

Dear Council Leadership,

Apologies for not meeting the Document Deadline, but I wanted to provide this update after my call with the ICANN SubPro ODP Team and after receiving the documents I am now forwarding.

There is a lot to report on since the last update a few weeks ago when the ICANN ODP team announced the official start to the SubPro ODP.

1. Project Timeline: Attached is a high level project timeline provided by the ODP Team that sets forth different milestones including Community Status Updates, ICANN meeting sessions and some internal ICANN team deliverables. We are not certain whether the Community Status Updates (in March, May and August) will be webinars or reports, but that will be finalized over the next few weeks. In addition, ICANN is planning a session at ICANN73 (more on that below), and several sessions at ICANN74. And hopefully by ICANN75 in September, the ODA will be near final to discuss. This timeline was provided in response to the Council discussion during its January meeting.

2. Question Set 2: We have also just received Question Set #2 from the ODP team which I have copied into a [Google Doc \[docs.google.com\]](https://docs.google.com). As per our process, I will draft a proposed response which everyone is able to see, revise, comment on, etc. Although the Question states that it is related to Applicant Support, it is actually a broader procedural question as opposed to one related to the substance of Applicant Support.

In the SubPro Final Report, the recommendations state that a dedicated Implementation Review Team (separate and apart from the general SubPro IRT) should be formed to finalize a number of the elements of the Applicant Support program. The SubPro Working Group believed that it did not have the sufficient expertise to develop policy on who should qualify for Applicant Support, how the funds should be distributed, etc. Though there are some recommendations at a high level, the Working Group envisioned a specific community group with that expertise should be responsible for the requirements. For those of you that want to read that section again, [it is Topic 17 \[gnso.icann.org\]](https://gnso.icann.org) (pages 71-83). The Implementation Guidance states:

*“A dedicated Implementation Review Team should be established and charged with developing implementation elements of the Applicant Support Program. In conducting its work, the Implementation Review Team should revisit the 2011 Final Report of the Joint Applicant Support Working Group<sup>98</sup> as well as the 2012 implementation of the Applicant Support program.”*

ICANN has rightly pointed out that this is generally not the type of work that we think of being associated with an IRT and may in fact be policy. That being the case, ICANN wants to know (a) whether the Council (responsible for managing policy) is nonetheless ok with giving this work to an IRT or whether the Council wanted to create some other cross community team (called something other than an IRT) to do this work.

Incidentally, I believe this question provides us with an opening, should we choose to take it, where the Council can actually commission a group to start working on these issues NOW as opposed to waiting for Board approval in 2023. In other words, the Council can always modify its policy recommendations at any time prior to the Board approving the policy recommendations. So although we technically cannot commission an IRT until the Board approves the policies, we can commission a

group to work on Applicant Support issues now. If this group can complete its work prior to the Board approving the SubPro Policies, the PDP Manual would allow us to update the SubPro policies to include the group's recommendations (if we wanted to). If, however, it does not complete the work by that time, then they would be new recommendations to the Board for approval. This is no different really at the end of the day than the outcome of an IRT.

**Therefore, I would like to propose to the Council that it consider creating a group to work on these applicant support issues and solicit volunteers from the GAC and ALAC (who are VERY interested in this subject) to start work on this as soon as possible. And if this is a good model, perhaps there are other recommendations in the SubPro Report where those were referred to IRTs, but really may involve some policy aspects that we can start work on now.**

I would like to use the update time during the Council meeting to discuss this point if possible.

3. ICANN73: When the schedule comes out shortly, you will likely see (unless anything changes) a session on Wednesday of ICANN week for the ODP team to give an update. At that meeting they will likely be presenting on the work they have done to date and on the next set of key assumptions for the program. You may recall back in 2019 I believe ICANN released its first set of assumptions which was prior to SubPro completing its work. Some of the assumptions at that time were discussed, but others could not be discussed due to the policies at the time not being final. My understanding is that this second set will be more comprehensive and much further developed.

Finally, I just want to acknowledge the hard work of Karen Lentz and her team including Lars Hoffmann, Chris Bare, Samantha Mancina and Michael Karakash as well as of course our very own Steve Chan and Emily Barabas.

Please let me know if you have any comments or questions.

Sincerely,

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