

**SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Tuesday 05 April 2011 at 1300 UTC**

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On page ;

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(transcripts and recordings are found on the calendar page)

Participants on the Call:

GNSO

Carlos Aguirre – Nominating Committee Appointee to GNSO Council
Andrew Mack – CBUC
Avri Doria – NCSG
Alex Gakuru – NCSG

ALAC

Cintra Sooknanan – At-Large
Carlton Samuels – LACRALO - ALAC - WG co-chair
Tijani Ben Jemaa - AFRALO – ALAC
Dev Anand Teelucksingh – At Large
Olivier Crépin-Leblond – ALAC chair
Baudoin Schombe - At-Large
Alan Greenberg – GNSO Liaison - NARALO
Evan Leibovitch – NARALO – ALAC
Cheryl Langdon-Or - ccNSO Liaison - APRALO
Dave Kissoondoyal - (AFRALO) – At large

Elaine Pruis – MindandMachines

Sébastien Bachollet – ICANN Board

ICANN staff

Karla Valente
Glen de Saint Géry
Gisella Gruber-White

Apologies:

Sébastien Bachollet – ICANN Board

Rafik Dammak - NCSG - Council liaison – WG chair
Michele Neylon - RrSG
Tony Harris –ISPCP

Coordinator: Please go ahead. This afternoon's conference call is now being recorded.

Gisella Gruber-White: Thank you. Good morning, good afternoon, good evening to everyone on today's JAS Workgroup call on Tuesday the 5th of April.

We have Carlton Samuels, Olivier Crepin-LeBlond, Cheryl Langdon-Orr, Tijani Ben Jemaa, Alex Gakuru, Cintra Sooknanan, Elaine Pruis, Avri Doria, Dave Kissoondoyal, Alan Greenberg.

From staff we have Karla Valente, Glen DeSaintgery and myself, Gisella Gruber-White. We have apologies today from Sebastien Bachollet. And we are still trying to get a hold of Carlos Aguirre, Rafik Dammak and Baudouin Schombe.

If I could please remind everyone to state your names when speaking, this is for transcript purposes. Thank you, over to you Carlton.

Carlton Samuels: Thank you Gisella. Hello everyone, welcome. The role call is there. The proposed agenda is on the Connect, Adobe Connect page. Is there any variation that any member would propose?

Tijani Ben Jemaa: Yes, I don't see how we can, may I, excuse me, I raise my hand.

Carlton Samuels: Go ahead.

Tijani Ben Jemaa: Okay. I don't see how we would discuss the Point 3 since nothing was added on the weekend nor nothing was sent on the list concerning the criteria. So I am so (embarset).

Carlton Samuels: Yes I saw that too Tijani. But, you know, how these things. People may still have things that they wish to say. So we put it in as a standard part of the agenda.

Tijani Ben Jemaa: Okay.

Carlton Samuels: If there is nothing to say, we move on. Well Rafik is not on and (Andrew) is not on.

Man: And Elaine is here. She's with them.

Carlton Samuels: Elaine is with them. So I'm moving to Number 2, which was the report from Rafik and (Andrew) and Elaine. Is there anything new to bring to the group's attention?

Woman: Did I just hear that (Andrew)'s not on yet.

Carlton Samuels: No.

Andrew Mack: I just got on.

Carlton Samuels: You just got on. Oh good.

Andrew Mack: I apologize.

((Crosstalk))

Carlton Samuels: Have we made anymore progress with the, with GAC?

Cintra Sooknanan: Hi Carlton. This is Cintra.

Carlton Samuels: One moment Cintra.

Cintra Sooknanan: Hello?

Carlton Samuels: On moment. I'm waiting to hear from (Andrew).

Andrew Mack: Oh, I have not heard anything back from Rafik.

Carlton Samuels: Okay. All right, Cintra.

Cintra Sooknanan: Hi Carlton. I did just get an email from (Alice). And she said that she has (unintelligible) the, she sends apologies for not being able to attend.

And she said that she's (unintelligible) to the GAC a request, a comment on the definition of developing countries and needy applicants. She said it would be ideal if our working group could develop a definition that the GAC can (unintelligible) could comment or input on.

She said as well that the GAC is still working on a sample that's called GAC advice on new gTLDs. And they'll share it with us as soon as it's ready.

Carlton Samuels: Okay. Thank you Cintra. So the GAC has put the ball back in our play. And essentially what they've said is well, why you fellows go ahead and do your definitions.

And then when you finish it, you can pass it to us (a critesis) - to the critique. So that puts (paid) to any clarification that we might further wish to - unless somebody has something that they wish to say here.

Andrew Mack: Just a clarification if I could Carlton.

Carlton Samuels: Sure. Go ahead (Andrew).

Andrew Mack: That I guess the issue that I'm trying to figure out and maybe Cintra's conversation will shed a little bit of light. Are they - they're not expecting that we're waiting for them right?

They're going to get use whatever they're going to get us on whatever timeframe they have?

Carlton Samuels: Thank you.

Andrew Mack: Yes. Is that correct?

Carlton Samuels: Thank you. Yes, that's my understanding of the communicate. The communicate says that we are not waiting on them. They know this. What we had asked them to do is to provide input to defining what they mean by countries - criteria, a set of criteria for countries to qualify for support.

And what they have come back with is to say well, we don't have one at the minute. What you might do is continue with your criteria definition. And when you have defined something, when you have the criteria set out, send it back to us for comment. Which is good.

Elaine Pruis: Carlton may I, it's Elaine?

Carlton Samuels: Is it Elaine? Yes, of course, go right ahead Elaine. And I see Tijani. Tijani you are afterward.

Tijani Ben Jemaa: No, Elaine before.

Carlton Samuels: That's what I'm saying, you're after her.

Tijani Ben Jemaa: Yes, okay. Thank you.

Elaine Pruis: Okay so Carlton you just said that they want us to define criteria for a country. So now we're talking about national (current). Is that correct?

Carlton Samuels: No, no, no. They didn't say we should define a criteria for country. What I heard them say is that we should go on with our criteria, defining our criteria for support.

And we will - we can pass it back to them like around the member of the community. And they will make comments on it.

Elaine Pruis: Okay.

Carlton Samuels: That's, I read that not to bind us to having to defining specific criteria for country.

Elaine Pruis: Okay. Is there a specific document you're looking at when talking about this? Do you have some...

Carlton Samuels: There was an email that was sent from (Alice Monya) to you might recall that (Tracy Hackshaw) from Trinidad and Tobago. And (Alice Monya) were detailed to be a part of this working group by GAC.

And there was a email that was sent to (Tracy) and to (Alice) with my knowledge from Cintra who can share that with the group.

Elaine Pruis: That would be great.

Carlton Samuels: I think Cintra, just put it up on the Adobe Connect. But we can also forward it to the list, the main list.

Cintra Sooknanan: Yes. This is just the last email she sent to me. And this was sent yesterday.

Carlton Samuels: So the way I read that text, it doesn't say that we have to define specific ones for thing. As I said let's define your needy applicants criteria. And let's comment on it, which is fine by me. Tijani I'm sorry to keep you.

Tijani Ben Jemaa: Yes, thank you. I think that since San Francisco, we added (Tracy) to the group and we added perhaps other members of the GAC to the group.

So they normally have to attend our meetings and to discuss with us if they have input to give us. In fact, the question of developing of least developed countries was brought by (Tracy) in the San Francisco meeting, you remember.

Carlton Samuels: Yes.

Tijani Ben Jemaa: So we, normally we can deal with what they give us as inputs. And now they are not attending our meetings. So I don't think we should send them anything.

Normally they have to come and to discuss with us. We need them to be with us. But we cannot run after them.

Carlton Samuels: Tijani this is Carlton just responding to you quickly. I agree with you in principle. But in an abundance of caution because some people are quite concerned about the GAC.

I think we bend over backward. This email was sent to my knowledge to actually trigger a response because we were not getting a response on the calls. And it was sent with my knowledge.

The response suits me fine. It's on the agenda. It's on the record. And it essentially tells me what we wish to do. So it was sent with - for a specific reason. And we got a response that is perfectly within the working, you know, framework that I expect, Avri.

Avri Doria: Yes thanks. While I agree that we shouldn't be chasing after them. I think that the whole getting GAC members to participate in working groups is still really new to them.

And so I don't see any harm, especially since we see them as perhaps the people that are championing this work in the final negotiations with the board on the new gTLD program.

That if we find we have something to update them with, you know, the chairs shouldn't feel (pre) to update them. I realize that, you know, it would be best if they were participating as regular members.

But GAC participating as regular members in working groups is still a learning experience for all of us. And so, you know, it's a time for the robustness principle and sort of to be kind of liberal in the behavior we accept from our new GAC participants.

And sort of conservative in what sort of feedback we give them about their levels of participation. Thanks.

Carlton Samuels: Thank you Avri. That's exactly part of the thinking that went into this approach. We, it was a fight diplomacy. And we, as you see, this was the intent was to get them involved. And we got a response. We're now going to stop here just for the group's purpose.

I actually asked Cintra to make the connection on my behalf. So you're quite right. It was with that, the things that you said in mind that it was approached.

Okay, we are kind of exhausted on that issue. Can we go now to Point Number 3? Tijani noted that there's been no updates on the Wiki and that is an issue yes.

But we are supposing that even with what is there, we are trying very hard to be exhaustive about criteria definition because we want it to be tight at the end of the day.

Recall that we still have a mid May timeline to report something, a partial report which will include criteria put to bed. At least as best as we can, as well as a process put to bed as best as we can. (So now)...

Elaine Pruis: Carlton I have my hand up. It's Elaine.

Carlton Samuels: Can we go to, yes, I see that. Can we go to criteria? I have Elaine, Avri then Cintra. Elaine you have the floor.

Elaine Pruis: Thanks. So I do have a comment. And I have made on minor edit to the criteria on the Wiki. And that is under qualification, the paragraphs where it says the main criterion free evaluation is need to be declared financially needy.

And applicants should have a mean of total net profit over the last three years of less than or equal to \$100,000. And the next paragraph says they should have a mean of total profit of more equal to US \$70,000.

There's a comment below that says the values are arbitrary and don't have a scientific explanation. My comment is if we cannot provide a reason for this criteria, it should not be included.

So I think we either need to back up this - these statements, these dollar amounts with some reasoning. Or strike it and start again.

Carlton Samuels: Okay. Thank you Elaine, Avri.

Avri Doria: Yes thank you. And that's actually a good point. And it kind of fits in with what I was doing. I mean I started to get organized on the Wiki and find my way to getting things together.

And one of the things that I had is, you know, I still need to go back and re-listen and listen to some of the calls, and re-listen to others because I was trying to understand to what extent the conversations had modified these criterions.

No one had made any notations to these criterions. So I was wondering to what extent these were actually the criteria that the group had accepted. Or, you know, as I say, I still need to listen and see what are our changes.

So Elaine's point is really quite good. And part of the work I did in getting ready too was find all the recordings. Get them listed. And start reorganizing things.

So that was my main question is what is on this page now, to what extent have you all changes these criteria? And I guess one of the things to look at is this \$70,000 USD, you know, requirement as Elaine just mentioned.

Thanks.

Carlton Samuels: Thank you Avri, Cintra.

Cintra Sooknanan: Thanks Carlton. When (Deb) and I were going through this deck to create the flowchart, we realized that a lot of the changes - a lot was discussed in San Francisco in that face to face discussion.

And I don't know if it was captured. But we, I think we did go through the evaluation of the criteria and that kind of thing, at least we started it. But I don't see that reflected in the Wiki document.

So I don't know, I mean maybe we should refer back to the notes from that day. Or, you know, I don't know how exactly to encapsulate it the flowchart. So we cut it quite loose under the understanding that that bit will change in the future. Thank you.

Carlton Samuels: Thanks Cintra, (Andrew).

Andrew Mack: Yes, two things. First of all is to Avri's question, I don't believe that these are things that we have all really agreed on in their final form. I think that there were suggestions put out as markers for us to discuss.

But I don't recall having - we discussed it. But I think we barely agreed on them. I agree to Elaine's point that we need to have some sort of a reasoning behind which we put our financial markers.

And if I understand this correctly and maybe I'm missing it. But it sounds as if we're saying that entities need to have at least 70,000 and no more than 100,000.

That seems like a very small window. And, you know, it just strikes me that we're asking them to thread a needle that is maybe unthreadable (sic). What is it - when we were in San Francisco we talked about the idea of not having a, what is it, of not having a bottom threshold I think it was. Because that - because we already had the bottom threshold of being financially able to do this.

So, you know, financially stable enough to do this. So really I thought what we had agreed is we were only talking about the top thresholds. Does everyone remember that as I do? I mean that's my point. Thank you.

Carlton Samuels: Thank you (Andrew). Why don't we take the comment from Tijani, Tijani.

Tijani Ben Jemaa: Thank you. As Cintra said and as (Andrew) said or so, in San Francisco we discussed just (a plan). And the rationale or the reason of the bottom threshold was because when I prepared the very first draft, the members of the group told me that we have also to set up a low threshold. Because people who doesn't have money to run the string, that we cannot help them.

That's why it was set here. And the figures I put here are only indicative. I didn't - I told you in San Francisco. And we agreed in San Francisco that we have to evaluate the whole amount of money needed for an application.

And we have to take the 50% or 30% that we have said that we have put in our (main stone) report as self-funding, as the threshold.

And there was another issue. The issue was about things that we cannot quantify. And we said we will put the amount of things that we can quantify. And we mentioned the other component of the price, and say that the applicant have to self-fund 50% or 30% of them. Thank you.

Carlton Samuels: Thank you Tijani. I'm glad you said that because I was involved from the (early)s in drafting that. The numbers were placed there really as markers. They were placed there almost as if they were lightning rod for the discussion because we had nothing to look towards.

And when it was originally drafted by Tijani, I did some inputs as well as Cintra. The numbers were deliberately placed there. And we made that to be provocative. It is - here is the issue.

If you are going to qualify someone on the basis of need, you have to have a point, a low point in which you say the need begins. I don't know what that is. But that's about money.

And the question was to the group, what is the low point at which you will begin to qualify need? And that is why we have the low point there because everybody thought there was going to be a low point.

We pulled that out of the air because we thought it would represent at least a certain percentage of what was required to make the application, as Tijani said. And that was it.

So if we are looking for further and better particulars on the benchmark for need. (Andrew) are you still up with your hand? Or you want to come back?

Andrew Mack: No, I'm sorry. I thought I took my hand down. My apologies.

Carlton Samuel: Okay. So we move to Elaine.

Elaine Pruis: Thank you. So I understand that figuring out the criteria of how to define need is difficult because we've been doing this for about a year now. And we still haven't answered that question.

But the problem with this window of between 70,000 and 100,000 as Andrew said is a very small target to hit. And I think that it would actually not - it would hinder people who would qualify who would actually have a needy application.

So I want to get back to some email threads that I saw earlier where (Mike Filber) was involved and was discussing not only should we be considering need, but is the application serving a community.

And I don't see that in our criteria at all. And so I'm wondering if that's - if that was a (unintelligible) position (unintelligible) and if we're going to include that in the qualifications?

Carlton Samuels: If you look at the document, the flowchart, that is the principle reason. I have maintained that the reason we are involved with this is principally a political one.

And I say that directly. It is the rational for having this is that we want to be inclusive. We want to have people who are disadvantaged and at the edge included.

And cost is a barrier to their inclusion. So that is the principle qualification. Would this application address the needs of people who should or by policy made some affirmative move to include them?

And once you make that decision, and they have a financial need, then it goes into the funnel. That's how I see it. That's how the flowchart sees it.

It's important though for those who think that you don't have the cost component. You need to suggest a better window. So the 7,200 will not work. And we're open-minded about that because it's a placeholder. It's actually a teased. So tell us which one, Avri.

Avri Doria: Okay yes. I'm about to drop off. But so as far as I see it at the moment, we've basically talking about a window that goes from XX to YY. And we really don't have any notion of why any particular number would be good.

I guess the question I would challenge people to is do we really see A, the ability to actually get an accurate financial picture of someone in terms of having this much money? And we're talking about overall money versus budget money versus whatever.

And is this really a workable way to do it? And I don't know the answer to that. But at the moment I A, don't see how we do this financial investigation. And I think we really need to figure out who, what, where does this kind of thing.

And then we can get into is there a reasonable financial criteria that we can have a, as it were, you know, reasonable financial suggestion for. And is it overall income? Is it excess income? Is it, I mean I don't know.

But I don't think money on hand, cash on hand is necessarily, you know, the best, and especially given the timing of that. So, and for myself I'll continue moving forward on the work.

I'm moving slowly. But I am moving. And sorry, I have to drop off. This will be the case for me every two weeks. I've got a work engagement at the half-hour, a meeting every two weeks. And given the need to support myself, I got to go to that meeting, so bye.

Carlton Samuels: Thank you Avri. I want to put my, to say clearly what my thinking is on need. The idea of need in this context as financial has been the chief need to me is problematic because it's difficult to assess.

I've always thought so. Need is in my opinion is a part of the political framework, nothing more, nothing less. And it is the political framework that determines the need, more so than finance. That's my feeling about it, Cintra.

Cintra Sooknanan: Hi Carlton. I would like to echo your point. I think a financial need is not the only criteria. But it is one of them. I know we put a lot of emphasis in the past on it.

But I think we also need to direct our minds to the other criteria in building out a (premoort) that really encourages development of ideas. And different areas that cannot - that cannot (in addition) public, private initiatives that kind of necessarily justify the need.

Even though need is crucial as important as well to our group. (Deb) and I did have a problem with this. If you look at the (DTLS) flowcharts, the interpretation was more yes, no, yes, no to each of them.

My view is that this should not be the case. And it should be a (week at) criteria so that you may not match all five of the criteria. But if you match three out of five, we will give special consideration.

So rather than say you drop out because of lack of financial need, you can still be considered if you match the other - if you are also developing an idea. And so, or any of the other criteria that will be satisfied so it (unintelligible) of future. Thank you.

Carlton Samuels: Thank you. Just to mention the flowchart is listed - is there in the Adobe Connect chat space. People can get to from the chat space. Having said that, can we go to Alan?

Alan Greenberg: Yes thank you. I agree with Avri that it's difficult to decide what the right criteria is assuming there is a right criteria. The concept though of coming up with logic to justify why the particular levels were selected I think is not something we can do.

This is to some extent an arbitrary exercise. You know, and I don't think there's an absolute amount that will say yes, you are needy or no, you aren't assuming we figured out what it is we're measuring anyway.

On the other hand once we have some level of - some idea of what it is we're trying to measure, the lower bound is going to be set to a large extent by how much overall money ICANN or whoever is providing it has to divide up.

The - it doesn't - it's not going to help us to set a number so low so that we have far more applicants than we can address and support. The whole

concept that we started up with is there's not going to be, you know, we're not going to have 90% of all applicants meet the criteria.

So clearly there is some level of arbitrariness that is going to be associated with it, which has to do with number one, just coming up with a number; and second of all, making sure that it ends up with a set of applicants that we can actually support.

So I don't think we're ever going to come up with, you know, a logical reason for this is why we picked 72.6, you know, or whatever the numbers are.

Thank you.

Carlton Samuels: Thank you Alan.

Evan Leibovitch: Carlton, this is Evan.

Carlton Samuels: Yes Evan, let me just get to (Andrew) and Alex and then to you.

Evan Leibovitch: Okay.

Carlton Samuels: (Andrew)?

Andrew Mack: Evan, you haven't spoken yet. Do you want to go in now?

Evan Leibovitch: Well I...

Carlton Samuels: I don't mind.

Evan Leibovitch: I can't get into Adobe Connect so I've tried to ping people in Skype that I've had my hand up for a bit.

Carlton Samuels: Oh I'm so sorry Evan. I'm - well can you go ahead? The others have decided that you can run. I'm sorry about that. I'm only - I'm blinded by Adobe right now.

Evan Leibovitch: Sorry (Andrew). Anyway I'll keep this...

Andrew Mack: Not at all. I offered.

Evan Leibovitch: ...the topic in mind. We've seen all sorts of potential applicants step forward saying that the moment that the Application Guidebook becomes real these people are going to put in applications.

Do we have any examples that anyone in this group knows about of an organization that wants to do a TLD but has - but is unable to do so because of the current financial obstacles that are in the process?

Like do we have any concrete examples of someone that's saying, "Boy, I'd really like to do a TLD and it really serves this function that's a desired goal of the community, but I can't do it because it's just too expensive?"

Do we have any of those examples? I mean, wouldn't it help to target some real world cases, you know, as we start setting these numbers? Setting the, you know, setting the numbers through, you know, as Alan says, you know, we're speculating and guessing.

Couldn't the guess be a little bit more educated by, you know, listening to people that are out there who would benefit - who would be the initial beneficiaries of a program like this?

Carlton Samuels: I - thank you Evan. I totally agree that that would be very helpful indeed and if somebody can - anybody can invite people who they know who might be willing to provide this data it would be very useful I think so.

But this is the kind of intervention that is necessary in trying to pin down this financial need requirement. So I fully endorse that suggestion and would hope that anybody in the know, or maybe we can develop a mechanism to get that data brought to us. So we can take that as a reference point.
(Andrew).

Andrew Mack: Yes sir. Thank you. Alex has mentioned that we had a couple of examples from the African continent of groups that had expressed some interest should this move forward as we were expecting.

And Alex I'm sorry, I don't have them off the top of my head but I do remember that - I do remember a couple of them. I take your point Evan but I'm not as concerned in that since so much of this is still - appears mushy to the outside world, I can understand why people are sitting on the sidelines before they say, "This is what we need."

That said I had a concrete suggestion because I - the more I think about these arbitrary numbers of - I agree Alan that there - we're going to have to make some arbitrary choices but we want to make them as easy as possible for ourselves not just - and as transparent as possible to the outside world.

So here's a thought. Tell me what everybody thinks. The answer is that rather than trying to get data from each individual organization or applicant on the basis of their income, which varies for a whole host of reasons based on their tax status, their jurisdiction, the way they do their accounting and a whole host of other things, right, maybe something along the lines of the size of the organization, the, you know, the size of its - as opposed to with income, just its size of overall financial resources.

Maybe that might make more sense. I - in looking at it I think that that's probably the better gauge of their sustainability and also it takes us to who they are, not just the income that they have in a particular given year. That's just my suggestion. Thanks.

Carlton Samuels: Can I just - size is very problematic. What if it were a foundation that is a very small foundation but richly endowed? That's just something to think about.

Andrew Mack: No, no, no. But just to be clear - I'm sorry Carlton. The size of the organization would be the size of its reserves, the size of its program, not the number of people that works for it.

It's just - my thoughts being only that there are - as an example in a foundation where you have, you know, there may be no income in a particular given year or very limited income and a lot of outflow.

It doesn't mean that they don't have resources, and we talked about the idea of potentially having a public/private partnership or some sort of a coalition that comes together to launch one of these things, especially in an area where we may - where the community is relatively smaller.

In a situation like that the whole thing may be new so that a more appropriate gauge of their capacity would be the size of their reserves, not what money came into an organization that maybe didn't exist six months earlier. That's all. Trying to make a practical suggestion.

Carlton Samuels: Okay, that's a suggestion that's taken on board. Alex, can we go to you quickly? We're running towards the end of this session.

Alex Gakuru: Alex speaking. I think we went around this problem at San Francisco in quite some depth, and my recollection is that we said that instead of coming up with specific figure in which case it's - this is the problem, but Elaine is saying we either justify or drop it off, again repeated by Avri and Alan.

I think we could come up with a percentage where we say for example, "These applicants need to be charged 50% of their application fee, et cetera, et cetera."

I mean, that's just an example to just a percentage wise and therefore then the problem of trying to come up with a specific figure, you know, ceases to distract us so that we have the criteria but we have not gone to figure, because we appreciate it how difficult it is to start getting the data and suggesting a figure. Thank you.

Carlton Samuels: Thank you Alex. Just let me paraphrase it. So what you're saying is once we have determined that an application - the objective of an application is one that the - we support for inclusion and all the other good reasons, we simply say that we will support this application with a reduction in fee to 50% or some percentage. Is that a reasonable phrase of what you're saying?

Alex Gakuru: Yes, let me rephrase. Instead of using the 50% let's say that they can be charged, you know, X percentage of the other one so that I don't appear to be saying they should be charged 50%, but that's precisely what I meant.

And then we leave that to the same dynamics of the figures, how they're being marked out on the Guidebook and everywhere else, and we move one and we'll have developed our criteria pretty easily.

So whatever figure is arrived at from the general or the other applicants, then we know this is X minus Y or something like that or a certain percentage of that variable. Thank you.

Carlton Samuels: Okay, thank you. Elaine.

Elaine Pruis: Thank you. So I have a couple of responses to issues raised. The first thing is somebody asked for examples of potential applicants that meet our outline criteria right now.

I can talk about two that I'm aware of, and the first that might be interesting is the dot Kurd top-level domain for the Kurd community in Northern Iraq. So I

think they would meet the, you know, cultural or ethnic community criteria we have where we're saying that those applicants should receive support.

And knowing a little bit about this application, I think if we say, you know, if they need to raise 50% or 70% of the application fee, they will go out and raise to whatever value we say.

So if I'm told I have to help them find, you know, 50% of the application fee I'm going to work really hard to get to that number and then I'm going to stop.

I'm not going to go find investors beyond that 50%. I'm just saying that's how it is and not that it's wrong or right or the way we want to manage things, but I - that's how I see that playing out.

The other part is I don't think the size is indicative of success or failure. Currently my company is publicly traded on the London Stock Exchange and valued in the millions of dollars, and there are only three of us.

So I don't know if we can say size, you know, size would be a limiting factor or a representative factor of success. Another top-level domain application that I'm aware of is for the dot Zulu, which would be for the Zulu tribe in Africa.

Again they would meet this community-based application criteria and I don't think they're having any problems at all coming up with the application fee. So going along with what (Andrew) was saying, it does make sense - I'm sorry, maybe it was Alan.

It does make sense for us to actually see these applications come through and then if we have a set amount of money or resources that we can allocate based on, you know, the worthiness of that application serving a community that otherwise would have trouble, and believe me anybody who's applying for a top-level domain is going to have trouble coming up with that money, if

we determine that it's based on, you know, are they going to serve a particular community first, I think that would - might be the correct way of thinking about it.

Carlton Samuels: Thank you Elaine. Well let me just kind of summarize the discussion. The discussion really is about how do we set financial criteria - financial need criteria.

It is well recognized that the numbers that are on the wiki were placeholders and they were meant to be lightning rod. I will tell you quite frankly that my interest was to start and foment the conversation because I have never believed that that was a rational way to determine - it should not be this most important criteria.

I have always believed that there are other criteria, which is the objectives and they are all political are the ones that should be embraced and strongly embraced, and we should fill those out as best as possible.

Others have suggested that we should have it and so we're asking for those who think we should have it, let's hear what your definition of that window is.

If the wiki's there put it up. There are people who believe that size of the organization should be an issue in criteria development. Yes, I could see that but again if you have a specific way to figure out what that baseline is, please put it on the wiki.

There are others who believe that the application fees and so on are a reasonable way to look at all of that, is to say that you're going to give a specific percentage of the cost of the application that is qualified through the process as the financial contribution.

Maybe that will work. I don't know but these are all examples that are up there for discussion. I would suggest to you that if you have any qualifying

points or any elaborate - elaborative content to the criteria, let's put it on the wiki for all to see.

I really urge you to do that. Can we move very quickly to the Point Number 4 and it's the flowchart? You've seen the flowchart. It was - the link was placed in the Adobe chat space.

The first thing that came out of that is the binary nature of the flowchart. Since we already raised the issue that it seems that there - if the decision is binary she would prefer to see a more weighted criteria for qualification and not as the flowchart suggests. Are there other views? I see Elaine. I see Cintra.

Elaine Pruis: Thanks. So I - just noticing one thing on this flowchart, the last bullet point on the top. "A number of factors may also be assessed: wages, research, development, training, gender balance."

So that's not part of the process is it? That's part of determining if the organization is worthy. Where did that come from and how does that - could you help me understand that? Thanks.

Carlton Samuels: Cintra.

Cintra Sooknanan: Can you just tell me where exactly - which one are you looking at? Which flowchart - is it the overview, the simplified - that one, or the Step 1?

Elaine Pruis: I was looking at the Step 1, the link that was put in the chat window, Step 1 of simplified flowchart.

Cintra Sooknanan: Okay. Okay, so you're looking at other factors, gender, is that it?

Elaine Pruis: Sorry, what did you say?

Andrew Mack: The last bullet where it says, "A number of factors may also be assessed."

Elaine Pruis: Yes, that's the one.

Andrew Mack: Cintra do you see it? It's the last bullet in that first thing on the right hand side that's opposite the blocks that says, "Preference given to applicants meeting a certain criteria."

Cintra Sooknanan: Right. I think that was put in on the wiki but, I mean, it's just really for us to decide whether or not we are - we think, see and use that, you know, that a form by a woman or, you know, if we want to make that as part of our criteria.

None of these criteria are solid, right? It's just ready for us to assess which ones we want to consider, which ones we want to give more weight to, which ones we want to remove. Is that what I'm saying, I mean...?

Andrew Mack: Cintra are you still on?

Alex Gakuru: Maybe the Chair who has dropped off. (Andrew), you want to step in briefly?

Carlton Samuels: I think she's still on.

Alex Gakuru: Oh, sorry.

Cintra Sooknanan: Yes, I was just wondering did you - you heard me previously, right?

Carlton Samuels: Well Elaine asked the question so...

Elaine Pruis: Yes I see. Yes, actually it was pulled off of the criteria in the wiki, but I don't understand - yes.

Cintra Sooknanan: The criteria is just a reflection of what was on the wiki, so what is our challenge as a reflection of that? It has not been (unintelligible). So, you

know, I - all these criteria go through it. It's up to us to decide whether or not they should be included or not.

Elaine Pruis: Okay, I see that it's in the criteria. I hadn't seen that before and I don't think that has much to do with the actual - what we want to discuss which is the flowchart right now, so I'm good with that response. Thanks.

Cintra Sooknanan: Okay.

Carlton Samuels: Okay Alan, you are next sir.

Alan Greenberg: I'm going to ask what I - may be a radical question at this point. Looking at the flowchart which is - as Cintra says is just a summary of what we've been discussing, do we really believe that we can decide on whether we should be supporting an application based purely on the applicant, which is essentially what this is saying and not what it is they're trying to do or what target, what goal they're trying to meet?

Carlton Samuels: No. I pointed that out already Alan.

Alan Greenberg: I know it's - I'm not the first one to discuss it, but we - it drops off every time it has been raised and that is clearly a subjective issue so it's hard. Sorry, someone else was talking. I don't know who.

Cintra Sooknanan: I'm sorry. If you could just look at the chart overview, that is a better flowchart to look at because that encapsulates all these steps, rather than just looking at Step 1 which was criteria.

Alan Greenberg: If you can give us a URL I can look at it. Can you tell us where to find this overview?

Cintra Sooknanan: It was the first link and I just copied it again.

Alex Gakuru: Chart overview.

Cintra Sooknanan: Now I did mention the last time that grant may be a part of our process but we'll cover part of the grant process. The protocol is in Step 2 that we assess the applicant's application, the application rather than the applicant, which in that case we will have to actually do some preliminary work to ensure that the application is complete as well as the - some aspects of the background screening.

I don't know whether or not that is agreed by the group or is it something that you can suggest?

Carlton Samuels: Alan, are you satisfied with the response?

Alan Greenberg: No, because I - we're still talking about the applicant. I mean, you can be the best applicant in the world who has a - an interesting track record and you clearly need money, but you're trying to do something stupid and it's nothing that ICANN or other funders are likely to put any money into.

And somewhere in the process there needs to be a way of coming to that conclusion.

Carlton Samuels: Yes. My way of looking at it is that if somebody come up and said they wanted to have a TLD for Klingon then clearly it would not meet the criteria that I think is required here.

Alan Greenberg: Right, but if they're a good enough organization they may pass all these tests.

Carlton Samuels: Precisely, so the central thing is the objective of the application.

Andrew Mack: Guys, I'm next in line. Can I jump in because I have something I think would be useful here?

Carlton Samuels: Yes sir. Yes (Andrew).

Andrew Mack: Thank you very much. Alan, what you're saying is absolutely true, although I am sure that there are a number of people including many who go to ICANN conferences, who would feel strongly about the Klingon community having a voice at least in theory. That said I'm...

Alan Greenberg: And I would say yes they should, but I'm not sure I want my money put into it.

Andrew Mack: I'm with you. I'm - you can't see me but I'm - I've got a big smile on. The - here's the thing. I mean, what we've got is effectively a two or three step process that I think we shouldn't short circuit.

The first question is, are they eligible, right? If they're not eligible it's not worth our time to evaluate whether or not is it something worth doing. If they're not eligible they're not eligible, right?

Alan Greenberg: Right.

Andrew Mack: Then the second - so my thought would be to try to divvy this up into small steps. The first question is, are there - are they eligible on the basis of some relatively easily measurable external criteria?

Then the second question is around whether or not there - they should be, you know, given priority I guess you could say, because when it comes down to it there will be a limited number of resources and there will likely be more people who are eligible than we have resources for.

And so it's some sort of ranking and this is what gets to the pieces in Cintra's top slide. Some sort of ranking is kind of implied by this almost, you know, like a scorecard.

And I wonder since the scorecard idea is used in ICANN world anyway, whether we don't just go in that direction and say, "Okay, there's the scorecard and, you know," but we want to make it as - I think we want to make it possible for people to do this.

And so that's my, I mean, my sense is that they're actually two separate questions, one and then the other, you know. We get into slightly sticky ground when we're talking about whether the thing is worth doing.

I think the obvious cases are ones where - there are obvious cases where that - where we would agree that it's probably not worth supporting. But then there are a lot of gray areas or a lot of areas where people have very strong personal interest where I think that might be a lot harder to make that determination. And I'm not sure necessarily if we want that job. Make sense?

Carlton Samuels: Yes it makes sense but (Andrew) can I ask you to put those comments on the wiki, because I think they're very, very good. They serve a very good role of frameworking what the process is.

Andrew Mack: Okay sure.

Carlton Samuels: It would be useful for you to put it on the wiki, because we have talked around this for some time. Alan you still have your hand up. It's a minute until the top...

Alan Greenberg: No this is a new one and it'll be very short.

Carlton Samuels: Okay.

Alan Greenberg: I - what (Andrew) describes is just fine, but it hasn't been put in our documentation before, at least not in a clear way and I think that's important but there's two other issues.

Number one, we're now getting into an area of subjective evaluation, something that ICANN abhors and doesn't want to be in a position to making decisions and then being criticized by the community for making those decisions, so that's a difficult thing to do.

The second thing I'll point out is we had a target of middle May to deliver a work product and at this rate we're not going to get there, so we may as well throw up our hands and say, "You know, there's nothing going to happen for the first round unless we change our methodology and decide how we're going to get something out really quickly." Otherwise we're just wasting time on these calls right now. Thank you.

Carlton Samuels: Thank you Alan. I hear you Alan but one of the things is this is the quintessential political exercise, and people have to talk through it and people have to come to some kind of determination as what it - I don't know any other way to do it unless you're going to - but I personally would have a way to tell you what I would do.

But it's not for me to say. It's for the members of the group to come up and...

Alan Greenberg: All I'm pointing out is I agree with you that we need to talk through it and it's a difficult question. I'm just pointing out there is a deadline hanging over our heads.

Carlton Samuels: Yes, I acknowledge the deadline and I think we talk some more and write some more, then we will probably by another week or so see something taking shape. That's my hope.

So we're going to continue to encourage people to talk and encourage people to write, put it online on the wiki. It's important for us to do that. It's the top of the hour. It's a minute after 9:00 by my watch.

I will just say to you that the next call is on Friday. We will use the typical timing to do the reports on the various subgroups, and we will get back as quickly as we can to this criteria as well.

There being no other hands up I want to thank you all for joining this call. I probably will not be around on Friday. I am on the road. I might be in the Bahamas in a workshop, so I probably can't join the call. So that being said, thank you all for joining this call. The call is ended.

Evan Leibovitch: Thanks a lot Carlton.

Carlton Samuels: Take care. Bye-bye.

Andrew Mack: Bye.

END