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ICANN Transcription

New gTLD Subsequent Procedures Working Group

Tuesday, 21 January 2020 at 1500 UTC

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MICHELLE DESMYTER: Welcome, everyone. Good morning, good afternoon, and good evening to all. Welcome to the New gTLD Subsequent Procedures PDP Working Group meeting on the 21st of January, 2020.

In the interest of time today, there will be no roll call. Attendance will be taken via the Zoom room.

As a friendly reminder, if you would also please state your name before speaking for transcription purposes and please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this, I'll hand the meeting back over to Jeff Neuman. Please begin, Jeff.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

JEFF NEUMAN:	Sorry. It took me a second to get off mute. I'm just trying to pull up all the materials.

Okay. Welcome, everyone. Thank you for coming to this. I know we're meeting on a Tuesday, which is a little bit different for our group since we normally meet on Monday. But there was a holiday in the United States and I believe the ICANN offices were closed. So thank you for coming a day later.

So – sounds like there's a microphone open. If everyone could just remember to mute their phones when not speaking, that would be great. The agenda for today is up on the screen right now. When we go into the subject, I'll give a little bit more of a background. Essentially, we're going to go through five different subjects. We'll see how far we get today and then continue it for our Thursday call.

Without going into any more detail, let me just ask if there's any updates to any statements of interest.

I'm not seeing any hands raised and not seeing anything in the chat. Julie has provided the link to the document that we're going to be looking at. It's in the chat. There's a couple goals of the exercise we're going through now. Of course, we're looking at this to look at the substance of the recommendation to make sure that the recommendations are in line with the working group, but another valuable component and probably just as important is to look at the format and the level of detail and the information that is provided in these documents because this is the model that we want to use both in going forward with other topics and then also for developing our draft final recommendations that will ultimately

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be going out for public comment. We'll talk about the format period at a later date. I don't want to spend time on that now. But we'll look at it to make sure it's got the right level of detail and whether we need to include any other information.

Now, these documents are not as comprehensive as the documents we have been looking at in the past. We will of course provide all of the public comments and the matrices and summary documents as other documents available at the end. So certainly we're not losing any of those documents, but again, this is something we want to use going forward as more manageable. So the fact that one group or constituency may have made an argument that was not adopted by the working group … If it's is not reflected in these documents, that is purposely done. It's not to restrict or to in any way discriminate against any of those statements. It's more as a way to make this more digestible and to really get into the substance and more manageable. But rest assured that, ultimately, groups will be able to file minority statements if they don't agree, in line with the working group guidelines and GNSO procedures. All of the information we've previously collected will be provided as reference material at the very end.

Does that make sense to everyone? Any other questions?

Okay. I should also state, as we go over to that document, that this is very much the model that we used for Work Track 5 for the geographic names at the top level. So the format may be similar to a number of people that participated in that group.

If we can go to the actual document, we picked these areas as well because we thought that material should be easier to come up with final recommendations and also less controversial. So we hope that that's correct and we hope that we can get through this material.

The first topic is on the Applicant Guidebook. Actually, sorry. One other item to say, just to get it out of the way, is that we expect that, for this call and for future calls, people will have read the document. We may not read every word of this document. We did distribute this document, I believe, either late Thursday or early Friday. So there have been a few days. Hopefully, people have taken a look at it before the call. To go through this word for word I think would be not a great use of our time, especially as we get closer to the end of our process.

What you'll see in all of these sections is a similar format. The first part will be obviously the overall heading. Then we'll go into the recommendations and/or implementation guidelines. Just to get everyone on the same page, recommendations are those areas that we believe must be adopted by the Board and incorporated into the guidebook. So it's not a "may" but it's a "shall," like, "This is our recommendation, and that needs to be implemented." But the implementation guidelines are still important to the group, but they are more like what it says: guidelines. It's more like "should": "You should be doing this and that there may be different ways to implement those implementation guidelines, but this is the way we think you should do it." But, of course, an implementation review team will look at these, and, if they can think of better ways to do

some of these things, they might do that in line with the guidance or the recommendations.

Does that make sense? So they're important to us. We are strongly saying that this should be the way that things go forward, but there may be other considerations and things as to why things are not done exactly as we have pointed out in the guidance.

Okay. The first part you'll see is always an affirmation, which is going back to the either the 2007/2008 policy and/or the Applicant Guidebook. The first one I'll read. It's, "The working group affirms that an applicant guidebook should be utilized for future new gTLDs procedures, as was the case in 2012." You'll see an affirmation at the top of each section – well, certainly for the ones that we've done so far. But I suppose there are maybe sections where we don't affirm, but usually we'll see that.

The recommendation we have next is that drafters of the guidebook focus on prioritize usability, clarity, and practicality in developing the guidebook for subsequent procedures and that it should address the needs of new applicants as well as those that are already familiar with the application process. And it should also effectively serve those who do not speak English as a first language in addition to native English speakers.

So, of all the recommendations and materials, we believe that this is the recommendation that would come out of all of that, and the next items would all be implementation guidance on how to implement this recommendation.

So the first guidance is to promote usability and clarity, use plain language standards to the extent possible, and avoid complex legal terminology when it's not necessary. The second one is: The AGB is to ensure that it's a practical resource. The core text of the AGB should be focused on the application process. The next part just says that historical context and policy should be included as appendices and [of course are] linked to the relevant provisions but not necessarily in then main body of the AGB. The working group suggests including step-by-step instructions for applications with clear guidance about how the process may vary in the case of applications for different categories of TLDs or other variable situations. The third one talks about usability. It's to ensure that the ABG has a robust table of contents and index. It's tagged, searchable, and online so that users may easily find sections of text that are applicable to them. The last implementation guidance is: In addition to the base registry agreement in the applicant terms and conditions, which were in the 2012 guidebook, any other agreements or terms of use associated with systems access, including those that require to be clicked through, should be referenced in the Applicant Guidebook and published at the same time as the final Applicant Guidebook. Then there's a reference to 2.4.3, which also addresses this area. So you'll see that as common as well in these implementation guidance and recommendations where there's other dependencies or other areas that may address aspects of similar things.

Questions on then implementation guidance?

Jim, please?

Jim, I don't know if you're still on mute. I can't hear you.

Can we check …

UNIDENTIFIED FEMALE: His line is muted. I'm trying to unmute it. One moment.

I think, Jim, your line is open.

JIM PRENDERGAST: Yeah. Can you hear me? Sorry. I just reinstalled Zoom today and I lost all my windows. Sorry about that.

CHERYL LANGDON-ORR: We can hear you now.

JIM PRENDERGAST: Question. In this section, in the beginning we talk about making this more user friendly for non-English speakers or non-native English speakers, but we don't specifically call out or mention any of the deliberations we had about the Applicant Guidebook needing to be published in multiple languages in almost real time to the English version of the guidebook. So I'm just wondering where do we capture that aspect of the deliberations. Thanks.

JEFF NEUMAN: Thanks, Jim. I do remember reading that. I think it might be in the communications section or … hmm. Oh, it might be in that 2.4.3 systems, maybe. But it should probably be referenced here. It's a good point, Jim. I do remember seeing it somewhere, so let's see

if we can find where else we have that because I do remember reading that. But I've read a lot of things lately. So it's a good point.

JIM PRENDERGAST: I think, even if it's mentioned elsewhere, this would obviously be a natural home for it to also be mentioned. I don't think saying it more than once will hurt it.

JEFF NEUMAN: Yeah. Thanks, Jim. Absolutely. I think that makes a lot of sense. Anne says it's a +1. And we did talk about the U.N. languages. I think we will also put that in here, as well as then section it's in. Like I said, later on we'll talk about communications and systems. But you're right. It does make sense to be here as well. That would be in the form – let me just make sure – of recommendation as opposed to an implantation guidance, right? The U.N. languages was certainly one that we thought rose to the level of recommendations.

And that seems to be supported. So thanks, Jim. We will add that in here as well.

Any other questions or comments on the implementation guidance and recommendation?

Okay. Moving on to the next section, we do have a small section called Deliberations, but it is intended more to just address the comments that were raised just in general to explain, but not in terms of historical and not into too much detail but just some sort

of explanation of why we came to those implementation guidance and recommendations. Then you'll see in the section below that a reference to any new issues that were raised in the deliberations since the publication of the initial report, if there were any.

I'm not going to read that deliberation rationale section – I think it's pretty self-explanatory – but just to make sure that, after this call or, if you want to read that, it helps provide a short explanation we came to those recommendations and guidance.

Heather states, "I don't know how we do it, but we need to make sure that recommendation [inaudible] language translations doesn't get passed over when the implementation budget is prepared. We don't want to find out later that translations were sacrificed for something else."

Right. As a recommendation, there's an expectation that the recommendations will be implemented as recommended.

Emily's got her hand up. Emily, please?

EMILY BARABAS: Thanks, Jeff. I think actually Jim clarified what I was going to ask, which was that it sounds like there's two pieces to this. One is potentially an affirmation that the AGB should again be translated into the six U.N. languages, as was the case in 2012. But then, in addition, the timing piece is a new recommendation or potentially implementation guidance about making sure that the window is the same length for all applications. Thanks.

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JEFF NEUMAN: Thanks, Emily. Let's talk about that because there's some subtleties in Jim's language. We all agree on the U.N. languages. That was certainly a high-level agreement, I believe. But, Jim, you have in here that there is a difference between publishing everything at the same time and also making sure the window [inaudible] is the same. So, if we put in guidance that it should be published at the same time but the recommendation is that it must be published prior to the application window opening up, then we can make sure that no one's application window is shortened. It's very different.

So, Jim, let me just go to you then to just explain your comment.

JIM PRENDERGAST: Sure. Thanks, Jeff. I think we're all familiar – yeah. I'll just recap what happened in 2012. We did have other language translations, but they came six or sometimes eight weeks after the English Applicant Guidebook was published. So I think what we talked about in our deliberations was ensuring that those applicants who need non-English versions of the guidebook are not somehow disadvantaged in the application window by having to wait that extra time for the Applicant Guidebook to come out in their language. So it's one thing to publish an English version, but maybe the application window doesn't officially open until all of the translated versions then open. You can't run multiple windows for multiple languages, so the easier solution would be to have the official start not actually happen until all the translated versions are available to the public, as opposed to the English version being the thing that kicks off the window.

JEFF NEUMAN: Thanks. So it sounds like we're saying two things. We're saying [it] certainly is implementation as a recommendation. Certainly all the applicant guidebooks must be published in these U.N. languages prior to the application window opening. That would be a recommendation/"must." I see there's some comments about "not the day before." Certainly the implementation guidance would be that it should be published essentially at the same time or as close to the same time as possible. So I see that more as implementation guidance but the first part as a recommendation, like a "must": "You must publish all of them prior to the application window opening up."

Let me go to Alan and then I'll read the chat.

KATHY KLEIMAN: Jeff, can I [jump in]? This is Kathy on audio only.

JEFF NEUMAN: Okay. So I'm going to go to Alan and then Kathy and then I'll go to the chat.

ALAN GREENBERG: Thank you. I'm a little bit fuzzy here. What is the real operational difference between the start of the window and the publication date? If we publish them on different dates, aren't we effectively having different windows? Yes, you can't start filling in the application online, but is there any real impact of when you start

filling out the application online? Unless there's something associated with the date that you make the application or that you start the application process, I don't understand really the difference. If we publish the English version three weeks before the French version but don't open the window until a month after the French version, aren't we effectively still giving different windows to the different languages?

JEFF NEUMAN: Thanks, Alan. The window, as we define it, is the date in which applicants can go into the system and start entering their application until the date it must be submitted by. That is what we're talking about.

ALAN GREENBERG: I understand that, but I'm saying what's the effective, real operational difference if one is published earlier? I think you're giving people more time to start working on their application with definitive, set rules.

JEFF NEUMAN: Well, okay. But the publication of the Applicant Guidebook has got other implications, like the start of the communications period and other things. We'll talk about that as we go through the next couple sections.

Let me go to Kathy and then I'll go to Paul. Kathy?

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KATHY KLEIMAN:	Can you hear me?
JEFF NEUMAN:	Yes, we can hear you.
KATHY KLEIMAN:	Okay, great. Thanks, Jeff. I thought we [had had] an agreement that all groups, regardless of where they're located, including in the global south, would have the same to prepare their applications [inaudible]. They need to know the rules [inaudible]. They need to know the rules. They all need to know them with the same amount of time to prepare. So I don't think it's an implementation detail. It would seem to me to be a recommendation because we are trying to ensure that all regions have the same opportunity. People [inaudible] all of the major U.N. language also have the same opportunity, regardless of where you're located in the world. You should have the same opportunity to prepare your application [inaudible]. So I don't think this should be standard. They should come out at the same time, where the window doesn't open. Thanks. I thought we had agreement on that. I thought that was a recommendation.
JEFF NEUMAN:	Thanks, Kathy. Let me go to Paul.
PAUL MCGRADY:	Thanks. I'm not sure I would go as far as Kathy and say that, if they … Say, for example, there's a one-day slip and the French

version comes out one day later than all the other ones [and] that the application wouldn't open.

But I do agree with the basic principle that Kathy and Alan are talking about here, which is making sure that one particular geographic region or group of language speakers are not favored over the others. We all know it's not just the application window that is the issue. No one finds out the day before the window opens and applies for a gTLD. I shouldn't say nobody, but that seems highly unlikely. There's months and months and months of prep work, including internal selling within the company of "Who's going to own the function, how is it going to be funded, what are we going to do with it?" and those kinds of things. Those months and months and months of work are well in advance of the application window. So, if the English speakers have a six-month head start over everybody else, then once again we will have gob of applicants from North America and parts of Europe and we'll be scratching our heads and wondering why. Thanks.

JEFF NEUMAN: Thanks, Paul. A couple things. I think, Paul, I'm going to quote you because I think you're the one who said this. We shouldn't be aiming for perfection. Or perfection always stands in the way. In a perfect world, we would absolutely have everything published on the exact same day. In a perfect world, we'd have every version of everything published in every language. But, again, we need to come up with … So the recommendation absolutely makes sense. I think, Paul, you said it in a way in your comment: the recommendation is that, at least X days before the window opens, all these versions need to be published. That I think could be a

hard recommendation. But implementation guidance? We do need to give some sort of flexibility for lots of reasons why perhaps not every bit of every part of the guidebook can be published in every language on the exact same day. We should give some sort of flexibility and maybe have it as implementation guidance: that they should be published at the same time to the extent possible. I think that is much more as an implementation guidance. But the recommendation could be a hard stop: that all these versions must be published and we'll come up with some time period before the application window opens. I think that it's important to recognize.

I see Donna and Alexander put in the chat the point I was going to make next: that the authoritative version is the English version. So these all do need to be submitted in English. I know that that's one of the realities that we have to deal with. So, if you have to submit it in English, then you also have to have some ability to read the English version and respond to it because English is the authoritative language.

Let me go to Cheryl.

CHERYL LANGDON-ORR: Seems like I found the unmute button. Thanks, Jeff. I am taking off my Co-Chair hat here and putting on my hat that's been somewhat involved in multilingual work within ICANN and other areas for a very long time.

Jeff, you've just made the argument why in fact perhaps the other non-English language versions need to be pre- or earlier

publications and why there needs to be longer time provide for the non-English-speaking potential gTLD applicants so they in fact get a kickstart or a head start ahead of the more privileged by having the existing language skills group of competitors. That's not going to work.

So, if anything, that argument says non-English speakers need more, not less, time and need greater compensation in time. Otherwise, it's not an absolutely level playing field. Just saying. Okay. Popping my hat back on and trying to calm down. Thank you.

JEFF NEUMAN: Thanks, Cheryl. Alan?

ALAN GREENBERG: Thank you. Just a comment for those who aren't familiar with language translation services. What typically happens with a big document like this is you're asked to submit early versions way earlier than you need them, and the translation is done ahead of time. You then submit closer to the target the deltas (the marked-up version saying what you've changed). The version is then adjusted. So, although it is a huge document, the time to get the final version out is not necessarily a huge amount of time because the bulk of the translation will be done early and it will then be adjusted, perhaps multiple times, depending on exactly how this is planned, when it comes out.

If we're doing it properly – that is, we gave the translators early versions to work on – there shouldn't be a huge gap of time

between the time the English version is finalized and the other language versions are available. Thank you.

JEFF NEUMAN: Thanks, Alan. Let me go back to the recommendation versus implementation guidance. We certainly have agreement. I think nobody disputes that we must have the Applicant Guidebook in the six U.N. languages. Correct? That is still a recommendation.

Where we are now is on whether it is a recommendation or implementation guidance as to whether it must be published at the exact same time or whether it must be published at some point and we can come up with a time period prior to the application window opening open.

KRISTINE DORRAIN: Jeff, can I get in the queue? This is Kristine.

JEFF NEUMAN: Yes. Let me just finish the thought and then I'll put you in. Your phone number, Kristine, ends in 613. If that's right, then we'll just [inaudible].

KRISTINE DORRAIN: Yeah. Sure.

JEFF NEUMAN: Cool. Actually, let me just go to you now. Go on, Kristine.

KRISTINE DORRAIN: Thanks. I apologize. I'm a few minutes late on the call. Maybe I'm mincing hairs, but are we talking about not publishing an English translation until the other translations are ready? When the document that we're effectively editing and creating the English document and eventually there will be a version of it that we have considered final and posted on then site for community comment, etc. … It seems to me that, whether or not the version is stamped with the word "Final," ultimately, at the end of the day, the final English version is more or less going to be available at the time that it has to be sent out for translation. Almost to Alan's point, we're going to iterating on it. But we're going to have it.

So I wonder we're mincing hairs about the exact definition of the publication of the English translation when that is effectively what we're working on now. The point is to [hinge on everything else] that subsequently follows off of when all of the other translations are ready. So I guess I'm a little bit confused about why the date of the English translations is significant. Thanks.

JEFF NEUMAN: Thanks, Kristine. Also remember that the publication of the final Applicant Guidebook is what kicks off the communications period and things like that. There's months in between that. So, again, I think the recommendation is definitely that it's published in the six U.N. languages and probably within X number of days/weeks prior to the window opening. We'll talk about that. But the implementation guidance is that it should be published at or as close to the date that the English [inaudible]—

UNIDENTIFIED MALE: [inaudible] as a service provider. As a service provider [inaudible] service provider.

JEFF NEUMAN: [Greg]? Thanks. So that the implementation guidance is that all translations should be available at or as close as possible in time to the English version. Again, this implantation guidance is not a recommendation as a "must" but it is something that they should pay attention to and should implement. So it's not like it … okay. Anyway, sorry.

Let me see if there's any comments on that.

KATHY KLEIMAN: This is Kathy on audio.

JEFF NEUMAN: Kathy on audio. Please.

KATHY KLEIMAN: Great. Thanks. I guess I don't understand why we're spending so much time on this. I think the implementation guidance is effectively a recommendation. I think you've heard it from everyone who represents groups that operate in multiple languages: the starting point should be the same change for everyone across the world and that this is part of our high-level recommendations [inaudible] the Applicant Guidebook are going

to be to level the playing field for everyone who wants to participate, starting here. So I think the discussions is elevating the implementation guidance to recommendation so that there's no misunderstanding and so that we don't have the problems [at] the first round.

But I see you arguing against that, Jeff. You, as a Chair, as a facilitator, I think have heard more in favor of that than against it today. Thanks.

JEFF NEUMAN: Thanks, Kathy. But, as the Chair, I also consider the public comments and everything else that has been comments prior to this. Not everything is, as you know, submitted on a call.

So what I think we can do is we will create the wording for that. We'll bracket it as recommendation/implementation guidance, and we'll figure that out as we go along as to whether it needs to be a recommendation or implementation guidance. We will put it on the mailing list and see how people feel.

Anne Aikman-Scalese says that, if we insist on it not being a recommendation, we'll invite GAC advice.

Anne, I'm not so sure that that's the case. The GAC wants to ensure … And it has in previous advice says that it needs to be in all U.N. languages, but has never issued any kind of advice that it has to be exactly at the same time. I have not seen that, nor am I necessarily sure that, if there was an implementation guidance that says, "As soon as practicable after the English version," we can assume that there will be GAC advice. So let's not bring that

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into the discussion, but let's bracket it at this point and check with the list. And it's not me defending my own position here. It's just making sure that we don't make decisions only on a phone call where certain people are more vocal than others. So we'll bracket that in the next version.

Let's move on then. Oh, sorry. Are there any other questions other than on the language versions on Applicant Guidebook, on what we have here?

Okay. Then let's move on to Part C of this section, which, again, is where you'll see us reference new issues that came about since the initial report. We're putting everything out. This may be an impetus for questions we ask specifically during the next public comment. So, by us highlighting the new things that were put in, we may decide to then ask a specific question on this when it goes out for public comment.

So the new area here was that there were public comments that focused on not just the guidebook itself and the languages but it's making sure that any of the terms of use and agreements for use of the system and other aspects that came about in the last round much later on and even after the window opened should be known in advance.

Questions or comments on that?

Okay. So then we move on to communications. I know some of the same concepts about languages and other aspects are certainly relevant here. Like the other section on the Applicant

Guidebook, this one starts out with affirming principles and guidelines of the 2012 round and 2007/2008 policy.

What we state here is that we affirm Implementation Guideline E, C, M, and O from the 2007 report. Then we go on to list what those are, so don't worry. Guideline C was that ICANN will provide frequent communications with applicants and the public, including comment forms which will be used to inform evaluation panels. E is that application submission date will be at least four months after the issue of the … Well, the policy said the request for proposal. We may want to reword this as "Applicant Guidebook" so that it's clear, since that was not a term that was used. We'll figure out how best to do that. So maybe it's revising Implementation Guideline E and then affirming the revised version. But we'll figure out the best way to do that. Guideline M was: ICANN may establish a capacity-building and support mechanism, aiming at facilitating effective communication on important and technical Internet governance functions in a way that no longer requires all participants in the conversation to be able to read and write English. Implementation Guideline O: ICANN may put in place systems that could provide information about the gTLD process in major languages other than English – for example, in six working languages of the United Nations. I knew that that language was in another section, so we'll make sure that it's above as well.

If we scroll down then to the recommendations – there we go – the first recommendation is: The working believed that an effective communication strategy and plan is needed to support the goals of the program. Accordingly, the working group recommends that

the new gTLD communications plan must be developed with timeliness, broad outreach, and accessibility as key priorities. The communications plan must be targeted to achieve the goals of the New gTLD Program as articulated. The plan must include a communications periods commensurate in length to achieve those goals. Then we'll put references where there are other sections that we need to include.

Then we get into the implementation guidance. I see Anne's got her hand up, so, Anne, please?

Anne, you're on mute. I saw you come off a mute for a split second – oh, there we go.

ANNE AIKMAN-SCALESE: Okay. I'm trying again. I don't know. The system muted me after I came off mute. Okay. I'll try to talk quickly here. I need to have a little bit better understanding about our distinctions between recommendations and implementation guidance as we go through this. I'm very grateful that you're providing me examples that are easier to handle than some of our more complex issues.

Would you anticipate, if there's a significant [contingent] that believes that something should be a recommendation instead of an implementation guidance, as we just had apparently in this discussion on this, which hopefully was a simpler issue, availability of a minority statement with respect to those two distinctions – one being a recommendation, one being implementation guidance? Or how will disagreements about which category it goes into be handled moving forward? Thanks again

for bringing up this type of format so that we can clarify these issues.

JEFF NEUMAN: Thanks, Anne. What we're listing here as recommendations and implementation guidance are basically the leadership's recommendations … Sorry to use the same term. It's our proposal, to use a different term, as what we include as recommendations or implementation guidance. So, if someone in the group believes that something should be either a recommendation or switched from a recommendation to an implementation guidance or the other way around, you should bring it up as one of the issues on these calls or on the e-mail list. Then we will go back and check with the group as to what the group feels. If there's more that favor it as one or the other, then we will include it as that one or the other.

The first thing [is that] everyone from the group should be comfortable with what we are proposing in terms of the substance. That's number one. Number two is everyone should be everyone should be comfortable as to where we placed it as a recommendation or implementation guidance. Like I said, number one is the most important thing – that everyone agrees on the subject – and then, two, we'd like to get everyone to agree on whether it's recommendation or implementation guidance. To the extent that there's agreement with the substance but disagreement as to how we classified it, certainly we would put in minority statements or maybe even ask that as a question in the next public comment period to get some feedback on whether this is a "must" or a "should." So I think, for now, we're going to

document and see what most of the group feels, and then we'll take each one as we go, if that makes sense.

Anne, your hand – okay, good. All right. Hand is down. So please do let us know if we've incorrectly categorized it. Then we will, like the last one, go back to the full group.

Steve Chan with his hand up. Please, Steve.

STEVE CHAN: Thanks, Jeff. I guess I just wanted to add a little bit of additional color to implementation guidance. So we're talking about the recommendations about being a must and then the implementation guidance being a should. I would invite Karen from GDD and other folks to correct me if I'm wrong, but the implementation guidance is a strong should, if I can actually phrase it that way. It essentially creates a presumption that it shouldn't be implemented in that manner unless there's some operational/technical reason why it can't be implemented exactly in that precise manner.

I think Jeff mentioned this earlier: It's quite nearly to the point of recommendation, but it just leaves a little bit of flexibility in the event that it cannot be done precisely in that manner. I don't know if that helps in the group's analysis of what should be a recommendation versus implementation guidance, but I thought it might be helpful to provide that context. Thanks.

JEFF NEUMAN:	Thanks, Steve. That is very helpful, especially as Karen puts in the chat: "To be transparent, if it cannot be implemented in the exact way specified." ICANN and the implementation team are going to do everything they can do implement it exactly as we say it should be, but there may be very legitimate reasons why it cannot be implemented exactly in the way that's specified. [They'll] explain that they'll do it as close as possible or that they're trying to achieve the same thing but by implementing it in a different way.

As Martin says, we should also rely on the IRT to ensure that these are followed through.

Anne asks if we can state that in the preamble. I think, yes, the answer is we certainly will provide that kind of explanation.

The next one. The implementation guidance on this … This is with respect to timeliness. There's actually two components to this that we need to potentially consider separate, although they could be aligned. So there are two time periods that we're talking about here. There's the time period that we believe should be a communications period – in other words, a period in which ICANN goes out and communicates to the world about the New gTLD Program. That's the communications period. It has a start date and an end date.

A separate question is the time period by which the Applicant Guidebook is published and the application window opens. That is separate. They could be equal to each other, or they could be different.

So, in this guidance, in this particular one, what we're saying is that there should be a minimum of four months from when the Applicant Guidebook is finalized and the application submission period begins. But we could also say that we want a communications period where ICANN is out there communicating to the world. That could be either longer or shorter than that.

Susan asks, "A final version of the AGB?" Yes, the final version of the AGB. Yes, that is what we are talking about.

KATHY KLEIMAN: Jeff, this is Kathy on audio. I have a question.

JEFF NEUMAN: Sure.

KATHY KLEIMAN: [inaudible] that you were reading the numbers. Could you read it again? The numbers – what the current version of the recommendation is now. Thanks.

JEFF NEUMAN: Yeah. Sure. I wasn't really reading from it. I was just more explaining that there are two different time periods. Now I'll read the implementation guidance so that it's a little bit more clear.

So, for timeliness, the working group believes that, for the next subsequent round, there should continue to be a minimum of four months from the time when the final Applicant Guidebook … We

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should say "is published" instead of "is finalized." Sorry. Let me start again with that change of words for people just on the phone. Starting over: For timeliness, the working group believes that, for the next subsequent round, there should continue to be a minimum of four months from the time when the final Applicant Guidebook is published and the application submission period begins.

I'll stop there before I go onto the next sentence. Does that make sense? So this is not talking about what we think of as the communications period but it is talking about the time in between when the final Applicant Guidebook is published and the application submission period begins.

KATHY KLEIMAN: Jeff, this is Kathy.

JEFF NEUMAN: Yes?

KATHY KLEIMAN: [inaudible], which is my recollection as well. But maybe we should look at it in conjunction with the communications period. But I thought [inaudible] this round, we had agreed to at least six months after the Applicant Guidebook was published to allow a real ramp-up around the world on this and real knowledge and the details and the rules around the world. I thought someone put that into the comments on this as well. Thanks.

JEFF NEUMAN:	Thank you, Kathy. That highlights the difference. What's in the comments is a six-month communications window. Like I was saying at the beginning, you could make them the same. You very well could make the communications period and the time period between the final Applicant Guidebook being published and the application window the same, or you can do what this is doing, which is saying that there needs to be a minimum of four months between when the Applicant Guidebook is published and the submission period. And there needs to be a six-month communications period. So you can start the communications period several months before the actual final guidebook is published. There's no reason why you need to wait for the final Applicant Guidebook to be published to start talking about or start outreach for the program.
	Alexander in the chat is saying that it all depends on when the window closes. That's a separate question. That's in the next … I can't remember where that section is. I'm not sure if that's in one of the next ones coming up. Alexander, assume that the window is the same as the window was in 2012 just for these discussion purposes. We may revise that, but just make the assumption that is the same three-month period.
	Let's see. Phil is saying, "It was only four months. That was definitely not long enough to prepare business plans and raise finance. Should be at least six months."
	Phil, it would be very clear if you're talking about the time that the final Applicant Guidebook is published or the communications

period. Now, remember, on the final Applicant Guidebook, there were ten versions of it the last time. ICANN could have easily started a communications period earlier than when the Board finally approved the guidebook. It could have started the outreach prior to that. I think that's one of the things that we're trying to say: the communications period being a minimum of six months is incredibly important, but it can start prior to the publishing of the final Applicant Guidebook. That's one of the things that we're trying to say.

Paul says, "In fact, starting outreach early may help mitigate concerns about the head start English speakers may have."

There's apparently an ALAC monthly call, so people are getting off. Actually, we are ending in two minutes anyway, simply because this is only a 60-minute call, probably because of that call or other things that are going on.

Emily says, "The applicant submission period is what covers what Alexander's question was." Okay.

So we're going to stop here anyway. Think about this question prior to the next call. We're going to go through the rest of this and hopefully do the other sections. We have 90 minutes on Thursday. Just think about these as two separate periods. I'm not sure they need to be aligned. It might be okay to start the communications period earlier simply because there are very few changes at the end. ICANN should be doing outreach much sooner than when the final Applicant Guidebook comes out anyway.

Cheryl is saying, "It's a GNSO staff meeting that shortened it." Okay. Either way, there's other conflicts.

If we could post when the call is – the next one on Thursday …

MICHELLE DESMYTER: Jeff, it's this Thursday at 20:00 UTC.

JEFF NEUMAN: Thank you very much. 20:00 UTC. So that's a little over 48 hours for now. So I'll talk to everyone then. Please do read the rest of these documents. Make some comments if you'd like in the draft. Please come prepared so we don't have to read everything word for word.

Thanks, everyone. Talk to you later.

[END OF TRANSCRIPTION]