's a subordinate phrase. It makes it an easier sentence and yes - and because it is a subordinate bullet 2D, then that would work. Any objection the change which is, There was support, let's just use support, on limiting the exception to a community applicant?

Tinjani Ben Jemaa: I have a suggestion Avri.

Avri Doria: Okay.

Tinjani Ben Jemaa: There was consensus on limiting two community applicants. This exception, et cetera.

Alan Greenberg: Limiting this exception or - okay.

Avri Doria: That...

Tinjani Ben Jemaa: I think it's more expressive like this.

Avri Doria: It's harder to read in English I think.

Tinjani Ben Jemaa: Yes. Perhaps.

Avri Doria: Well let me leave it at this if it's okay for now.

Tinjani Ben Jemaa: Because this is long - the problem - the sentence is long. That's why...

((Crosstalk))

Alan Greenberg: It's much shorter now.

Avri Doria: It says basically, "There was support on limiting the exception to community applicants." I'm limiting this exception.

Tinjani Ben Jemaa: Good, good, good, good, good.

Avri Doria: Okay, so it's not long anymore. Okay.

Tinjani Ben Jemaa: Okay.

Avri Doria: Moving on, next step. Due to the time constraints and in the interest of getting GNSO Council, ALAC and Board's endorsement of four of the basic recommendations, I basically changed the language that had been there from when we did earlier snapshots.

With the final what we're asking for is them to endorse our recommendation. The following work items proposed were not and that - we talked last time that there's full consensus on that.

There's the definition of mechanisms, a review committee be established operating under a set of conditions. Now, what I have to determine here and this was where (Carla)'s point came up yesterday - by the way we only have 6 minutes until our 90 are up - (Carla)'s thing of have we answered the Board's question?

Now, from what I - look at things I really don't see them having asked us a question, so I have difficulty with that in some sense. But if they did ask a question they said, "Have you established criteria?"

And I believe that we have established criteria, except one of the criteria, financial need, is a point that we say more work needs to be done on that.

Now I'm wondering as I say that whether I have done a good enough job of saying, "It's in E, establish the criteria for financial need and a method of demonstrating that need," whether that sentence, A, being in the E position.

And perhaps I have to say there's - this is also an unordered list. Is that statement strong enough or do I need to beef that up with, "We are suggesting that the Working Group start working on that as soon as we have released the final report."

Please, I see (Carla)'s hand up. Yes, I should have called on you since it was your issue. Thank you.

(Carla): Yes, I think I probably spoke about the question. What I mean is are we directly addressing the recommendations that were made in September by the Board?

Avri Doria: Okay, thanks.

(Carla): You know, because I think if we directly address that, you know, it will be easier for the Board just to tell Staff, you know, do this and do that.

Avri Doria: Right, and I think what I haven't written yet and I should also write today, is - and I don't believe I'm going to write, is basically we don't have the executive report, and maybe the executive is basically the point where we say, "We have established criteria, you know, and they are, et cetera. We have this. We have that." I've got Tinjani and Alan.

Tinjani Ben Jemaa: Yes, I don't know why we want to wait until the end of the final report to constitute the group will work on the definition of the need. We need to...

Avri Doria: We have to finish the final report and get it done?

Tinjani Ben Jemaa: No, we can start already. We can do it in front of it.

Avri Doria: If we were getting a lot of work done in parallel at the moment I might say that. I mean, if people want to start talking among themselves, I don't have an issue with it.

But, I mean, I'm personally afraid that if we start doing anything other than finishing the report and the comments, then we won't finish the report and the comments.

And so I'm trying to sort of say we don't start on anything else until and - because part of this work then sort of says, okay, we need to get some experts in.

We need to start, you know, getting some expert opinion on how one establishes need, what's appropriate to do that in a cross economic, cross cultural setting, in confidentiality privacy.

We have to start defining a set of questions that we need to work from, so I think it's really good if people start thinking about it. If one in two people want to start talking in the background I'm by all means in favor.

But I'm - I as a Co-Chair am really very resistant of starting up another work item until we finish this one that seems to be dragging on forever. And I'm having trouble getting people to send me language to review things before meetings, et cetera.

So I'm resistant. I mean, if all of you say, "Oh no, no, we're really ready to do this," but that's my reason for, you know, not wanting to start a formal activity until we've gotten going. I'm also not positive it's in our charter but...

Tinjani Ben Jemaa: I understand Avri but I don't say that we will work today - tomorrow or today. No, first we have to define more or less the composition of the group.

We will have experts, we will have, I don't know, and we will have members of this group, et cetera and perhaps other volunteers first.

Second, when we defined it we have to do the call for people to come and to integrate the group, so that when we have finished this report we can immediately start working in this newer group. We are - it's a problem of style, that's the problem.

Avri Doria: Yes, I understand and if I had - yes, please, and if I had fair bandwidth I would probably, you know, accept your call. Alan.

Alan Greenberg: Yes, I - that's not the one I raised my hand for but I think the issue here is you're trying to say that it's not part of this report. And maybe you need slightly wording to not imply we won't start it until afterwards.

But I think that's the message we're trying to convey and I don't think we need to in this report say exactly what the details are of how we are starting and exactly which moment in time are we starting.

So I - although I agree with Tinjani that we may be able to do some work in parallel, I don't think that needs to be detailed in this report.

Avri Doria: Okay, thanks.

Alan Greenberg: Okay, what I was - what I raised my hand for is whether this is a ABCD list or whether it is a bulleted list. I think the order matters and specifically I think that you need to be grouped together, and I would very explicitly say that Item E, that the financial support should probably be following B, because the first two are overall mechanisms and establishing the financial report I think is far, far more important than putting the framework of - on auctions which is something that we haven't really talked about at all.

So I think ordering them in general, whether they're in strict priority order and I don't think they are because some of these have to be done in parallel, I think the order does matter.

And putting - establishing the financial criteria at the bottom or near the bottom of the list is sending a message that we don't think it's one of the important things.

But based on what Kurt said of his interpretation of what the Board didn't say but meant, it's clearly one of the top criteria or in the top requirements to be done.

So I would move it up in the order and I'm not sure exactly where it goes - probably after B.

Avri Doria: Okay great.

Alan Greenberg: But it better not - it can't be at the bottom or we're sending a bad message.

Avri Doria: It may actually be A but anyway - especially if we're already turning...

Alan Greenberg: Well, I was going - when I raised my hand I was going to say A, but then I read A and said, "Maybe that one really does need to be first." Anyway...

Avri Doria: Okay, I'll resort it. By the way we're at 31. Rafik.

Rafik Dammak: Just when we talk about how to define the need, if we need another group to work on that, is it in our Working Group charter? And if we want to work on that topic we - don't we need to see with our chartering organization or not?

Avri Doria: Okay, I'll just give you - my answer on that one is I think it is but it's not there explicitly. Where our charter does discuss determining criteria for support, one of the criteria for support is indeed defining financial aid.

Now we've, I mean, financial need. We have taken the first step and said, "One of the criteria is there has to be financial need," but we haven't done the drilling down to the next level.

So that's why I sort of put it in a gray area. I believe that it is legitimate for us to start working on it and for us to inform the group in this report that we have started working on it and that, you know, as they look at the chartering of the group they can always stop us.

But you as liaison, with Carlos as liaison, though of course in Cartagena we'll have to find a new ALAC liaison if we're continuing on...

Elaine Pruis: This is Elaine.

Avri Doria: Oh okay. Yes, please. So let me just finish this answer. So, you know, you can also take it to your respective groups and check to see whether this is in our charter. Elaine - in fact I think I heard your voice before I saw a hand somehow.

Alan Greenberg: I just have one quick sentence. If we're going to do that then we better make sure that the message that we use to send the report to our chartering organizations make it clear, because the standard is to receive the final report and thank the committee for its work and disband them.

So if we think we're going to continue work after the "final report," we should just make it clear in our transmittal document.

Avri Doria: All right, and we may have this named in a final report. Yes, Elaine. Sorry.

Elaine Pruis: Thanks. So in my discussions with some of the Board members after the charter time resolution, I heard that one of the reasons why there weren't more resolutions in support of our work was because we specifically had not

done the work of defining need, and that the Board did not want to take on that task but expected the Working Group to define need more specifically.

And so if we are not going to do that before we submit a final report, I think it would be very important to write in our report that we understand that further definition has to occur and we suggest, you know, forming some other committee or bringing in some experts or I think what you said probably three minutes ago about the reasons why we haven't defined a needy applicant further, I think that would be very important to add to our report.

Avri Doria: Okay, thank you. Okay, we are at 35 after the hour so we've done 95 minutes at the moment, so we should be done. If I can quickly - and if anybody has to drop off please do, but I beg your indulgence to cover two more things.

One, at what was my line 493 and so I will do some work on what we just spoke about. What was my line 493 I basically stuck in a variant of the paragraph that Elaine suggested and mailed yesterday, and so I didn't hear any objections on the list.

So - and I may need to add some of the language that we just talked about to this particular paragraph as well. And I'm not going to go through them in point by point now.

I've got some frequently asked questions. I'm taking edits on them as people will notice. I did follow the suggestion from - or no, you won't notice it because it's in my - or no, it's the version I just sent and that I did - in 411 did add policy implementation guideline and as suggested by (Carla).

And all I've gotten in terms of comments for those at the moment on 4.5, I ask anybody that wants to talk about the continued operations instrument send me language, otherwise I'll probably end up dropping it from the list because an answer didn't come to me quickly on what the reasons were.

And so I'd like to ask anyone that is arguing for that to send me language. And at that we did not get to the addenda discussion. What I wanted to basically go on is we need to get to that.

I need - I think there need to be answers explaining what we've done or what we haven't done to each of the issues, so I'm hoping that at the next meeting that can become the main focus of the discussion, and that we take care of any of the other issues that come up on this document on the list as much as possible until we get to the final blessing of the document.

Anybody else want to have a closing word? I see many people have dropped out already. If not, thank you all for the 98 minutes of your morning, evening, afternoon, middle of the night.

And as I let people know I'm going to be traveling a lot over the next two weeks, will try to participate in meetings as much as I can but Evan will be carrying the main Chairing load for the next two weeks. Thank you.

Tinjani Ben Jemaa: Thank you Avri. Thank you everybody.

Avri Doria: Okay. Bye-bye.

Tinjani Ben Jemaa: Bye.

END