

SO/AC New gTLD Applicant Support Working Group (JAS) TRANSCRIPT

Tuesday 06 September 2011 at 1300 UTC

Note: The following is the output of transcribing from an audio recording of the SO/AC new gTLD Applicant Support Working Group (JAS) Tuesday 06 September 2011 at 13:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

<http://audio.icann.org/gnso/gnso-jas-20110906-en.mp3>

On page :

<http://gnso.icann.org/calendar/#sep>

(transcripts and recordings are found on the calendar page)

Wiki page link:

JAS WG Final Report -- WG Comments.

<https://community.icann.org/display/jaswg/SO-AC+New+gTLD+Applicant+Support+Working+Group+%28JAS-WG%29>

The mailing list public archives can be viewed at:

<http://forum.icann.org/lists/soac-newgtldapsup-wg>

Participants on the Call:

GNSO

Rafik Dammak - NCSG - Council liaison - WG co-chair

Avri Doria - NCSG

Carlos Aguirre - Nominating Committee Appointee to GNSO Council

At-Large:

Tijani Ben Jemaa - AFRALO - At Large

Cheryl Langdon-Or - ccNSO Liaison - APRALO

Alan Greenberg - GNSO Liaison - NARALO

Evan Leibovitch - (NARALO) - At Large

Carlton Samuels - LACRALO - At Large - WG co-chair

Olivier Crépin-Leblond - ALAC chair

John Rahman Kahn - Individual - Adobe Connect

Sebastien Bachollet – ICANN Boards

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Kurt Pritz

Rob Hoggarth

Seth Greene

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Gisella Gruber-White

Apologies:

Krista Papac - RrSG
Andrew Mack - CBUC
Alex Gakuru - NCSG
Dev Anand Teelucksingh - LACRALO
Michele Neylon - RrSG

Coordinator: At this time the recordings have been started.

Gisella Gruber-White: Thank you. Good morning, good afternoon. Good evening to everyone on today's JAS call on Tuesday the 6th of September. We have Rafik Dammak, Carlton Samuels, Cheryl Langdon-Orr, Tijani Ben Jemaa, Carlos Aguirre, John Raman Kahn, Sebastian Bachollet, Avri Doria, Alan Greenberg.

From staff we have Kurt Pritz, Seth Greene, Rob Hoggarth, Glen Desaintgery, Karla Valente and myself Gisella Gruber.

Apologies noted today from Andrew Mack, Alex Gakuru, Dev Anand Teelucksingh and Michele Neylon. If I could also please remind everyone to state their names when speaking for transcript purposes.

And Olivier Crépin-LeBlond has just joined us as well. Thank you. Over to you Carlton and Rafik.

Carlton Samuels: Good day. Good morning, good evening everybody. Welcome to this JAS call. Thank you so much for showing up.

We are going to today, for today's call we are looking at the document and dealing with the comments starting from Page 29 to the end of the report.

We also are going to look at the executive summary that was re-written based on comments that were taken aboard earlier on.

I hope you're all happy with the development so far. I'm going to ask your indulgence here.

What we're going to do is that we're going to ask Rob and Seth to - since they have been tracking the comments closely to just walk through with each comment. And then we will invite comments from the members to clarify.

Please understand this is our final, final set that we're going to deal with. And so please keep it tight. And where you have outstanding disagreement with what is already here please be willing to provide alternative text that either clarifies the situation but certainly we don't want to introduce any new options at this point. We just need to clarify.

So again, this is about clarification and making the readability, improving the readability of the report. It's not about going back over stuff that's now been decided.

That said, Tijani Ben Jemaa has provided alternate text for the support eligibility requirements section. And if you look at Tijani comparatively, if you do a comparison between the latest version and what Tijani has proposed you will see it is lengthened considerably.

I will ask Tijani to - first of all I'm asking all of you to look at what Tijani has proposed and make the following determination.

One, does it change the substance of the report? And two, does it provide points of departure for clarity, clarity I say?

If you agree with that then we will move along with it. But I'm going to ask Tijani to begin since he's a very important part of it by just telling us a little background of what he's proposing here. Tijani you have the floor sir.

Tijani Ben Jemaa: Thank you Carlton. So I sent an alternative text and (strategies), not exactly and alternative text. It's a - the more or less the same text but running in another way so that it will be more clear.

Because we were proposing criteria and then we give explanation of the criteria after all.

So if we integrate the explanation inside the (mention) of the criteria at the beginning it will be more clear I think so.

If you want it to be split in this case we have only to speak about the title of each criteria and then give the explanation afterward. So there is two ways to deal with.

I propose to integrate the explanation inside the (unintelligible). If you want it to be split so we can do it in this way it will be more clear in my view.

Second point, it is the first thing I did. The second point, and this - in my drafting, in my proposal I changed the text and the sense in the - and the election of what was discussed last call about the bungling.

So I modified it so that it reflect the point of view raised last - during last call. Last thing I did is that I followed that on Alan Greenberg remark about the objective criteria. And I inserted more or less his proposal to introduce the objective criteria, the notion of objective criteria and so say how we will get them those criteria.

He proposed that we proposed that the working group together with the south define those criteria before the evaluation.

So I wrote it like this and I mentioned it clearly the mixture between the objective and subjective criteria in the evaluation. It is more or less that I proposed.

Carlton Samuels: Thank you Tijani. Are there any comments from Tijani's draft and his explanation for this work?

By the way, what has been referenced here is - is starting at Paragraph 67.

Yes Alan, you have the floor so you're on the board.

Alan Greenberg: Yes I - just one clarification on exactly what we're talking about. Tijani sent out a document I think last Friday which had a number of the items in it with some yellow highlighting. Is that the document we're talking about or is there something else?

Carlton Samuels: That is the document.

Tijani Ben Jemaa: This is document, yes.

Alan Greenberg: Okay do we have a redline to see exactly what he replaced, what he changed?

Tijani Ben Jemaa: No. No I put it in the clean word format so...

Alan Greenberg: Okay so we need to sort of hold the two side by side and figure out...

Tijani Ben Jemaa: Yes.

Alan Greenberg: ...what the changes are?

Tijani Ben Jemaa: Yes. Do you know why Alan? Because it was a big change, a big move, moving of paragraphs from a place to another place. So it is difficult to make it - to do it in redline.

Alan Greenberg: Thank you.

Carlton Samuels: But just to ask the question, are we clear that members need to satisfy themselves first of all that the substantive issues have not been changed in any way that would reflect something that was not existing or (unintelligible).

What Tijani has done is to reorder the content so that the explanation that followed in the subsequent paragraphs for the support eligibility criteria is weaved into the document as soon as you mention each criteria. Avri? You have the floor.

Avri Doria: Thanks. I have one question for Tijani. I see that most of this is rearranged text. I'm wondering if from his number he could tell us which paragraph had any new content in?

I mean I've glanced through it. I see now why it's hard to do a comparison because it is just an excerpt from that section.

So I'm wondering though Tijani if you could tell us which of the paragraphs you believe - and also I guess I'd like to ask Seth and Rob who have been working with the text if they had a chance to read it and if they can point out to us any places where they think, you know, as the pen holders that there is something that should be looked at as a substantive change?

In general I like the organization. So I mean I tend to be in favor of it. I just do want to make sure that anything that is new content is flagged so that we can take a direct look at that. Thanks.

Tijani Ben Jemaa: Okay. On certain of the content Avri I told you what I have changed. I have changed the...

((Crosstalk))

Avri Doria: (Unintelligible) numbers. I'm looking for the numbers if you could.

Tijani Ben Jemaa: Ah, numbers.

Alan Greenberg: Yes but I'd like sort of to go through it paragraph by - this is Alan, go through it paragraph by paragraph and say this is really just rearranged or, you know, 67B Sub Bullet 1 is a new - is changed to go along with what Alan said or something like that.

Tijani Ben Jemaa: Okay.

Alan Greenberg: I'm having trouble assimilating 3-1/2 pages and just saying yes it's okay.

Tijani Ben Jemaa: Okay no problem. So one moment. I have to compare the two texts.

Avri Doria: Oh okay. Okay.

Tijani Ben Jemaa: Moment, moment it will be done.

Avri Doria: I like it.

Tijani Ben Jemaa: I try to find - okay now finish this report. Okay.

Avri Doria: Made a note in 69B, a question to Rob.

Tijani Ben Jemaa: Okay. Okay Paragraph 71 was include in paragraph 67.

Man: 7A.

Tijani Ben Jemaa: A, yes, A. Excuse me, you're right. I link you to is included in 67B. Now 72, 73, 74, 75 are included in 67B okay? One moment.

Seventy-six is included in C. Seventy-seven is included in D. No excuse me no, not in D. In E. In E...

Man: D.

Tijani Ben Jemaa: E, yes, is included in E. So it is 77 and 78 which is included in E okay? So now 79 is included in 68A. In 68 in (unintelligible) because the financial need was together, all together okay?

And the Paragraph - the paragraph eligibility criteria didn't change. It is now 69. This is for the arrangement.

Man: You - 69 Tijani, didn't you...

Tijani Ben Jemaa: Yes?

Man: ...isn't there something there is change in B?

Tijani Ben Jemaa: No.

Man: Sixty-nine B.

Tijani Ben Jemaa: Moment. (Unintelligible) I didn't change it.

Man: Okay.

Tijani Ben Jemaa: No I didn't change it.

Carlton Samuels: I'm looking at something else then.

Avri Doria: Yes. Do have a question. Rob do you think (my add) the first sentence in this (unintelligible) is acceptable compared to last draft please?

Carlton Samuels: Well that's the next question to Rob. Rob in your view does this improve - can you go - because you - there are a couple of things Rob that would have to change.

You notice that there was some reference with current pointers to paragraphs, paragraph numbers. So we'll have to shift those in the text.

Robert Hoggarth: Yes that's correct Carlton. I mean I think this is a faithful re-ordering of the existing paragraphs. All that's been purged are a couple of the comments that we need to make sure that we capture.

I think the Rob parts that you're looking at or reading was an internal note in the draft from Seth to me.

Carlton Samuels: Ah.

Robert Hoggarth: So I'm not sure if that's - I think. I'm not sure if that's Tijani's note.

Carlton Samuels: Oh that's your note.

Robert Hoggarth: We can confirm. Seth, that was your note correct?

Seth Greene: Yes.

Robert Hoggarth: That's not - yes.

Seth Greene: Yes that's my note. You don't have to worry about that. We can handle that ourselves.

((Crosstalk))

Robert Hoggarth: (Unintelligible) element Tijani is...

Carlton Samuels: One minute.

Robert Hoggarth: ...I think.

Carlton Samuels: Avri has her hand up. Can we hear from Avri?

Avri Doria: Yes I was just going to say that having read through it and having listened to Tijani I think it's a faithful reconstruction as Rob says. And I think it's well ordered and I have no objection to it taking the place of what was there. I just wanted to get that said. Thanks.

Carlton Samuels: Thank you Avri.

Tijani Ben Jemaa: May I speak Carlton?

Carlton Samuels: Yes Tijani. Go ahead would you?

Tijani Ben Jemaa: Just - just to tell you that you're right for 69 I notice now that it is different from the original text. I think that it was changed after I did my - this proposal. So it is not exactly what is in the - in Paragraph 81.

Carlton Samuels: That's what I thought but...

Tijani Ben Jemaa: Yes you're right, you're right. I am sorry. But I didn't want to change it.

Carlton Samuels: But I don't think it changed the sense - this sense of what it says at all. I just want to make sure people understood that it was - it - there's a slight change between what you did and what's there now.

Tijani Ben Jemaa: Yes.

Carlton Samuels: That's all.

Tijani Ben Jemaa: I didn't intend to change it, Paragraph 21, 81.

Carlton Samuels: Okay.

Tijani Ben Jemaa: Okay.

Carlton Samuels: Thank you Tijani. Alan you have the floor sir.

Alan Greenberg: Yes two things. One is when Tijani gave this first summary he made reference to trying to put in words, something I had suggested. And I think that's now showing up in 68D.

Carlton Samuels: D?

Alan Greenberg: D as in dog that the upper threshold demonstrate the need - the upper threshold demonstrate need should also be defined to avoid giving support to rich applicants. This is to be signed by the JAS working group together with the (SARP) and the implementation phase.

I don't think I ever said quite that. I certainly said it has to include ICANN staff. And, you know, I think if we're going to be able to get objective things early enough that - to tell people what they are ahead of time. And that's mandatory.

You know, if you're going to subject people to subjective - objective criteria you have to tell them what it is.

I think we're going to need outside help. And so I - you know, saying it's just the Working Group and the (SARP) says it's all external people and I think staff has to be involved in that process.

Carlton Samuels: Okay so Alan...

Alan Greenberg: I don't think this is ruling but I need they need to be involved.

Carlton Samuels: Alan can - let me get to the chase here. You are saying that it doesn't say exactly what you say. But you are saying that if you want to capture what you said would you be willing to provide the exact terminology that you used?

Alan Greenberg: I'm saying we need the phrase ICANN staff has to be one of the parties involved in that.

Tijani Ben Jemaa: Okay, okay I understand. Perhaps I didn't capture very good your point. So you need the staff and external help isn't it?

Alan Greenberg: Well yes. I mean maybe the right people are already there on the (SARP) in external. But, you know, I think the (SARP) is not going to be created until very late in the process.

So giving the responsibility to the (SARP) I think is putting the cart before the horse in this process.

Carlton Samuels: Okay, so you want to say the JAS Work Group and ICANN staff?

Alan Greenberg: And staff along with outside experts...

Carlton Samuels: Along with outside experts.

Tijani Ben Jemaa: Okay, very good. Very good.

Carlton Samuels: So that's what you want to say in that final sentence in...

Alan Greenberg: That's correct.

Carlton Samuels: ...D?

Alan Greenberg: And I had one other point that I want to raise but let's...

Carlton Samuels: Can we just fix this one first Alan please?

Alan Greenberg: Yes I said. That's what I just said.

Carlton Samuels: Yes. Does anybody object to Alan's suggestion here?

Robert Hoggarth: Carlton could you read it back please? This is Rob.

Carlton Samuels: In 68B Rob - thank you for keeping us honest here. Alan has suggested and we're asking for confirmation from everybody that the sentence should include content that says JAS Work Group and ICANN staff together with the (SARP).

Alan Greenberg: No, I'm suggesting the (SARP) is not going to exist at this point.

Tijani Ben Jemaa: May I give the alternative text that Alan proposed?

Carlton Samuels: All right Tijani go ahead. Let me hear it.

Tijani Ben Jemaa: Okay. This is to be defined by the JAS Working Group together with the ICANN staff and external experts.

Alan Greenberg: Fine.

Carlton Samuels: In the implementation phase?

Tijani Ben Jemaa: Yes and you continue.

Carlton Samuels: Okay so you got that Rob?

Robert Hoggarth: Yes sir, thank you.

Carlton Samuels: Thank you Rob. Does anybody object to that? We don't fix it right no one move on. Alan your hand is still up?

Alan Greenberg: Yes and I'm trying to find the other place I was talking about.

Carlton Samuels: Okay.

Alan Greenberg: This is not a change that Tijani put in but I've not focused on it because I hadn't before. And I don't think this is what we described - we discussed in the Working Group when we had a very long discussion on it.

The item is 69A in Tijani's new version. It's a...

Carlton Samuels: GTL (explicitly) based on or related to a trademark?

Alan Greenberg: That's correct.

Carlton Samuels: (Unintelligible).

((Crosstalk))

Alan Greenberg: And I think you remember a very strong set of comments from a number of people including me and I think Avri that we shouldn't reject someone, a string because it happens to be a trademark.

Tijani Ben Jemaa: Alan you're right. And I just a remark and just a notice that I used an old text, the actual text and the draft that Seth and Rob report doesn't contain this service point so it's okay.

Alan Greenberg: No, the last version Seth sent out on Friday it contains exactly that verbatim.

Tijani Ben Jemaa: I didn't see it.

Carlton Samuels: I'm looking at them.

Alan Greenberg: Can Seth or Rob comment? The version that was sent out Friday does not incorporate Tijani's text does it or does it already...

Carlton Samuels: No.

Alan Greenberg: ...incorporate it?

Robert Hoggarth: No Alan, it does not.

Alan Greenberg: Okay that's what I thought.

Carlton Samuels: Yes, no...

Alan Greenberg: And I'm looking at 69A on Page 31...

Carlton Samuels: Yeah, 69A does say that...

((Crosstalk))

Carlton Samuels: ...in the last draft. It does say that in the last draft. So what we are saying is that that did not capture. It's the direct opposite of what we said.

Alan Greenberg: Exactly.

Carlton Samuels: And I do remember that we - there was a long discussion because it was question about what is trademark and how many ordinary words end up in trademarks and so on. We had a long, long discussion.

Alan Greenberg: Yes, I don't remember what we recommended because it's a - it was a difficult phrase. But I remember we said we should not reject it purely because it happens to be a trademark.

Carlton Samuels: That's exactly what we said.

Alan Greenberg: Yeah.

(Evan): Carlton this is (Evan).

Carlton Samuels: Yes (Evan).

(Evan): Hi. I seem to recall what the discussion was at the time. And my recollection is that at least our intention if not our success in the wording was that we didn't want to enable a .brand and is something that was specifically being created to support a commercial entity as a .grant whereas say a generic word that might have been trademarkable wasn't quite the intention of what we wanted to exclude.

Man: Yes or not for profit which happens to have trademarked their name.

(Evan): Exactly.

Carlton Samuels: Yes.

(Evan): Yes.

Carlton Samuels: Yes there was a long discussion about that when that came up

Alan Greenberg: We're all (unintelligible) what we said. Does anyone remember what words we recommended? Because I think we actually came to a conclusion.

(Evan): No I specifically remember us putting in the reference to a .brand in quotes as part of what we were intending to exclude.

Carlton Samuels: Yes, we said we were going to exclude that brand so if it was connected to a commercial interest.

Man: Yes.

Carlton Samuels: But we would not necessarily exclude a trademark or a brand that was related to a community-based organization.

(Evan): Actually Carlton that may have been the intent but I don't think we ever quite expressed it that way in the...

Carlton Samuels: Yes.

(Evan): ...wording.

Alan Greenberg: Certainly the current wording is not (captured).

Carlton Samuels: No.

(Evan): You're right about the intent Carlton but I don't think we ever actually articulated it in the documentation.

Carlton Samuels: All right, can we work on this now right now while we're at it?

Man: Avri has her hand up.

Carlton Samuels: I'm seeing Avri yes. I'm just getting to that. Avri you have your hand up.

Avri Doria: I think first of all that that community was the hub of the consideration. And I think it could possibly be added if one just goes to the end of the sentence that says no, you know, what was the wording, no .brand a string explicitly related to a trademark when being used for a .brand and I was - get rid of the - and I'm trying to answer your thing of - give wording suggestions.

So take that first sentence and take the i.e. of that brand that is a .brand out and put explicitly based on or related to a brand used for a .brand TLD.

However, consideration should be given to accepting a community TLD application that contains what may be a trademark term.

Carlton Samuels: Rob you got that?

Robert Hoggarth: Thank you. Let me read what I think you just read. Or can you just read it one more time Avri? That would be...

Avri Doria: I was...

Carlton Samuels: She was talking until...

((Crosstalk))

Avri Doria: But let me...

Robert Hoggarth: Okay let me read back what I got then.

Avri Doria: Okay yes. You read back because I was not typing. I was shouting.

Robert Hoggarth: And I'm not a fast typer. For the record that's Rob.

A GTLD string explicitly based on or related to a trademark - a GTLD string based on or used as a brand - no.

Avri Doria: Let me try again.

Robert Hoggarth: Okay.

Avri Doria: A GTLD is presently based on or related to a trademark when being used in a .brand TLD application. Consideration - I'll stop.

Carlton Samuels: Stop, new sentence.

Avri Doria: And I'll go on to the next one when that one's okay.

Robert Hoggarth: All right, the terms is - has not been defined. And we labored hard - very hard on it in other working groups.

Avri Doria: Okay what we can...

Robert Hoggarth: So I'm not sure we could use it as - effectively as a defined term.

Avri Doria: I think we can although we may want again put a weasel word around it and say for - it is used in what are being termed .brand TLDs.

I mean we're leaving this up to this committee to figure out the right thing to do. And that's why the second sentence should read consideration should be given to applicants, community applicants who use a term that happens to be trademarked.

And basically we're saying listen committee, look at this carefully. And, you know, here's the set of guidelines for something that looks like a commercial .brand application.

But if it is a community application and it happens to have its name in it as a TLD and then you could put in parenthesis for example at the end of it where, you know, the trademark is not related to the application or the trademark or the community happens to have trademarked its name, you know, that kind of example. And then I think we've covered it.

Remember, this is just a guideline for...

Carlton Samuels: Yes, I think we would cover it by having that parenthetical reference especially in the second sentence. So can we - so Rob you got the sense of what we're trying to achieve here?

Robert Hoggarth: Yes sir. And as Seth jabbered me, we have the recording. I just say Avri I'll be - I would be very challenged to get an A in one of your courses if I was typing notes. But I think we've captured.

I just - I apologize. I just couldn't type fast enough to keep it in my head to keep it as a direct text.

Carlton Samuels: Okay. Well let's execute that then we see afterwards and by Friday we would have the thing locked.

Robert Hoggarth: Yes sir. Thank you.

Carlton Samuels: Thank you Rob. Thank you Avri. So that is the end of the support eligibility requirements Tijani. Thanks everyone for making this...

Alan Greenberg: Carlton, just one more comment on that.

Carlton Samuels: Yes Alan? Go ahead please.

Alan Greenberg: Yes, it's really a comment aimed at Seth and Rob. The importance - I - I'll - I take back the statement that .brand is not defined. Because the importance of - in our report is to get the concept down.

Carlton Samuels: Yes.

Alan Greenberg: The actual words that will be written in the formal announcement is the result of the implementation. And their challenge is to word it in such a way that others will understand it.

In our case we need to make sure that we understand it and staff understand it even if the word...

Carlton Samuels: And the principle is conveyed.

Alan Greenberg: ...even if the wording uses undefined terms and things as long as all of us are reading from the same prayer book so to speak. Thank you.

Carlton Samuels: Yes. And the principle of what we are saying is what is conveyed. Thank you Alan.

(Evan): Carlton this is (Evan).

Carlton Samuels: Yes (Evan), go ahead.

(Evan): Okay please bear my indulgence and give my - and accept my apologies for having been walking while I've been on the call and I so I appreciate your tolerance of the noise.

When I do get to a screen I think I have some suggested wording that may deal with this. So if you want to move on, when I get to a screen I think I have some wording that will clear that log jam.

Carlton Samuels: That would be very useful (Evan). You can work with Avri and Seth and Rob on this and take care of it. Thank you -- appreciate it.

(Evan): I'll put it in the (Adigo) chat.

Carlton Samuels: Very well, thank you. That'd be most useful indeed.

(Evan): Sorry, the Adobe chat, never mind.

Carlton Samuels: So okay, we moved half an hour into this. Can we then go to Rob and can we deal with the other comments starting Paragraph 20 Rob? And can we just work through the ones that are still outstanding?

And can we include the comments from Andrew and I'm sure - have you seen the comments from Sebastian?

Robert Hoggarth: I have not but I'm hopeful that Seth has. And when we get to that point in the text that would be great Carlton. Thank you. This is Rob.

((Crosstalk))

Carlton Samuels: All right. So let's move ahead then with dealing with the...

((Crosstalk))

Robert Hoggarth: Before we move off there, in Tijani's reordering of things a couple of comments that were flagged as discussion items were purged. And I'd like to go (through) those while we're still in this new text area.

And if we can I'd like to direct your all's attention to the service in an underserved language section. I believe that is - hold on one second, 67B.

Carlton Samuels: That is 60B, 67B.

Tijani Ben Jemaa: Sixty-seven B, yes.

Carlton Samuels: Yes.

Robert Hoggarth: Sixty-seven B there was a comment that Alan let's see, I'd like to - originally we see no consensus. At the very end Avri - I'm sorry, it wasn't Alan, it was Avri made a note because there was a footnote or at least there was a footnote at the end of the last bullet item there.

And I'm just - and I want to try to flag that real quickly here.

Avri Doria: What number? Sorry, I was typing something.

Robert Hoggarth: I'm sorry I'm going - I just - I'm trying to line up the sentences. Hold on one second.

The paragraph which again is 67B, the last bullet ends with the phrase particularly where simultaneous IDNs are required in countries of great linguistic diversity.

And in the original text that included a footnote that spoke about near consensus in favor of this requirement being obviated by the Working Groups fee reduction recommendation.

Tijani I think mentioned that. And all I want to flag here because you gave a global blessing Avri as to whether that bullet point now satisfies your concern about the expression of consensus and the noting of the fee reductions and the footnotes.

Have I muddled that even further or...

Avri Doria: Oh on - this is Avri. If I can...

Carlton Samuels: Avri go ahead please.

Avri Doria: Okay thanks. Now I read what Tijani had and he was not putting forward the support of bundling. He was just saying give consideration to support the people that are - and we had never said that someone couldn't ask for support on two strings although of course, you know, the committee has to consider that.

So when I read Tijani's I didn't read the outright support for the notion of bundling that made it necessary to say the need for bundling is obviated by the price reduction. So I think I'm fine.

Robert Hoggarth: Okay.

Avri Doria: Did I muddle it even worse?

Robert Hoggarth: No you approved the new language which is - and it sounds like it captured or addressed your concerns. So I'm - this is Rob. I'm happy with that.

Avri Doria: It left out what raised the flags.

Robert Hoggarth: Okay.

Alan Greenberg: Yes that last - it's Alan. That last bullet is confusing as it reads because it says one thing and then it says something in a negative way. And I'm not sure it's going to be easy to understand as it's expressed there.

Tijani Ben Jemaa: You have to excuse my English I am not...

Alan Greenberg: I...

Tijani Ben Jemaa: ...as you know.

Alan Greenberg: Your English is better than most native English speakers Tijani.

Avri Doria: You're better than mine. I remember often you've corrected my English Tijani.

Man: Hi. Okay.

Robert Hoggarth: Great. Well I think that satisfied any of the other outstanding comments in that section Carlton. Thank you.

Alan Greenberg: Yes I would ask the editors to look at that last paragraph and see if you can make it clearer.

Robert Hoggarth: Yes.

Alan Greenberg: I don't...

Carlton Samuels: Which paragraph you talking about Alan? Just be specific.

Tijani Ben Jemaa: ...the last bullet point.

Carlton Samuels: The last bullet point, there's a consensus? That one?

Alan Greenberg: Well it says there's consensus but there isn't a consensus.

Avri Doria: Well because there's near consensus doesn't it?

Carlton Samuels: Well...

Tijani Ben Jemaa: It is - but Carlton it is because I did it in the negative form...

Carlton Samuels: Yes.

Tijani Ben Jemaa: ...and Alan said it is confusing. So if the drafter can put it in better English so that it be - it will be clearer.

Alan Greenberg: That was - yes the near consensus is used in the second to the last bullet.

Carlton Samuels: Yes, yes. That's what I thought.

Alan Greenberg: Yes I was talking about the last bullet.

Carlton Samuels: He's talking about the last bullet Tijani.

Avri Doria: Can I add to that?

Carlton Samuels: Yes Avri, go ahead.

Avri Doria: The two sentences have different topics. One sentence says that there was consensus to not considering the concept of bundling.

Carlton Samuels: Yes.

Avri Doria: And that is a true statement. There was also a minority position...

Carlton Samuels: Statement, right.

Avri Doria: ...that expressed advocating. But even those that advocated something similar to bundling we're not suggesting that this group consider the concept of bundling.

I mean that was the consensus at the very end there they were saying yes...

Carlton Samuels: Well, well there was significant...

((Crosstalk))

Carlton Samuels: ...minority position formally. I would think that is - it's advocated because Andrew and a couple others were...

Alan Greenberg: So Carlton if I may interject. I think if there's a minority position and in this case it would be one or two people at most I think...

Carlton Samuels: Yes.

Alan Greenberg: ...it should be submitted as a minority position and not necessarily noted in the report.

Man: Okay guys my hand has been up for quite a while.

Avri Doria: Oh you're here.

Carlton Samuels: You have ideas?

Man: Okay as one of the people I think who actually created that particular paragraph let me just perhaps give a little a little clarification and see if maybe it sheds some light on things.

This makes explicit reference to the GAC ALAC statement on the issue which referred to basically came to the conclusion that if ICANN accepts the concept of fee reduction, that is a GTLD fee of 47,000 that in - that most of if not all of the issues regarding bundling would go away that you would - now have a situation where somebody could apply for three strings. And at 47,000 each you would still be less expensive than 185.

So for most instances of bundling it was considered that if they accepted the issue of fee reduction that it would essentially render meaningless the whole needing to deal with the bundling issue.

Where the exception was made was in some states -- and I don't know if it was made clear such as India where you have many, many, many different potential strings that are involved where bundling issue might not be just simply two or three strings bundled into the same notion in multiple character sets but perhaps, you know, dozens.

And in fact there was recommendation made not to the JAS group but to the board to initiate policies that would facilitate that kind of substantial bundling issue.

But the intention I think that was made during the GAC ALAC debriefing on this was that if the concept of a \$47,000 fee is accepted that basically renders most of the discussions on bundling mute.

And even the people that were in favor of bundling by and large I think supported this notion. Thank you.

Carlton Samuels: I think (Evan) said it. Alan you have your hand up sir.

Alan Greenberg: Yes thank you. Yes (Evan) did say it and I believe that was part of the discussion we had last time. And I think the way it ended was Andrew who was the strongest advocate who for bundling and I supported it with a proviso which was reflected in these words because they're technical issues involved in it I think we decided that it would not be presented in the report but if he wanted to advocate for it with or without any one else's support he would actually submit a minority report.

I think that is how it came out. Maybe my memory is wrong and Andrew isn't on the call.

Man: It's...

((Crosstalk))

Man: This is (unintelligible).

Man: If I remember correctly Alan, Andrew was one of the folks that said if ICANN accepts the fee reduction then even his issues about bundling for two or three strings essentially go away.

Alan Greenberg: No he came out with a proposal into last week's meeting...

Man: Oh sorry.

Alan Greenberg: ...which was a strong avocation. And I helped word it so I know that part is fact.

Man: Okay.

Alan Greenberg: He did raise it again and I believe it was effectively there was no one else supporting it other than him and to a lesser extent me with a proviso.

And I think we ended up saying this was not a consensus. There was not a - even a significant part of the working group who believed it. And therefore it shouldn't be in the report proper but he could of course submit a minority report should he choose to.

I believe that's the way it came out. If someone else who was on that call could confirm that...

Carlton Samuels: I wasn't on the call on Friday. So...

Alan Greenberg: ...then we can leave it at that and quick make sure the words reflect that instead of what went into that meeting.

Carlton Samuels: So is it the sense that we should not mention the minority? What - is there - what do you think...

Alan Greenberg: No there was a majority report. The majority of the working group believes that we should not be considering bundling at this - in this path.

I'm not one of the ones who said that but I believe that was the majority of the working group with possibly one or two exceptions to that which I think makes for a vast majority if, you know, not unanimous, but close.

So I think there was a near consensus that we should not be looking a bundling if we want to use that expression. Maybe I'm the only person who was at that meeting but I think that's what we decided.

Tijani Ben Jemaa: I was there and it was exactly that.

Alan Greenberg: Okay so let's make sure the words say that. If we have near consensus of one thing we don't have to introduce another couple of sentences saying what the opposite was.

Tijani Ben Jemaa: And Avri was there. She can say.

Avri Doria: Yes I was there. I'm agreeing with everything.

Alan Greenberg: Okay can we leave it to the drafters?

Avri Doria: (Unintelligible) I kind of think what was there...

Alan Greenberg: One of the drafters wants to speak.

Avri Doria: ...covers...

((Crosstalk))

Robert Hoggarth: Yes thank you. This is Rob. As one of the drafters the text that we had in the draft version that we circulated incorporated those components. And part of that was the footnote that we added.

We had gone through several iterations of that with various comments and I think we were close. Obviously this additional text has changed that a bit.

But what we'll do is we'll blend the two. And I think we'll be able to satisfy the concerns you all have expressed.

Man: Thank you.

Robert Hoggarth: Okay thanks.

Carlton Samuels: Thank you. Can you now Rob, let's go for the next little while and see if we can rush through the others? We want to finish them today.

Robert Hoggarth: Yes sir, gladly. Let me turn back to the - a previous substantive item that was raised on our last call.

Tijani I think mentioned it. I don't recall if it was a note just to Seth and I or a note to the group. And that is now looking at the circulated draft that Seth provided Paragraph 20B on Page 13.

Those of you on the last call will remember that Andrew asked for one last opportunity to try to reformulate Paragraph 20B to reflect his concerns.

And our editor collection that I think it was reflecting both the transcript and recording is that if you all were not happy with 20B it would just go out but then Andrew was making a final attempt to provide language that would satisfy everybody.

Alan Greenberg: Just for clarity is what is in the draft circulated on Friday is that language or...

((Crosstalk))

Man: I have to reset...

Alan Greenberg: ...is that separately?

Man: It went down sometime between Saturday night and...

Alan Greenberg: Okay. Okay, so it's an email I didn't look at.

Man: Yes and now I'm trying to restart it.

Robert Hoggarth: I'm sorry, this is Rob. I don't know we just had a cross conversation there.

Man: Sorry just a moment. That was me.

Robert Hoggarth: Okay, thank you. No, the language that is in 20B is what Andrew said he wants you all to consider. That was what basically - and Seth you can clarify for me, I think he went back to some of his original language is that correct Seth?

Seth Greene: Yes that's correct. And it is in the draft that you have that everyone has.

Robert Hoggarth: Great so the decision of the Working Group would be do you like what B is now and if not it comes out.

Tijani Ben Jemaa: I have my hand up.

Robert Hoggarth: It...

Carlton Samuels: I'm just waiting for that to come in Tijani and then I have Alan. Rob are you through with that?

Robert Hoggarth: Yes sir. Thank you.

Carlton Samuels: Thank you. Tijani?

Tijani Ben Jemaa: Thank you. So this alternative text was proposed by Andrew just before last call. And during the last called we discussed this extensively.

And as Alan said we decided what Alan told you now. So that's why I consider that 20B doesn't have a place here.

Carlton Samuels: That's Tijani. Alan you have your hand up sir?

Alan Greenberg: Yes Tijani's memory is right. The wording there is what I personally was advocating with a footnote defining what a single logical TLD was.

And as Avri pointed out there are potential technical difficulties there. And I think the conclusion we came to is we would omit it.

I seem to remember Rob saying well if we omit it then we have 20 and A but only one bullet. And it should be simply replaced by a simple sentence, not a subpart.

And I think I remember Rob or somebody raising that issue that, you know, sub bullets with only one left should simply be replaced by a simple sentence.

Carlton Samuels: Okay.

Alan Greenberg: I think we went through all that but maybe again I'm - maybe I'm hallucinating.

Robert Hoggarth: I think you said that Alan.

Carlton Samuels: Well I was not on the call so...

((Crosstalk))

Alan Greenberg: Pardon me?

Robert Hoggarth: This is Rob. No, we did say that Alan. So if you now all agreed that B comes out we will formulate, you know, reformulate 20 and A into just 20.

Alan Greenberg: I believe that was the conclusion of last Friday's meeting.

Tijani Ben Jemaa: Yes.

Robert Hoggarth: Well that was subsequent to, you know, Andrew's final attempt to make a change. And if you are now all deciding that you don't like...

Alan Greenberg: But...

Robert Hoggarth: ...what is left then it will change.

Alan Greenberg: Okay but if what is in B in the current draft is something that Andrew drafted after that meeting...

Man: Yes.

Alan Greenberg: ...I don't see it as a substantive change from what we discussed and therefore I don't think it address the issue.

Not maybe - and again I don't remember the exact wording and I can't find Andrew's note but what is captured in the B in the current draft is pretty close to what we were suggesting going into Friday's meeting.

Tijani Ben Jemaa: Yes. Alan he dropped it just before the call there, the last time call.

Alan Greenberg: And okay in that case we discussed it and rejected it during the call.

Tijani Ben Jemaa: Exactly, exactly.

Alan Greenberg: If he didn't...

Carlton Samuels: So we are saying that we are retaining B as is?

Alan Greenberg: No, the exact opposite. We are dropping B and merging the 20 into a single...

Tijani Ben Jemaa: Paragraph.

Carlton Samuels: Twenty now becomes just a sentence, just a sentence.

Alan Greenberg: Yes. I believe that is what we discussed if someone goes through the transcript for Friday unless I'm completely imagining it. But I think that was what we ended up with.

Tijani Ben Jemaa: You are not imagining.

Alan Greenberg: And I remember I think Rob pointing out that we now had 20 with a Subsection A but nothing else and the subsection concept should be removed.

Tijani Ben Jemaa: Yes.

Robert Hoggarth: This is Rob again to clarify and you all gave Andrew an additional opportunity. And what I was sharing is that he chose to keep that language.

So in an effort to give you all one last chance to in a sense discuss or reject it...

Alan Greenberg: Okay if he chose to keep that language I don't think it changed the discussion from Friday.

Carlton Samuels: Okay. I was not on Friday so I'm going to depend on you guys. But I have to call it now and move on.

Alan Greenberg: Okay.

Carlton Samuels: So if it has not been suggested then we can go to the transcript to just ensure it. So the decision is that we strike the - we write 20 just include one sentence, include the fee reduction for 75,000.

Man: Exactly.

Carlton Samuels: Is that correct?

Man: Yes.

Carlton Samuels: Alan?

Alan Greenberg: I believe that's what we decided and I have no reason to change that.

Tijani Ben Jemaa: Yes.

Carlton Samuels: Okay thank you very much. So Rob let's go on with that. Next.

Robert Hoggarth: Great, very much. We're now going to move very far forward because the next many paragraphs and pages were already discussed by the group.

We've already discussed Tijani's material as well. So I'm scrolling through relatively quickly here. We're going to find ourselves all the way up to -- please hold on a second -- I believe a to a comment Seth that you provided on Page 36 Paragraph 77.

Was that handled with Tijani's materials? I believe so.

Carlton Samuels: Yes.

Tijani Ben Jemaa: Yes.

Robert Hoggarth: So we're into ineligibility criteria up to and we've handled Paragraph 81.

Tijani Ben Jemaa: Okay it will be (and) created.

Robert Hoggarth: Yes thank you, up to Paragraph 83. And again this is the old Number 83 in the draft that was circulated to all of you.

Carlton Samuels: Yes.

Robert Hoggarth: Paragraph 83, Subsection E on Page 40. The comment reads Avri suggested these bullets as a starting point, working group member additions edits, comments, requested.

I'm flagging that to give folks one final opportunity to perhaps add anything else to the information and documentation in Paragraph 83.

Hearing none then I would submit Mr. Chairman that we continue.

Carlton Samuels: Thank you. Let's move on.

Robert Hoggarth: Thank you. The next comment is Paragraph 87 Subsection A. And Seth I'll ask you to address that because this is one that you had inserted.

Seth Greene: Certainly Rob. What paragraph, we have two Paragraph 87A.

Robert Hoggarth: Paragraph 87A, yes sir.

Seth Greene: Yes let me just look at this. In each I'm going to say yes. Some of these lettered sections had been excerpted for use in the executive summary earlier.

So we discussed them in - very briefly when we started going through all the comments because there was a comment flagging them in the executive summary.

Specifically the ones that I've listed here A, E and part of H when asking about what level of consensus the workgroup had found what we decided was that it was full consensus.

So my question here is now that the full list is present in this paragraph, Paragraph 87 can we - is it fair to say that a full consensus, that each of these points was met with a full consensus?

What would - Mr. Chairman what do you think we could say about that?

Carlton Samuels: I am - I would want to have in my introduction, my summary just the matters of full - that receive full consensus up front.

I really don't think we should be putting, making the summary itself the matter of controversy.

Seth Greene: Understood, understood Carlton. In this section on Paragraph 87 though do we want to say that as you see it reads the following broad steps within support evaluation process did not achieve full consensus in the workgroup discussions?

Do we want to maintain that? Do we want to actually say what level of consensus was in fact reached...

Carlton Samuels: No I want to leave it at that because we have - we decided that the detailed evaluation, the detailed processes are going to left to staff anyways. So that's fine.

Seth Greene: Okay so just leave it as it is, keep as is...

Carlton Samuels: Yes.

Seth Greene: ...very much...

((Crosstalk))

Carlton Samuels: That would be my judgment on this. I hope others agree with me. I see - is anybody thinking that this is something that we should - which page Rafik asks? Look at page...

Seth Greene: Page 42.

Carlton Samuels: Page...

Seth Greene: Two.

Carlton Samuels: ...42 Rafik.

Seth Greene: Actually it's rather - Carlton, it's a rather long list. It begins on 40 and goes through...

Carlton Samuels: Yes, yes it's a little while but...

Seth Greene: (They) use paragraph numbers different versions of the report have - the clean report or the marked up report have different page numbers.

Alan Greenberg: Right. It's paragraph Number 87 which is Page 38 in my version or 39.

Seth Greene: Oh really? Thank you Alan.

Carlton Samuels: Any problems? Okay go ahead.

Alan Greenberg: Okay it's Alan. I have an item on a - that we skipped over.

Carlton Samuels: Oh okay. Go ahead Alan. I'm sorry I was on the other page.

Alan Greenberg: All right in paragraph 79D as in dog I asked a question. I'm not - I'm not - don't want to debate it but I want - but the sentence needs clarification because it's vague as it stands.

It says (unintelligible) is supposed to be capable of contributing \$47,000 towards registry continuity operational costs. And in the previous 1C \$47,000 in operational costs. But there's no unit. There's no per what?

Carlton Samuels: And this is what, 79?

Alan Greenberg: In D it may well be a one-time the continuity cost should be limited to \$47,000. Forty-seven thousand for operational costs needs a time basis.

I wasn't involved in a discussion of setting that so I don't know what the answer to the question is but as it's worded right now it is not clear.

Carlton Samuels: Okay so what I see here 45K per what, 45,000...

Alan Greenberg: Yes I was saying in D...

Carlton Samuels: ...per annum?

Alan Greenberg: ...the answer may well be it's a one-time payment. C that answer's not applicable. The comment disappeared from C but it was asked there also.

Carlton Samuels: I think this was meant as a one-time payment.

Alan Greenberg: So all I need to do is put in 47,000 to operate the registry for the 29 years.

Carlton Samuels: No the fact is that the expectation is that somebody will take it over and assume most of the operational cost.

Alan Greenberg: All right, all I'm asking is whatever it - the intent was. And I can't - I find it hard to believe that was the intent. But whatever it was should be made clear because right now it is not clear. Does anyone on this call remember what the...

Carlton Samuels: Now what is the exact thing? Are we just simply replicating what...

Alan Greenberg: It currently says candidates must be capable of contributing US 47,000 towards registry operational costs if the candidate proposes to operate its own registry.

If everyone else is happy with it I'll stand down. But I don't know how to...

Carlton Samuels: Well to me it if you don't have - the question is are we talking about if we put a time on it it's \$47,000 per annum? We expect somebody to have \$47,000 in perpetuity?

((Crosstalk))

Alan Greenberg: (Unintelligible) I don't know what it...

Carlton Samuels: No I don't think so either. That would not make sense.

Alan Greenberg: All right if I'm the only one who has the concern let's just go skip it and go on.

Carlton Samuels: It's not - that is not a concern Adam. I...

Alan Greenberg: Okay fine.

Carlton Samuels: ...Alan. I just don't...

((Crosstalk))

Alan Greenberg: Then let's go on.

Carlton Samuels: Okay. Rob can we move on?

Robert Hoggarth: Yes I mean we - I skipped over this section because you all adopted, you know, a lot of the thoughts and combination of language that Tijani had offered in his alternative text.

And this text was a part of that. And actually Paragraph C and D seemed to have been combined into one.

Carlton Samuels: Yes.

Robert Hoggarth: And so we can just - so the conclusion is that in Tijani's new - and I'm sorry for doing this, but Tijani's new 68C we're making sure that that number is 47,000 but we're not otherwise making any changes to it.

Carlton Samuels: But that's what we are suggesting here.

Robert Hoggarth: Okay, thank you very much. Thank you Alan for pulling this back, that was helpful.

This is Rob again. Now moving up to there are a couple of minor ones where we're just going to make sure we define acronyms and things like that.

The next substantive area just asks the question and it's mainly addressed to Andrew and Avri.

In the section that talks about maintaining or losing eligibility Andrew commented that he thought the section needed to clarify the circumstances of discharge and revocation.

He noted the need to clean up the section. Avri contributed some ideas to that.

So we reworked this section by inserting the heading, maintaining or losing eligibility, adding some clarifying language into this section.

And the ask on this call is whether Andrew and Avri are satisfied with the changes and whether it's now much clearer? And I know Andrew is not on the call but Avri if you have any comments?

Carlton Samuels: Avri you want to have a go at this? She may be gone, you know, because she said she had to go.

Alan Greenberg: What paragraph are we on now? Sorry.

Robert Hoggarth: I'm sorry this is - the comment is inserted at the end of Paragraph 92.

Carlton Samuels: Eighty-nine, 90 and...

Robert Hoggarth: Right.

Carlton Samuels: ...some is on 92.

Robert Hoggarth: Right. And it just refers to the section maintaining or losing eligibility. And in reading back through it I agree with him that it needed to be cleaned up and we did that.

I think it reads much more clear but it's not my judgment that goes into the final report.

Carlton Samuels: I personally follow what is being said here so unless my colleagues have a substandard comment?

Robert Hoggarth: In that case Carlton would you like me to proceed?

Carlton Samuels: Yes please.

Alan Greenberg: Is - you're using the word application in two places. Are we talking about the same is - as I read it, it sounds more like one is the application for the TLD and one is the application for the support.

Carlton Samuels: I think it's the application for the support. It's a lot - the SAC is Support Application Candidate, Support Applicant Candidate. So I think it's about support.

Robert Hoggarth: Well and this is Rob. The concept in 89 is that there are four checkpoints where the staff, you know, does a quick double check to make sure that the original criteria are still being provided, you know, that the circumstances remain the same.

So you're right in - through the course of the application process Alan I think you're right, it refers strictly to that.

The issue I think of that may come up is once you're past the application process what happens if the circumstances change.

But I don't think this section deals with once you're a - an approved...

Alan Greenberg: Yes I think when you have application in the last part of the sentence will be revoked discarded its agreement to support will be revoked not the application.

Robert Hoggarth: It's a very good point. So was your recommendation to change that to the support as opposed to the application?

Alan Greenberg: I think - or some words to that effect. You can't revoke someone's application...

Carlton Samuels: Application no, no, no that's...

((Crosstalk))

Alan Greenberg: You can't withdraw it...

Carlton Samuels: ...the support. The decision to support can be revoked.

Alan Greenberg: Yes, right.

Robert Hoggarth: Right. Thank you and we'll make that change.

Carlton Samuels: Good catch Alan.

Robert Hoggarth: The next...

((Crosstalk))

Carlton Samuels: Moving right along Rob.

Robert Hoggarth: Yes Paragraph 93 refers to volunteers. And Avri asked the question, the - or the outside experts also volunteers? I thought we say in paragraph that's now 95 that this wasn't necessary.

The sentence I think that she focuses on is the (SARP) should be composed of volunteers from the ICANN community and outside experts knowledgeable about the existing new GTLD process.

And so her question is does volunteers modify both the ICANN community and outside experts?

I will share that my understanding of your discussion was that outside experts who choose to volunteer are on the (SARP) but that there are other outside experts that the working group has recommended that ICANN staff reach out to and hire.

But Paragraph 95...

Carlton Samuels: Ninety-five does yes. That was the sense of how it was discussed to my recollection. We would not limit if you had outside experts as volunteering for the panel that's fine. But we would not limit it to just having volunteer outside experts. Some could be hired to fill whatever gaps. That was my recollection of the discussion.

Alan Greenberg: Yes if you remember again it's Alan. The way I took the discussion was if you're a member of the (SARP) then you are a volunteer.

The (SARP) may contract with outside experts to act as advisors over and above that. I would not think they are voting members of the group but are acting as advisers to the group. That's how I - I don't think we ever said that but that's how I took it.

Carlton Samuels: That's how I took it too sir, yes.

Robert Hoggarth: In that case we would - this is Rob we would change Paragraph 95 and we would say...

Alan Greenberg: I think we have to - not use the term the unmodified term outside experts in both cases. One of them needs to, you know, maybe the first one in 93 is outside experts who choose to participate or something...

Carlton Samuels: Yes.

Alan Greenberg: ...like that. Otherwise you're - you got to use a slightly different name for the two otherwise it - they're not going to be distinguishable.

Robert Hoggarth: Okay we'll work through that. Yes because I think - yes. Okay thank you.

Carlton Samuels: You get the point Alan was making that the 95 was set Rob?

Robert Hoggarth: Yes it may be fixable by making a change to 93. I'm not being...

Carlton Samuels: Yes.

Robert Hoggarth: ...prescriptive. I'm just saying we should not use exactly the same phrase in both cases.

Man: Right and the key point that you're making is that if you are on the panel and voting you are a volunteer.

Carlton Samuels: You are a volunteer. If you're outside experts then you're not on the panel and voting. You're acting as advisors paid...

Robert Hoggarth: Correct.

Carlton Samuels: ...to the panel.

Robert Hoggarth: Right. Right we'll make those changes. Thank you gentlemen.

The next item is also a comment from Alan with Avri responses. And Alan I'll let you speak to it. It's Paragraph 99, support recovery in which you wrote we need clarity here whether the support that is to be repaid includes the fee discount or just the financial support provided over and above the fee reduction.

And Avri said she didn't recall discussing this concept. So this is an area that the working group needs to clarify for us.

I don't know if Alan if you want to speak to this briefly?

Alan Greenberg: Oh I think my comment says it all. At the time we wrote this I don't think we had locked in that it must be a fee reduction and that that was not quote, support.

Regardless of the status when we wrote it we are now taking the position that the fee reduction to 47,000 is not what we're calling additional financial support. It's not what the \$2 million is for.

And so I'm - I was asking the question what are we expecting them to repay? I do recall there was a discussion on it.

I think we came to closure but honestly I don't remember what that closure was. And I remember Avri was one of the ones who spoke on it.

Carlton Samuels: My recollection is that we spoke about it and it was decided that it's only anything above and beyond what they get. You know, it's not the fee itself but any support, any financial support they get otherwise, not the fee...

Alan Greenberg: So if we don't give them any money other than the fee reduction...

Carlton Samuels: Yes it's money other than the fee reduction.

Alan Greenberg: Then in success they don't have to pay anything back.

Carlton Samuels: That's right.

Alan Greenberg: Okay. I'm not sure that is what we decided but I'm happy to accept it as long as the words that were coming...

Carlton Samuels: That's what I recollect. That was my sense of it. That's my sense of it, Alan.

Alan Greenberg: Okay I'm not advocating coming down on one side or the other personally I just want to make sure that the words we're coming out with are clear so the implementers know how to implement it.

Carlton Samuels: Okay.

Alan Greenberg: I have a personal perspective but that's - it's too late for that now if we already made a decision so thank you.

Carlton Samuels: Can we move on?

Robert Hoggarth: This is Rob - well this is Rob just to clarify then what we will do there, Carlton, is confirm. And right now I've just put in as a parenthetical comment the first sentence would read, "Working group has full consensus that support approved candidates that receive support, such support not defined or not including the fee reduction under this program have an obligation to pay back into the program."

So being - calling out very specifically that the fee reduction is not part of that support as defined in this section.

Carlton Samuels: That is my understanding of it.

Robert Hoggarth: Thank you. You'll be delighted to know, Mr. Chairman, that we are at the end of the report with one final comment by Alan. And I'll read it, Alan, to peak your memory.

Alan wrote, "Having completed the review of the core report I see there is no mention of changing the continuity requirements to be far more modest. Eric

had noted there was an ongoing discussion in some other group. But do we really want to leave it solely up to them?"

On the last call, Alan, you made an observation that there was a section that talked about the continuity support instrument but just in passing. And you asked did we talk about it elsewhere in the document? There are several mentions of the continuity document in this report but there's no full blown substantive discussion of it. So I'm not sure what you want to do or...

((Crosstalk))

Alan Greenberg: I believe the only thing that could be called a substantive discussion is saying that the time period has to be reduced.

Carlton Samuels: Yeah.

Alan Greenberg: And I would maintain that that is not the same as this discussion. And if everyone is happy to leave it be I'm not going to...

((Crosstalk))

Carlton Samuels: At this stage...

Alan Greenberg: I'm not going to beat it anymore. I personally believe that was a very important part of the applicant guidebook that should not be applicable to this class to many of the, you know, of the organizations we're talking about. Avri disagreed in that she preferred just to see things die quickly and not be maintained forever.

So I'm willing to let it drop. But I'm just raising the issue to make sure that's the consensus of the group and not just me being tired, which I am.

Carlton Samuels: We all are.

Robert Hoggarth: It's called drafting fatigue.

Carlton Samuels: Can I ask a question of the members who are here? Is it your sense that you could support Alan on this let's say if we move on?

Alan Greenberg: What does support Alan on this mean? I just gave two different viewpoints.

Carlton Samuels: The last viewpoint.

Alan Greenberg: That we just forget it, drop my comment and leave the report as it is?

Carlton Samuels: Yes.

Alan Greenberg: Okay. Nobody's screaming.

Carlton Samuels: Nobody's screaming. I think we'll just move on with it.

Robert Hoggarth: Carlton, can we take advantage of the fact - well we're through the substantive part so the question would be whether you want to - and Seth can flag a couple of comments or maybe parts in the background section which is relatively non-substantive but just, you know, us trying to capture what went on before.

But also (Evan) has contributed some specific text back in that area about brands and the eligibility. I didn't know if you thought it would be helpful just to nail that down real quick?

Carlton Samuels: Yes we could do that. Thank you, Rob, for bringing that up. (Evan) produced in the chat a - some specific text for the reference to - what is it again? What paragraph?

Robert Hoggarth: If you're looking at the main document then the paragraph is 69a.

Carlton Samuels: Sixty-nine A. Thank you. Thank you. Sixty-nine A.

Robert Hoggarth: Yes sir. And whatever changes you make here we'll reflect it in the new Tijani text.

Carlton Samuels: Right.

Robert Hoggarth: Just substitute it.

Carlton Samuels: That's what we're going to do. So we're going to include the Tijani text. We're going to adopt Tijani's text into the main report. And that adoption we will add this text here that we are proposing. I'm just asking everyone would this meet the qualifications?

Alan Greenberg: I'm presuming in the second sentence it's community...

Carlton Samuels: Community, yes. Thank you Alan.

Alan Greenberg: First I read it as commodities.

Carlton Samuels: Community - it's a U. Right, (Evan)? I don't think you meant community but it's community.

Alan Greenberg: (Evan) said he has to leave.

Carlton Samuels: I saw that too. I was hoping I'd catch him before he goes. Okay Cheryl says it's okay with (Evan)'s suggested text subject to the typographical correction. There'll be no...

Alan Greenberg: Cheryl says she wants to leave my comment but I thought we said we would scrap the comment and forget the issue.

Carlton Samuels: Yeah.

Alan Greenberg: We're all patiently waiting for Cheryl to type.

Carlton Samuels: She says she's typing the doc. No, I dropped some text on typing the comment that need to be forwarded later, (CP) comment dropped from my report. Okay.

Robert Hoggarth: There's one...

Carlton Samuels: Go ahead, Rob.

Robert Hoggarth: Mr. Chairman, there's one other substantive area that was flagged in the email on this final draft - this last draft, I won't call it the final one. And that was a reference back to the IPv6 discussion. And Michele circulated a comment indicating that he could not support the language as written with respect to IPv6.

And so that raises two questions: One, what do you want to do with the text for IPv6 support which is reflected in the draft document as Paragraphs 51-54? And then, two, depending upon your decision there a more global question that's come up on this call how do you want to handle the logistics of minority positions or minority contributions?

Alan Greenberg: I'll let you address the Paragraph...

Carlton Samuels: Let me take Alan first and then I will tell you what my own inclination is, Rob. Alan, you have the floor, sir.

Alan Greenberg: Yeah, in that case I may be wrong but I think Michele is about the only one who is objecting vehemently. In which case I think we have near but not unanimous consensus.

Carlton Samuels: That would have been my comment but since Michele is representing an important constituency I would make a footnote to say that the...

Alan Greenberg: If no one else is raising the issue on the working group all we can do is deal with the people on the working group. We can't use a crystal ball to see who else might be agreeing with someone on the working group. I don't think...

Carlton Samuels: Yeah. Alan, my only thing is on - an abundance of caution. And since Michele is on the group representing an established community we might simply just note...

Alan Greenberg: I believe he has said many times or at least some times recently that if he says something under his name he's representing himself. I don't think he's representing registrars.

Carlton Samuels: Oh he's not representing registrars...

Alan Greenberg: I don't believe so.

Carlton Samuels: Okay well...

Alan Greenberg: If you think he is we should ask him explicitly but...

Carlton Samuels: I will send him a note to ask whether or not he's representing registrars or he's representing himself. And I'll explain to him why. But from my reading of it I don't see any other way to deal with it, you know, he's not had any support on this issue. And I'm inclined to move it along.

Alan Greenberg: Yeah, is - when the issue was just raised is it because the current words say there is - what does the current - I don't know what section we're talking about so what are the current words regarding consensus regarding IPv6 in the document as it stands?

Carlton Samuels: The...

Robert Hoggarth: This is...

Carlton Samuels: Go ahead.

Robert Hoggarth: I'm sorry, this is Rob. At this point the document simply says registries located in areas where IPv6 connectivity is limited or unavailable ICANN will need to facilitate support. There is - I'm looking through quickly the four paragraphs. There's nothing that says specifically the working group says but, you know, or the working group achieved near consensus or anything like that at present.

Carlton Samuels: I think Michele's problem - this is Carlton - was that he's reading too much into the use of the term facilitating. That's my view. Alan, you have your hand up still?

Alan Greenberg: Yeah, no I was going to take it down. I think he's objecting - saying that we should not be raising the IPv6; that people should be required to meet it as per the requirements. I...

Carlton Samuels: But the text...

((Crosstalk))

Alan Greenberg: ...we are simply making a recommendation and not qualifying it by consensus we are implying full consensus.

Robert Hoggarth: And, Alan, the only place where it would really be substantive if you look back at Paragraph 48 which introduces this section - recall this - the IPv6 conversation or text is a part of several examples of support from third parties facilitated by ICANN. And the section begins with the - with two sentences, "The working group believes that ICANN can play an important role in helping

connect support recipients with willing third party donors of goods and services such as those identified above."

Then it says, "The working group recommends that ICANN establish a collaborative central directory or clearing house, you know, to match up..." blah, blah, blah.

Alan Greenberg: Okay.

Carlton Samuels: And then 49 went into say that as one of these collective resources for assistance was IPv6 collectivity.

Alan Greenberg: Okay and without modification I read that to be the working group unanimously recommends and he's simply saying that it wasn't unanimous; it should be noted somewhere.

Robert Hoggarth: Well what I can do is specifically on this - this is Rob - specifically in the IPv6 support area is to say on the subject of IPv6 support the working group achieved near but unanimous consensus period. And then just - that would begin Paragraph 51.

Alan Greenberg: Fine with me.

Carlton Samuels: Yeah let's deal with that because if we're going to do the (unintelligible) thing then we run into the problem with Andrew and his insistence that is one. It's the same kind of thing; you have a lone ranger who's been vehement in one suggestion and you can't treat them differently at least that's my sense of it.

Alan Greenberg: I think there's a difference between disagreeing with a recommendation and asking to introduce something new. But - in any case Olivier has been very patient there.

Carlton Samuels: Yes, Olivier, I'm sorry about that. I see your hand up, sir.

Olivier Crépin-LeBlond: Thanks very much, Carlton. Olivier here for the record. Actually I think there is a discrepancy in the report. The part on the IPv6 support so 51, 52, etcetera, do not mention the doing away with the rule of IPv6 being required; what it does say there is for ICANN to facilitate support for IPv6 providers to provide IPv6 gateways, to provide technical know-how for IPv6, to help the region in having IPv6 connectivity when an applicant comes from that region.

However the executive - the executive summary at the beginning mentions under non-financial support, so we're looking at non-financial support Part A, B deferred IPv6 and DNS sec requirements which doesn't appear to be what is actually said later on in the report. And I think that Michele might therefore be picking on the deferred IPv6 and DNS sec requirements. Thank you.

Carlton Samuels: Well that's - thank you, Olivier. Because when I read 51, 52 - that's why I said at the start that I think he was having a problem with reading too deeply into what facilitated meant. I don't see, you know, probably we can change the wording in (DS). It would, I'm just looking at it now.

And there seem to be some dissonance with what is said in 50, 51 and 52 with what comes up in the executive summary. It's not a deferment actually it's facilitated IPv6 compliance that the body of the report speaks about.

Robert Hoggarth: Carlton, this is Rob. I'm noting that edit on Page 6.

Carlton Samuels: Thank you, Rob. I will not even - I will just point out to Michele that we've changed things and we point out that 51 and 52 and ask him whether or not this meets his objection. Shall we move on?

Robert Hoggarth: On the...

Carlton Samuels: Any other...

Robert Hoggarth: Yes, sir. This is Rob again. The follow up question to that was assuming that Michele may still want to do a minority report or if there are other limited items as we've discussed in the last couple of calls where someone may have a minority position. What is the working group's process for handling that in the final report?

Carlton Samuels: We're - here's my thinking. Since we're not going to have the minority report - the minority report is for the action of the member who would wish to make it. I think that it might be important in the footnote to add a footnote where it occurs, where we anticipate the minority reports to just show for completeness of the record; that we expect a minority report in that area. That's my feeling on it.

I would go to Alan and have him...

Alan Greenberg: Yeah, how this is normally handled at least in the ones that I've participated in is the report gets cast in concrete and then there's a very small number of days that are allowed for anyone to submit a minority report which then gets incorporated as an appendix or attachment to the report.

And because I think it's important that those attachments go to the - to the chartering body...

Carlton Samuels: Chartering - yeah.

Alan Greenberg: ...for their review. So I think whenever we cast it in concrete there's a very small number of days for someone to submit a minority report which means they better have started working on it ahead of time.

Carlton Samuels: All right.

Alan Greenberg: And so it can be incorporated into the final PDF.

Carlton Samuels: Okay, so Alan, let me ask a question then...

((Crosstalk))

Carlton Samuels: How do we - would you object to actually noting that we are expecting minority reports?

Alan Greenberg: I would not put that in the text.

Carlton Samuels: You would not put it in the text. All right, I'm guided by you, sir.

Alan Greenberg: I do have cases where if our editors have the capability once a minority report has come in it could be flagged with a footnote, you know, it could be - the report can be annotated to refer to the back there is a minority report on this item. That's a nicety if we have the time to do that. But I think - I don't think we should try to reflect the content in the footnote at that point.

And that's a personal opinion. And that's pretty well in line with what has been done in other reports. The only report I can remember where the - where the body of the text reflected the minority report I think was the STI report on trademark protection where I think the body noted that there was a minority report on this issue but I'm not even sure about that.

Carlton Samuels: All right well I'm going to be guided by that, sir. So Rob we'll follow that position.

Robert Hoggarth: Okay thank you. So that when you have a final piece then you'll circulate the document and say if anyone has a minority statement you have X hours or X days to get it to the list and then we'll incorporate into the document. Thank you.

Mr. Chairman, there's one other item that we've been debating about within the staff. And I'd certainly like to have the guidance from you all on it is how do you want us to reflect the working group members in the report? Do you want them listed in an appendix? Would you like to be listed at the beginning of the document?

And what is the universe of that list that you all as a working group consider members of the working group? Is that everybody on the circulation list? How do you want us to handle that?

Carlton Samuels: It's - I would - my preference is that we're listed in an appendix, that's the first thing. My preference is that we include everyone who signed up for the list. Glen provided an accounting of those and I think we should just use that.

And Cheryl has noted that she would prefer appendix so she's agreeing with me. Thank you, Cheryl, for the support there. And you need to spell her name correctly.

Alan, you have your hand up sir. And then we'll go to...

((Crosstalk)).

Alan Greenberg: Yeah, I think it's mandatory that we include everyone on the list. The GNSO working group rules, which I believe we are working under, specify that a working group member does not - being a working group member does not require you to participate in the calls.

It has been standard practice however to give - include in the report a statement of how many calls were there and at the very least which - how many calls any given person participated in. And often there's a backup document saying which calls they participated in, you know, it's typically somewhere on the wiki or on the Web.

But I think at the very least every report I can remember reports on how many of the calls did each person participate in so people can get a measure of what the actual discussion - who was participating in the discussion.

Carlton Samuels: Okay.

Alan Greenberg: But I don't know if there's a rule but that's the practice.

Carlton Samuels: All right we - would ICANN Board - all right so, can Rob - here's how we're going to close it. We're going to have all the members on the list, that is the email list, listed.

We are going to have - if we can get the roll call data as an appendix which would say who the members are especially in the latter portion of it where we had the items discussed with the importance. If we could link the attendance somehow to the substantive discussion at the time of attendance. So I think we're moving, as Alan says, in the traditional way here.

Alan Greenberg: Yeah, it's Alan. We could divide the calls up into, you know, pre-Singapore, post-Singapore or some other division, you know, if we think that is - there's a substantive importance to that.

Carlton Samuels: So noted, Alan. So we have - Avri says that put all that stuff in the appendices is best so I'm glad. Thank you, Avri. Avri is making a note here on IPv6. She said that the difference of opinion does not need to be explicit in the executive summary but it should be noted.

She says for example she is an advocate of getting help to do it - for IPv6 compliance sake but not for exemption. So noted, Avri. We were not arguing for exemption by the way, we were saying that where there is - to meet that requirement then it's part of the support structure that support approved candidates be given help to meet that requirement. And there's some ways that were embraced as making that happen.

Okay, Alan, noted we are eight minutes over the call. Cheryl I think has just - (unintelligible) what I just said about IPv6. We were not talking about exemption at all. And that's my - Rude Vesnick is - Olivier is making the case that Rude Vesnick should be credited in credits.

You mean as a part of the...

Alan Greenberg: He's giving the spelling of his name.

Carlton Samuels: Oh okay. Not Rude Vesnick but Rude Vesnick.

Alan Greenberg: No.

Carlton Samuels: Okay.

Alan Greenberg: The letters are the same it's the spacing and capitalization he's identifying.

Carlton Samuels: Yeah, okay. Seth, you have your hand up for a little while so can we take it?

Seth Greene: Yes, thank you, Carlton. I just wanted to ask in the list of work group members provided by Glen there is some identifying information after each name especially for the GNSO people, you know, having to do with which groups they're in within GNSO, etcetera. Do we want to include information like that or do we want to just include the name and whether they're GNSO or At Large?

Carlton Samuels: Alan has his hand up. Let me see if Alan's going to...

Alan Greenberg: Yeah again the norm is to either group them together by origin or to put it after each name. But lead it off saying these people are not necessarily representing the group of which they're part of. So it can be done either way...

Carlton Samuels: Yeah.

Alan Greenberg: Either way there shouldn't be an implication but it should - it gives the readers some idea of where the people came from which I...

((Crosstalk))

Carlton Samuels: Yeah my - I agree with that. And I would accept the way that Glen has set it out; she gives them in groups and put them under each group.

Seth Greene: Actually, Carlton...

Carlton Samuels: We'll just go with that.

Seth Greene: Thank you. I was actually asking though specifically after each of the names in Glen's list she has some details such as Non Commercial Stakeholder Group within GNSO - information like that. Do we need...

Carlton Samuels: Yeah, yeah, yeah, I mean, it doesn't hurt to have that too.

Seth Greene: All right thank you.

Alan Greenberg: Typically one goes down to the constituency in the GNSO if there is one or if not the stakeholder group. And in terms of At Large typically we use the term At Large...

((Crosstalk))

Carlton Samuels: Cheryl agrees with...

((Crosstalk))

Carlton Samuels: ...GNSO is essential, yes. I don't - I think put whatever information is there and whatever clarifies it because it might be useful let's do that. So I'm suggesting again that we use the format that Glen proposed and fill it out as best as possible.

Seth, you - oh you just asked the question. I'll call on you. Okay Rob, you have your hand up.

Robert Hoggarth: Thank you, sir. I was hopeful that you all would have a brief discussion about logistics moving forward in terms of finalizing the document.

Carlton Samuels: I am - I'm going to that now, Rob, so if you'd bear with me. We actually telegraphed it on the list. But essentially we are going to make Friday's call the final call for putting this report to bed.

How I would expect it to go - and I have not discussed it with Rafik yet but I hope Rafik is on still. If he can give me a indication that he's still listening or he's on - is that we will take...

Glen de Saint Géry: Carlton, Rafik is on mute.

Carlton Samuels: Oh he's on mute.

Glen de Saint Géry: Sorry, he's just come off.

Carlton Samuels: Okay. Rafik, you're with me.

Rafik Dammak: Yes.

Carlton Samuels: Oh lovely. The question I was asked is what do we do to wrap this up. And I was making the point that we've pretty much agreed that this Friday is the drop-dead date for the report so to conclude the report.

Rafik Dammak: Yes.

Carlton Samuels: And we are going to propose a process by which to do it.

Rafik Dammak: Yeah, I guess (unintelligible) the comments and so just last (unintelligible) any type of (unintelligible). That's all that's more I guess if you for the formatting than the substantive parts of the report.

Carlton Samuels: Right. That was our intent. We would have used this call to make all others like it than asking for specific wording. We will then have our usual consultation on the drafting for the next 10 minutes or so; don't go away, fellows.

And then we - come Friday, Rob and Seth, we expect to look at the report only in terms of format and typographical errors; that's it, we're not going to have any more discussions about this. And once that is done we close the chapter on it.

And then we - we have put out a request to have the Webinar for the week of September 11 is it, next week, 13 or 14. I'm hoping Karla will come back to us with a - some content that we can share with the group. And then after that we are ready to roll through to the various committees which is once the report is tied down we will forward it to the - to the chartering organizations for their action.

And once that action is done the chartering organizations will send it through to the board. That's how we see things happening. Tijani, you have your hand up, sir.

Tijani Ben Jemaa: Yes, thank you. I assume that Rob and Seth will send the latest or the more recent version so that we can revise it and come on Friday with concrete proposal if there is something to arrange to better present.

Carlton Samuels: Tijani, tell the honest truth this is your last shot at having any substantive thing. If you have it now...

Tijani Ben Jemaa: I'm not talking about substantive I'm talking about the - perhaps the concordance between the executive summary and the rest of the text.

Carlton Samuels: Yes, yes, yes...

((Crosstalk))

Carlton Samuels: ...that's what I'm saying we are going to have that and we are going to have that - if you stay on line we will have that discussion now, the drafting, so we ensure that Rob gets - and Seth gets that. And then we will have it produced as usual and sent to the list.

And included in that we will have all of the formatting and all of the other things that we talk about sorted out so that when it arrives to us the day after or so it is what is in for Friday. And all we're going to talk about Friday is agreeing with the formatting and any typographical errors that might be there.

Tijani Ben Jemaa: Very good, thank you very much.

Carlton Samuels: Yeah. Alan, you have your hand up, sir.

Alan Greenberg: Yeah, I want to go on record as disagreeing with what you're saying. I understand the intent and hopefully there are not many substantive issues but if as we're reading final clean text we identify inconsistencies or something that we believe does not represent what the working group said I think we have an obligation to raise those issues.

I hope there's not many left. But I would not want to say that we're not allowed to talk about it because of the - what our formal published schedule was.

Carlton Samuels: Okay, Alan, well let me...

((Crosstalk))

Carlton Samuels: ...let me make the correction and say it is - I would expect every one of us to look at the report as would be sent out by Seth and Rob the last version and we will make that comment or whatever at the time. But we will conclude it on Friday.

Alan Greenberg: Well let's hope we will.

Carlton Samuels: We really need to. I am tired and I really have to teach.

Alan Greenberg: I've just done this a few too many times.

Carlton Samuels: Yeah so I am still down for having it completed on Friday. So if there are any substantive comments or if there's anything whatever we do we're going to put it to bed on Friday.

No, Avri, don't dial back in, we're going to stay on here just to get to you.
Tijani, you have your hand up still? You have something?

Tijani Ben Jemaa: No, sorry, sorry.

Carlton Samuels: Okay. Rob, you have your hand up, sir, can we just deal with that and then we'll move - I'll call this thing to a close; we are way over.

Robert Hoggarth: Yes sir. I just wanted to confirm for the group what we had talked about as staff in terms of our plans. Seth and I are going to go ahead and process the edits that we received on this call. And thanks very much to (Evan) for some specific text on the only real hairy section I think that we experienced on today's call.

We are closeting ourselves tomorrow with a staff formatting expert who will help us get all the various pieces parts together, clean things up so that there's a nice clean version. Our hope is that we will have something out to you all for review by close of business late tomorrow.

And close of business please accept is a liberal term. Maybe that'll be close of business...

Carlton Samuels: Ten o'clock at night.

Robert Hoggarth: Yes, right, Pacific Daylight Time. But we will - so that working group members will have the document prior to your Friday call. And we would, particularly given the sensitivity that Seth and I have having come into this so late in the process, would, you know, welcome - please catch stuff where we have missed or don't - still don't understand the concept that you all know in much more detail than we do.

And we'll commit to very quickly being able to turn something back around if anyone has any other substantive comments during your call on Friday. We'll, you know, we'll work to deliver something right back quickly, Carlton, if you guys experience any sections that need further work Friday.

Carlton Samuels: Okay thank you, Seth. That's pretty much what we - the expectation that we have. We need to bring this to an end here, this official call. So if there are no more comments can I then call this session to a close. And for those of you who are on the drafting call could we spare an extra 10 minutes to the top of the hour?

It shouldn't be more than 10 minutes it's just for us to confirm in our heads that Seth and Rob get a sense of the comments - the substantive comments and what we are asking for especially in two sections that I think are very important here.

So thank you all for showing up and keeping with us for this extra long session. I'm going to call this session officially closed. And please stay on the line for those of you who are part of the drafting call. Thank you all.

Tijani Ben Jemaa: Bye-bye.

Carlton Samuels: Bye.

Robert Hoggarth: Thank you.

Olivier Crépin-LeBlond: Carlton, it's Olivier here. Will it help if I stick around?

Carlton Samuels: Yes, yes, yes, of course I want you on Olivier.

Olivier Crépin-LeBlond: Okay I'll stay then.

Carlton Samuels: I especially want - there are two issues - Seth, Rob, you there?

Seth Greene: Yes Carlton.

Robert Hoggarth: Yes, sir.

Carlton Samuels: Alan, are you there? Alan?

Alan Greenberg: Sorry, was that Alan? If it was Alan I'm here.

Carlton Samuels: Oh, Alan, yes you're there, good. Cheryl, are you there? I don't see here.
Avri, you there? Avri?

Glen de Saint Géry: Carlton, Cheryl is on mute.

Carlton Samuels: Okay would you unmute her please? And Rafik you're here.

Rafik Dammak: Yes.

Carlton Samuels: Okay great.

Karla Valente: And this is Karla.

Carlton Samuels: Karla, are you there?

Karla Valente: Yes.

Carlton Samuels: We have Karla...

Glen de Saint Géry: And Cheryl is now unmuted.

Carlton Samuels: ...we have Seth, we have Rob and we have Glen and Gisella still on.

Glen de Saint Géry: And Cheryl is unmuted.

Carlton Samuels: Cheryl is unmuted.

Cheryl Langdon-Orr: Hooray.

Carlton Samuels: Olivier is unmuted. (Evan), are you there?

Cheryl Langdon-Orr: (Evan) is not on the call.

Carlton Samuels: Oh (Evan) is gone. All right. Can we go back...

Cheryl Langdon-Orr: Am I actually unmuted now? Can you actually hear me now?

((Crosstalk))

Carlton Samuels: Yes I can hear you fine, yes.

Cheryl Langdon-Orr: Oh I'm delighted considering I'm wearing a headset which means I can't mute or unmute I don't know how I ended up being muted during the last part of the call.

Glen de Saint Géry: Well sorry, the screen showed that you were muted, Cheryl.

Cheryl Langdon-Orr: Well I was muted, Glen, I was talking and no one was hearing.

((Crosstalk))

Carlton Samuels: So sorry, so sorry. Okay so we're - Avri is on. Is she?

Karla Valente: Avri has not yet joined, she's going to be dialing in.

Carlton Samuels: Okay. All right while Avri comes in can I just start with Seth? Let's just get a sense of the feedback from what you've got - and Rob, I know you have your listening ears on, sir. Can you give us feedback to start as what it is that you understand we are asking for especially the specific questions.

And I'm making specific reference to the changes that in the summary - executive summary and the areas for applicant support as well as especially the two issues of the 69(a) and - which concerns the bundling issue and the IPv6 issue later on.

Robert Hoggarth: Yeah I'll speak first and then Seth can clarify and correct all the mistakes I make. I think we're in really good shape and understand where you want to go on the various areas that you just discussed, Carlton.

The two areas that I have concern about are the new Tijani text and the executive summary. The new Tijani text with your blessing what I would like to do is - because I did not have an opportunity to do this prior to the call was

as we make those changes we'll do our best to go through and reflect where that new text may have changed, you know, may have changed.

Because the did a good job sort of summarizing the overall sections but there were a couple of areas as we went through today's call where I went gee, two bullets just became one or something else...

Cheryl Langdon-Orr: Yes.

Robert Hoggarth: ...something else is missing here. And I want to go through that very carefully because we had gone through the other draft several times and I just want to make sure that we flag for all of you in the redline where there have been some other changes because you went through all that fairly quickly and there's just a concern I have that we capture everything there. So that would be Area 1.

The other is we really haven't had until the end of this call substantial comments about the executive summary. And that is still, you know, in large part it was left open because we knew there would be substantive changes to the text. And now that that's pretty much nailed down we do need to go through that with a fine tooth comb.

And so that'll be an area I think that we would benefit from any initial comments any of you have right now on this call to say wow, guys, you know, you haven't made the change there, that's really off, just cut B and C and leave A and D, you know, that sort of comments right now I think would really help us to deliver a product in the next version that's much closer to where you expect it to be.

And, Seth, you can - please clarify.

Carlton Samuels: Thank you, Rob. Seth.

Seth Greene: No - yes I totally agree, Rob, that we need help with the executive summary. And I guess this might be as good a time as any to just mention, Rob, what you and I were jabbering about briefly and that is that, Glen and Gisella, we'll need your help - and very much so - regarding the just confirming absolutely all the spellings of the workgroup member's names.

The list that's there now is the one Glen that you had sent us earlier. But if you could just go through that and give us any changes you'd like to make to the various stakeholder groups, etcetera, listed for each member that you sent, the spellings. And we'll also need help with the roll call if you don't mind that, Carlton, that you were talking about earlier.

I think that's everything. Rob, is that everything that we were jabbering quickly about?

Robert Hoggarth: Yes, sir.

Seth Greene: Okay thanks, Rob. Sir.

Carlton Samuels: Thank you, Rob. Thank you, Seth. For my part there's two things. I agree with you about the approach to the Tijani draft. It would be very important for you to do that. I would wish to not have a situation where when we collapse paragraphs and so and this is done we miss anything or we by collapsing them - simply by collapsing them it might change the sense of what the objective was in the original. So it's a good thing for you to go through it with a fine tooth comb, appreciate it.

With respect to the executive summary I just think the executive summary - and this is my own feeling on it - should as you started out listing those elements that are in full - are near full consensus. And then - don't mention too much the minority things. It's important to just do that and keep it going. That's my view on it.

So anybody can jump in here.

Rafik Dammak: Yes, Carlton.

Carlton Samuels: Yes, Rafik, go ahead.

Rafik Dammak: Okay just maybe I didn't hear it but just to would like to ask Seth and Rob if they will send the latest draft tomorrow so they have more time so they can check and review if they - all comments and they can check with different version. I understood there was a different - many different calls or even in the mailing list some substantive comments so at least to allow fair time to check all these comments. If we work through all of them and if there is...

Carlton Samuels: I have 20.

Rafik Dammak: Sorry?

Carlton Samuels: Go ahead, go ahead, Rafik, I'm sorry.

Rafik Dammak: Okay. So just that the kind of review and they will send to us and hopefully we will try for the type of formatting to do that and the mailing list not to wait until the call so we will encourage people to review the mailing list so we can - we avoid wasting time because formatting is - or correcting of typos.

And if there is topic hopefully we - I hope that we didn't miss any topics or in that case we can allocate some time in the last call to fix that quickly. So hopefully we will end in the Friday but the work still - yeah. Carlton, I guess you are talking with someone else or something?

Okay I'll finish here. Hello?

Carlton Samuels: Yes, I hear you, I hear you Rafik.

Rafik Dammak: Okay.

Carlton Samuels: Yeah, I'm just giving folks time to make comments. Any other comments? I am not in front of the Adobe by the way.

Cheryl Langdon-Orr: I don't have a comment on that. Cheryl here, Carlton. I don't have a comment on that because I thought we kind of dealt with whatever Rafik was just talking about in the end of the last call when we looked at the plan forward.

But it has been changed slightly and as much as the draft as Seth and Rob have indicated they would be able to get us materials to review earlier than we said in the call. So if I may move on from that and get to what I thought was the topic of the follow-on call that we're involved with which is looking at the particular drafting requirements and updating from particular issues raised in today's call to make sure that the people who are holding the pen on this report have a full and clear understanding.

Rob asked could we look to the executive summary and I think it would be useful seeing as the executive summary isn't particularly long if we went through it from top to bottom and just made sure we had a shared understanding of what if anything need to be changed.

For example I could jump in now and say I have an issue with Part C of financial support based on today's call. But it would be better for us to work from the top to the bottom in my totally biased view.

Carlton Samuels: Thank you, Cheryl. That's exactly what this is about. As I said I started about by saying, you know, just giving my framework of what I would like to see the executive summary. But I surely expect other members to fill in the details. I will follow your lead on this.

Cheryl Langdon-Orr: That's always a dangerous thing to give me the lead, you know, Carlton but...

((Crosstalk))

Carlton Samuels: I am perfectly happy following behind you, Cheryl, not to worry.

Cheryl Langdon-Orr: If that's the case then I would say on the top to the bottom the first part, the rider that says the JAS work group has reached full or near consensus on the following is in keeping with what you were saying that what we focus on in the executive summary is those things that feed into that categorization and nothing else.

The rest of the sentences are simply explanatory unless someone disagrees. In terms of the first section timing of support to be offered, page reference to be inserted, I see nothing that needs to be changed with the text that says a full array of financial and nonfinancial support to be offered for support approved candidates should be available in the first and all subsequent rounds of new gTLD application. That's just bread and butter what we're all about.

I do have issues with some of the financial support. And so it might be - the defrayment one in particular - it might be worthwhile going through each of those one by one unless there's anyone who sees other than Part C under A.

I wanted to raise two things. I have issues with (AA), (AB) and (AC), that's just bad formatting as far as I'm concerned so...

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: ...if we're going to use A we need something else for the subparts of it.

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: So A - whatever else. So the third section which currently labeled C under Part A which is defrayment of continuity instrument would need to be reviewed based on today's discussion.

Carlton Samuels: Yes.

Cheryl Langdon-Orr: So that it says to be flagged and changed.

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: Then Part B is fine as far as I'm concerned as is the following C.
Excepting the - I wondered why we had a decoupling of the foundation in the financial support. I may have missed that in a meeting that I was absent for one or two. I just wondered if someone could help me. I have no problem with it being decoupled I just wondered why it was decoupled.

Alan's got his hand up. Alan...

Carlton Samuels: C and B. Are you talking about C and D here...

((Crosstalk))

Alan Greenberg: ...you're looking at but in terms of the substance of what you just said I think they have to be decoupled because they are decoupled. Right now we have a commitment of financial support and we do not have a foundation in existence. So by definition they are decoupled.

Cheryl Langdon-Orr: In which case could I suggest that the order of them in A, executive summary, needs to be changed so that the financial support should be funded by various sources including the USD \$2 million allocated by the ICANN board solicited third parties and auction revenues should be higher

than what is currently C. And it should be any foundation not a foundation but any foundation should be set up.

Alan Greenberg: Point well taken.

Carlton Samuels: Point well taken. And...

((Crosstalk))

Carlton Samuels: ...I would put the financial support - oh sorry, Alan, go ahead. Sorry.

Alan Greenberg: I was going to say conceivably things could work so fast that the \$2 million on the table today could be rolled into a foundation so that'd be legal...

Cheryl Langdon-Orr: Yes, it should.

Alan Greenberg: But it may or may not and we don't have control. So I think your point is well taken about the order.

Cheryl Langdon-Orr: Okay all right that's fine. And I note Olivier has his hand up.

((Crosstalk))

Carlton Samuels: Oh one minute, on minute, Cheryl. So, Rob, you understand the point that Cheryl just made?

Robert Hoggarth: Yes, sir, I mean, we need to reorder that whole section because as you were about to suggest support recipients - pay back should be the last item.

Carlton Samuels: It's the last item, right.

((Crosstalk))

Carlton Samuels: And you have financial support where support is then and you have the foundation then you have support recipients, right?

Robert Hoggarth: Right.

Carlton Samuels: And you have to - in A you have to be 1, 2 or 3, whatever, you know, there's Roman Numeral 1s, if you do as Cheryl suggested.

Cheryl Langdon-Orr: Right.

Carlton Samuels: And defrayment - we have to do - change the defrayment of the instrument and we can look at what was said earlier to make that work. Okay. Olivier, you're raising your hand, sir.

Olivier Crépin-LeBlond: Thanks very much, Carlton. I was going to just warn everyone that we're rewriting at the moment the executive summary not based on what is written in the main body of the report. And I hope that we're not going to end up with more discrepancies here.

I would have thought that the order of the executive summary was going to follow the order of the report itself because if we do believe that the order of the executive summary has to be changed one way or the other then it would also mean that the order of our clauses in the report would have to be changed. The way of thinking has to be the same in both.

Robert Hoggarth: Olivier, this is Rob. I mean, that's been a challenge we had sort of coming late on in the drafting process. If I had gone back and written the whole document in a different order it might have played well.

In some cases I think things are slightly out of order but that the executive summary if we can put it in its most logical manner given that 3/4 of the people aren't going to read beyond the executive summary that we'll want to

make sure that we have that as making as much sense logically as possible.
But that's just my 2 cents.

Olivier Crépin-LeBlond: But it's just I want to make sure that we have consistency between the executive summary and what's written behind because if we don't we're going to end up with the same outbursts as what we had from Michele.

Alan Greenberg: Yeah, I have a comment on that. It's Alan.

Carlton Samuels: Alan, yes, please go ahead.

Alan Greenberg: Yeah. I agree with Olivier in principal. On the other hand we have to be pragmatic at this point and changing the order in the document itself may be much more than just moving two paragraphs.

And I don't - I think Rob is right in that most people will not get past the executive summary. And I don't think there will be anyone who will read the main document without first reading the executive summary. So I think we need to be pragmatic at this point.

Carlton Samuels: Thank you, Alan, because that's what I was - that is my sense too. That, Olivier, it's not that I disagree with you in principal it's just that it is more important to get the executive summary to read logically. And I also am very much aware that making changes in the text may mean that you have to make more changes that kind of cascade from - in an effort to make it follow in the same sequence it could create cascading changes that would just make it the work thus more.

Olivier Crépin-LeBlond: May I follow up on this, Carlton, please?

Carlton Samuels: Yes, yes, yes. Of course.

Olivier Crépin-LeBlond: I think I might have put the emphasis on the wrong part of my sentence here. I'm putting the emphasis on the consistency between the text and the executive summary. And the concern I have at the moment is we are looking at the executive summary without looking at the text.

I mean, we might just have to make sure that what is in the executive summary, no matter what order it is in, it has to be consistent with what is in the text.

Carlton Samuels: Oh, oh, most definitely, sir, yes. We are not - I wouldn't disagree with that at all.

Olivier Crépin-LeBlond: Okay.

Carlton Samuels: Most definitely. Avri, you have your hand up.

Avri Doria: Yeah. I just wanted to add as someone who almost never reads executive summaries and always reads the documents first and maybe goes back to executive summaries I just wanted to point that if there's an executive summary of course it has to be consistent but I see absolutely no problem in changing around the order to...

((Crosstalk))

Avri Doria: ...the executive summary an easy to read (unintelligible) because what's supposed to happen...

Cheryl Langdon-Orr: Yes.

Avri Doria: ...in the executive summary is it's supposed to be read it and it's easy. So yes it has to be consistent but changing the order of things because it's not an introduction that's saying in Section 1 we discussed, in Section 3 we discussed, in Section 7 we discussed; it's not doing that job it's trying to give

the executive who doesn't have time to read the material an image of what's there.

And so yes consistent but any order it goes in that makes a good story and easy to read is what I'd recommend.

Carlton Samuels: Thank you, Avri.

((Crosstalk))

Carlton Samuels: I agree. You want to say something, Rafik?

Rafik Dammak: Just to confirm I think that Avri was saying that is executive committee don't need to follow the order as it's in the body of the report but just to highlight the main ideas so to help maybe board members to go straight to the main recommendations that we are suggesting as working group that's more important.

So to guarantee that - those recommendations - to be present in the executive committee whatever the order they are.

Carlton Samuels: Thank you, Rafik. I'm glad you agree, sir, so we agree with Avri. And we agree with Olivier that it must be consistent with the content of the text not just - it's not the order so much but the content. And we agreed on that as well.

Okay so, Rob, you're good with that, sir?

Robert Hoggarth: Yes, sir. Thank you.

Carlton Samuels: Cheryl, can we - since you're running with this one here can you get the party started again dear?

Cheryl Langdon-Orr: Sure I can do my best. I was typing and multitasking but let me see where I got. Okay I'll have to go back up to the executive summary. I was just checking where we were in terms of actual order in the subsections and the sections. And it's not too disturbing from my point of view, that's for sure.

Okay that's the financial support section. If we move to the secondly labeled or thirdly labeled but in the right order nonfinancial support section I saw no reasons for change there. But let's go through the mean order anyway.

The first one is A, the same formatting comment on not having AAs and ABs and ACs. Types of nonfinancial support should include support with prep of gTLD applications, (dissent) IPv6 and IPv ed DNS SEC requirements. That needs to be changed. We've discussed that in today's meeting.

Carlton Samuels: Yes.

Cheryl Langdon-Orr: And there is language to match that so that section gets rewritten. It then goes to outreach and education if it's regarding new gTLD programs followed by the next part logistic translation and technical support. And the final section in this part is establishment of RFPs in regions where none or few exist.

And the only thing I would suggest is we should not use a shorthand such as RFP without explaining it first.

Carlton Samuels: Yes.

Cheryl Langdon-Orr: But in full text. But perhaps, you know, if we're using words there such as ALAC and GAC we may as well just jump right into the acronyms anyway.

And then the final part in nonfinancial support, Section B, is ICANN should serve as a facilitator regarding this nonfinancial support matching support

approved candidates with third party donors. Open for comments. I thought I saw Karla's hand or was that Rob's hand go up for a while?

Carlton Samuels: It's - it was Olivier.

Cheryl Langdon-Orr: It was Olivier.

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: Go ahead Olivier.

Olivier Crépin-LeBlond: Hello there. It wasn't my hand actually; I just put mine up now.

Cheryl Langdon-Orr: Okay.

Olivier Crépin-LeBlond: So it was someone else. I was just going to say that first line, types of nonfinancial support should include - and because we have a defined list A to E maybe it should include but not be limited to...

Carlton Samuels: Yeah.

Olivier Crépin-LeBlond: ...because we have said that later on in the report itself.

Carlton Samuels: Yes. Good catch Olivier; I saw that too.

Cheryl Langdon-Orr: Okay.

Olivier Crépin-LeBlond: That's it. Thank you.

Cheryl Langdon-Orr: Rob.

Robert Hoggarth: Thank you. Now I will put up my hand. I wanted to make sure that you were comfortable with this one in little D and middle C now. B right now says

deferred IPv6 or whatever. I broke it out into two things, I said B facilitated IPv6 compliance. And then the next question is how do you want to characterize DNS SEC? Do you want us to just pull it directly from the document? That would make the most sense. I just don't want to necessarily right deferred DNS SEC requirements. Is there a preference?

Cheryl Langdon-Orr: Can you give us the language from the document because to be honest I can't tell you I can remember every word of this report.

Robert Hoggarth: I'm very disappointed Cheryl but I will.

Cheryl Langdon-Orr: I'm sorry. I'm slipping and I'm on new medication so, you know, it's taking me longer to do everything at the moment.

Robert Hoggarth: Actually it's identified nonfinancial support is necessary; includes education-DNS SEC implementation. So it doesn't say deferred there. It does say further down deferred requirement of DNS SEC. So there's two references. If you'd all be happy with deferred DNS SEC requirements and education or something like that. I think that's the way we would go with that.

Avri Doria: We're still asking for - oh sorry I should raise my hand.

Carlton Samuels: Say that again Avri. We're not hearing good.

Avri Doria: No I stopped because I hadn't raised my hand and I realized I was being bad.

Carlton Samuels: No go ahead, go ahead please.

Avri Doria: So we're still asking for deferment of the DNS SEC requirements.

Cheryl Langdon-Orr: I'm not...

Carlton Samuels: No I can't recall having saying the deferment at all.

Cheryl Langdon-Orr: Yeah.

Avri Doria: Right. That's what I was asking about because that didn't seem...

Cheryl Langdon-Orr: Yeah.

Avri Doria: ...like something we had agreements. And I'm sure that we wouldn't have - certainly...

((Crosstalk))

Cheryl Langdon-Orr: Exactly.

Avri Doria: ...on.

Carlton Samuels: What we did say that we would educate in DNS SEC implementation.

Avri Doria: Right okay, that's good, yeah.

Carlton Samuels: Definitely.

Avri Doria: Now on all those things people need help...

Carlton Samuels: Yeah.

Avri Doria: ...and assistance and code and who knows what but...

Carlton Samuels: Yes.

Avri Doria: ...to ask...

((Crosstalk))

Carlton Samuels: That was what the substantive discussion was about how do we get them prepared for that.

Avri Doria: Just so people know that is one of the ones that immediately raises the security - stability and security flag. I don't think it's valid; I have my own personal view of DNS SEC and I think it's a terrible waste of time and we'll all hate it in 10 years but that's beside the point.

At the moment the religion says that to reduce that in any way opens us up to all the bad people in the world.

Carlton Samuels: Yeah.

Avri Doria: So, you know, again that raises all the red flags and immediately puts people in the position of discounting the whole piece of work.

Carlton Samuels: Right. So Olivier has put in the thing he says DNS SEC consulting. Yes, it's in that sense that we would do consulting then implementation - offer consulting for DNS SEC implementation.

Rob, you have your hand up sir, is it from...

Robert Hoggarth: It is a new one. Thank you sir.

Carlton Samuels: It's a new one. That you get the sense, Rob, that we are making it - we would differentiate the facilitation of IPv6 and we create a new sub for consulting on DNS SEC implementation - consulting services of DNS SEC - consulting and education services for DNS SEC implementation.

Robert Hoggarth: Yes. And I'm happy to do that. Just to clarify for all of you DNS SEC is mentioned in two paragraphs, into lists. In the first list Paragraph 45 Subsection F it's in a list of the working group has identified the following

types of nonfinancial support as necessary for new gTLD applicants. And (unintelligible).

Carlton Samuels: Which is what Olivier referred to him and put in the chat on the Adobe Connect.

Cheryl Langdon-Orr: Rob, I - I think we've lost you, Rob.

Carlton Samuels: Rob's typing. He's gone. My line dropped he says.

Seth Greene: We've lost Rob.

Cheryl Langdon-Orr: Yeah, in the - oh dear now I've done something silly here. In the absence of Rob but when he gets back I'm sure we can really talk about it. I think what I'm seeing is what we meant to say in Part E of Paragraph 47 where the top part of the Paragraph 47 says the following are additional types of nonfinancial assistance that ICANN should strongly consider providing to new support candidates.

And we talk about logistical assistance, technical help, legal and application filing support, awareness of a whole bunch of stuff. And then it says it determined requirement of DNS SEC. I think we were talking, at least in my memory, we were suggesting that whilst it wouldn't be a blanket deferment of DNS SEC that there could be consideration in particular or exceptional circumstances and then we help them get to it anyway.

But that's not what it's saying in the text. So the main body of the text does, with those words, deferment requirement of DNS SEC, say something rather different or rather more broad brush...

Carlton Samuels: Broad brush than we expect, yes.

Cheryl Langdon-Orr: ...than we had in mind when we were talking about, you know, strong considerations that ICANN may or may not make for new support candidates. Olivier has got his hand up.

Carlton Samuels: Yes, Olivier.

Olivier Crépin-LeBlond: Thanks Carlton. And it's actually what I meant by consistency further down in Appendix 3 there is also again the deferment of DNS SEC that is mentioned.

Carlton Samuels: Yes, sir.

Olivier Crépin-LeBlond: So we have to make sure we actually are on the same page whenever we deal with specific items which seem to be highly controversial, IPv6 and DNS SEC both are. We have to make sure the summary - the executive summary is going to be catching what we want and maybe some of these other mentions of the term DNS SEC we'll have to be tightened up. Thanks.

Carlton Samuels: Yes, sir, this is a very good example of what you're saying in practical terms, I agree. I think what we can say here is that it's about - my sense of what the working group said was that people would need help to implement DNS SEC.

And as part of the nonfinancial obligations this working group was recommending consulting and educational help for support approved candidates in implementing DNS SEC. That's what we're saying.

Cheryl Langdon-Orr: I think what we need to do is see - Cheryl here for the record - see the new language for a separate section talking about IPv6 and DNS SEC requirements in the executive summary. Robert already proposed breaking them down into a couple more sections. And if he's captured and Seth captured the intent and picked up where we need to cross check with the

main text I think this is something that we can probably look very closely at to make sure it does work when we see the next draft.

Carlton Samuels: Yes I am agreeing with that. Seth, you have your hand.

Seth Greene: Thank you Carlton.

Carlton Samuels: You are following what Cheryl just said a while ago that's exactly my sentiment too.

Seth Greene: Thank you Carlton, yes. I think that what I have from what everyone is saying is we could just change the IPv6 and DNS SEC point to be facilitate IPv6 compliance. And then a separate - the next bullet point we could have either facilitate DNS SEC implementation or a little longer language - consulting and education regarding DNS SEC implementation. And that would probably handle it.

And then we can just make - check for consistencies throughout the document of course. With that basically do it?

Carlton Samuels: Yes, sir.

Seth Greene: Okay thank you.

Carlton Samuels: And Avri is showing she agrees. And Olivier is showing he agrees.

Cheryl Langdon-Orr: Yeah.

Carlton Samuels: And Cheryl says yes. And Alan, you still with us? Alan agrees. So we're good on that. Thank you Seth.

Seth Greene: Thank you Carlton.

Carlton Samuels: Okay Cheryl.

Cheryl Langdon-Orr: Okay the next section is the support - oops - I rolled too far - support candidate eligibility requirements. And here we had recent text proposals and changes into the main body of the text. So I have not taken the time to cross check these specific words with what the intent is in the new text.

But reading them in quick form now they seem fairly generic. But those of you who've looked more closely at Tijani's text - certainly more closely than I have need to listen very carefully to these.

The first one is, A, the specific support eligibility criteria should include first lady it'll be Roman Numeral I, I assume, service to the public interest. And secondly, Roman Numeral II, both a level of financial need and of financial capability.

Let's discuss those before we move to the second part. I can't see anything other than them being fairly generic in motherhood but is there anything else that anyone else sees? Seth, yes, go on.

Seth Greene: Oh I'm sorry, I still have my hand up; I'll take it down Cheryl.

Cheryl Langdon-Orr: Okay. All right let's move on to Part B of this section, support candidate eligibility requirements which is the criteria that disqualify a support candidate should include, firstly application for a gTLD string explicitly related to a trademark, i.e. a .brand. And, B, identity as a government or parastatal institution.

Now we do need to (unintelligible) with a language change in the...

Carlton Samuels: A.

Cheryl Langdon-Orr: ...A is required out of today's meeting.

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: And I would suggest we look to the transcript and record of today's meeting to get the appropriate words.

Carlton Samuels: That was provided by (Evan) in the transcript, Seth...

Cheryl Langdon-Orr: Yeah.

Carlton Samuels: ...so if you look at transcript you see that.

Cheryl Langdon-Orr: And that's short enough Carlton, I think to just wax straight into the executive summary.

Carlton Samuels: Yes.

Cheryl Langdon-Orr: Is there any issue with identity as governmental or parastatal institution?

Carlton Samuels: You know, that one is going to be - you recall that there GAC...

Cheryl Langdon-Orr: I do indeed.

((Crosstalk))

Carlton Samuels: ...has an interest here. And I personally - this is just me now speaking, I don't wish to, you know, make anyone think that I am trying to bring anybody to change it here. But I personally think it would be useful for us to note the GAC's interest. I think it's a bit politically sensible. I don't know what other members think here. Would you not agree - think so Cheryl?

Cheryl Langdon-Orr: I certainly would. I would be moving towards deletion of B but that's just my bias. And I'm talking only B in this executive summary. But we have Avri and Alan so let's see what they need to say. Avri, go ahead.

Carlton Samuels: Yeah.

Avri Doria: Okay first on A I know I had submitted a string; I'd be curious to hear what eventually (Evan) produced out of it. I don't see it in the chat so I'm just curious to know what it turned into.

On B I agree that it's politic to mention the GAC's request. I think we should still say, however, no, you know, not on this round. And, you know, but if...

Carlton Samuels: Okay that's a good segue.

((Crosstalk))

Carlton Samuels: Not in this round.

Avri Doria: Right. But if there is a strong support or even a near consensus for including it count me among those who some support we're still saying no.

Carlton Samuels: Okay, okay. So Avri, you gave us a way I think that members might wish to consider. We can note the GAC's interests and say we didn't find it was - support - at least not on this round so we qualify, get out of it the other way. Alan, go ahead sir.

Alan Greenberg: Yeah, on the...

Carlton Samuels: I'm sorry.

Alan Greenberg:brand I'm not convinced that (Evan)'s words will fully address my concern but I'm willing to wait until I see what shows up in the report and then pass judgment on whatever words are there.

In terms of the GAC statement and the ALAC statement implicitly that we should allow non-national governments to participate I don't think we can ignore the issue because we are cognizant of that statement and we mentioned it several other places in the report so we can't ignore it.

On the other hand at least on any calls I've been on - and I haven't missed too many - I don't believe we ever talked about it.

Carlton Samuels: What we did, you know, we talked about...

((Crosstalk))

Alan Greenberg: Carlton, let me finish; I didn't say we didn't I said on the calls that I was on we didn't at least I don't believe I did unless I slept through it. If it was discussed then whatever we decided should be reflected in the report whether its agreement with them GAC ALAC statement or disagreement with it.

But I don't think we can gloss over it and pretend the statement wasn't made so we have to do some adjustment to that. If we did discuss it and there was closure we should reflect whatever was discussed. If we discussed it but let it drift and it never came to closure I think we need a quick decision.

Cheryl Langdon-Orr: I don't see it needs to be in the executive summary.

Alan Greenberg: No and it could be - I'm not worried about the executive summary as much as I am in the content. But if we can do something definitive it should be reflected in the executive summary. I just don't know which way the conversation actually went assuming it was hard.

Cheryl Langdon-Orr: Two things, I don't think we're going to get to anything definitive between now and Friday because there's just not the ability to do that. And I think the concept of not in this round is a good way of getting back to the issue that that GAC said it would be more productive in giving us information and discussion and interacting with us on this particular topic and they have not so sorry the bus has left the station.

Alan Greenberg: Yeah, I think a valid way of addressing it is saying the group could not come to any closure on this and we are putting it aside for this round.

Cheryl Langdon-Orr: In which case that gets said in the text...

Alan Greenberg: Yeah.

Cheryl Langdon-Orr: ...it doesn't need to be mentioned in the executive summary because we are talking about consensus and near consensus issues.

Alan Greenberg: No argument on that. I was just asking the question of...

Cheryl Langdon-Orr: Sure.

Alan Greenberg: ...if it was discussed what did we decide at that point? Maybe that can give us some guidance.

Cheryl Langdon-Orr: Okay well can we find out for Friday Carlton...

Alan Greenberg: Yeah.

Cheryl Langdon-Orr: ...to make sure we just cover that off when we're looking at the new text and ensure that there is appropriate wording in the parts where we mention this and...

Carlton Samuels: I agree with you. And Rob, Seth, would you just so note it for me? Let me tell you what my recollection is Cheryl and probably - we had spent quite some time trying to get definitive wording from the GAC.

Cheryl Langdon-Orr: It was pre-San Francisco in San Francisco - pre and post San Francisco, yes.

Carlton Samuels: Yeah, about this specific thing. You know because you were part of that.

Cheryl Langdon-Orr: Oh yeah.

Carlton Samuels: We didn't. And (Evan) was sorely absent that we were trying to carry this thing forward because of the statements that we made and seeing. But as far as it goes we know what the ALAC sentiment is on this.

Cheryl Langdon-Orr: Yes.

Alan Greenberg: I mean, we know - the statement was quite clear.

Carlton Samuels: Yes.

Alan Greenberg: It said we should allow all governments except for national governments.

Carlton Samuels: Right. What we have not - in all of the discussion, Alan, the GNSO people mostly disagreed. And Avri herself has pointed out what her - and I'm not saying Avri is GNSO - but I'm talking about her specifically who has been very much involved in the process was consistent in her opposition to that.

Alan Greenberg: Then let's say we couldn't come to closure on this and leave it be for the moment.

Carlton Samuels: So thank you. So my recommendation was that in the text - in the body of the text we reference the GAC and ALAC statements and explicitly state they are

in favor - that these areas of the community are in favor of allowing except for national governments but the workgroup itself could not come to consensus on it. Would that be a fair statement?

Cheryl Langdon-Orr: That would be a statement worthy of discussion in the workgroup on Friday.

Carlton Samuels: Yes this is what I mean.

Cheryl Langdon-Orr: Because right now we're looking at the executive summary. But yes we need to flag it for discussion on Friday.

Avri Doria: Can we have discussion on the mailing list sooner than Friday...

((Crosstalk))

Cheryl Langdon-Orr: In between times, Avri, that would be great.

Carlton Samuels: Yes, yes. We can pull it out. As a matter of fact we're going to try to pull it out and send it through.

((Crosstalk))

Avri Doria: ...these open issues that, you know, we've said let's talk about Friday. I know this group is not great at discussing things on the mailing list but at least try one email thread per issue and see what we can get. At least some of us will comment.

Carlton Samuels: Thank you, Avri. We'll send it out as a current issue and we will - we would send some...

Cheryl Langdon-Orr: Yeah.

Carlton Samuels: ...text that we think is representative...

Avri Doria: Right.

Carlton Samuels: ...of what we intend and then access...

((Crosstalk))

Carlton Samuels: How about that?

Avri Doria: And do your normal thing of saying and if you object suggest alternate text.

((Crosstalk))

Carlton Samuels: Yes, yes.

Cheryl Langdon-Orr: Perfect.

Carlton Samuels: Okay so we are good on that.

Cheryl Langdon-Orr: Next section is support evaluation on process, (SEP).

Seth Greene: Cheryl, Cheryl, excuse me one second. I'm sorry.

Cheryl Langdon-Orr: Yeah, yeah, you can.

Seth Greene: I just wanted to ask - thank you Cheryl. I just wanted to ask so is everyone in agreement that you'd like to remove the Part B from the executive summary however...

Cheryl Langdon-Orr: Well hell yes.

Carlton Samuels: Yes, yes.

((Crosstalk))

Cheryl Langdon-Orr: Were you sleeping, Seth?

Carlton Samuels: Remove Part B. Sorry about that Seth. Remove Part B from executive summary but in the body - in the content we will have a different...

Cheryl Langdon-Orr: Yes.

Carlton Samuels: ...statement and we are to construct it. We will get the candidate statement out. The candidate statement should say something like the GAC and the ALAC have openly stated their agreement...

Cheryl Langdon-Orr: Yes.

Carlton Samuels: ...with having government entities...

Alan Greenberg: Not national...

Carlton Samuels: ...other than national governments be available for support.

Cheryl Langdon-Orr: And there's terms like municipal and public private partnerships and all that sort of things, yes.

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: Okay.

Carlton Samuels: And this is, as I say, here's the text of what we would put in the content in this place. If you disagree with it provide some alternate text...

Cheryl Langdon-Orr: All right.

Carlton Samuels: ...but this is what it is.

Cheryl Langdon-Orr: You happy Seth?

Seth Greene: Yes thank you, thank you.

Cheryl Langdon-Orr: Good put your hand down. Right. Support evaluation process...

Alan Greenberg: Excuse me if Alan. If I may intervene? I really have to go at this point and I
mar delay for something so I'll...

Cheryl Langdon-Orr: Thanks Alan.

((Crosstalk))

Carlton Samuels: Thank you Alan.

((Crosstalk))

Carlton Samuels: And actually late but I really want to finish this.

Alan Greenberg: Yeah no I understand that I have to leave at this point. If there's anything that
you want input from me on whatever you're going to be discussing in the next
few minutes send me an explicit email and I'll try to respond. Thank you.

Carlton Samuels: Okay great, thank you, Alan. Thanks very much for help.

Cheryl Langdon-Orr: I'm very keen to push to the finish of this executive summary because it is
coming up to quarter to two in the morning and I would really like to not be
sitting in my (unintelligible) in a darkened house.

Carlton Samuels: Go right ahead, Cheryl.

((Crosstalk))

Carlton Samuels: ...follow your lead on this. Go ahead.

Cheryl Langdon-Orr: Part A, the (SCP) should take place before the standard gTLD application review. Contentious, I think not.

Carlton Samuels: No.

Cheryl Langdon-Orr: Part B, each supports application should be evaluated by a support application review panel, the SARP. And then the sections which will be change in format to not be A and B say firstly the SARP should be composed of volunteers from the ICANN community and outside experts both volunteer and contracted all with knowledge of the existing new gTLD processes, potential gaming patterns with a footnote and general needs and capabilities of support candidates from developing economies.

Let's stop there for a moment. Do we need to look at the words both volunteer and contracted and is now a (proper) of this section of what we discussed and agreed in today's call? Because we to discussed in today's call quite clearly that SARP would be volunteers...

Carlton Samuels: Volunteer, right.

Cheryl Langdon-Orr: And they can...

Carlton Samuels: Would call on outside experts.

Cheryl Langdon-Orr: Yes. So I think we probably do need to edit that text now because it would indicate that the SARP itself could have both contract and volunteers in it as opposed to the SARP being a volunteer group.

Carlton Samuels: All volunteer even the outside experts our volunteer.

((Crosstalk))

Carlton Samuels: But you can have contracted outside experts.

Cheryl Langdon-Orr: But that's not what that sentence says.

Carlton Samuels: That's not what it says, no, and I'm suggesting that the sentence must be changed to reflect that.

Cheryl Langdon-Orr: Okay I heard Avri's voice, go ahead Avri.

Avri Doria: Yeah, I'm - I guess during the half hour of the call I missed you guys took the contracted experts out of the SARP? We have had a long conversation about why that was needed and so today you decided that they weren't needed any longer?

Carlton Samuels: No...

Cheryl Langdon-Orr: We decided they were needed but they were not...

((Crosstalk))

Avri Doria: ...not members of the SARP because we had had...

((Crosstalk))

Cheryl Langdon-Orr: That they weren't SARP per se...

Carlton Samuels: They were not voting...

((Crosstalk))

Avri Doria: Okay. I disagree but cool so I guess you don't have full consensus you just have partial consensus on that.

Cheryl Langdon-Orr: Okay.

Avri Doria: Because - now there had been quite good long discussions and good reasons for why the whole continuity, the whole, you know, volunteer burnout, the whole thing, that there would be one quarter of them would be contracted experts ala (ARCEP)s. And that had been sort of the thing. So I don't quite understand why that was taken out.

But in any case the sentence is redundant here even if we were allowing for volunteers and outside experts you didn't need the second phrase you could have just had outside contracted experts but of course if you haven't excluded - haven't included them then possibly you could just exclude the parenthetical phrase and you're covered. I just...

Cheryl Langdon-Orr: Yeah.

((Crosstalk))

Avri Doria: I guess that was...

((Crosstalk))

Cheryl Langdon-Orr: Okay so if we just remove the both volunteer and contracted that fixes that. I guess we could probably note in the body of the text...

Carlton Samuels: Body of the text, right.

Cheryl Langdon-Orr: ...in this section that it is a point where there is only some consensus not full or near consensus.

Carlton Samuels: Right and suggest in the footnote what the alternative suggestion was.

Cheryl Langdon-Orr: Yes.

Avri Doria: Right. I had originally been one of those for full volunteer but was convinced by Alan and others that having some contracted members was a good idea so I'm really surprised that Alan has now shifted his position.

Carlton Samuels: Yeah what actually came up, Avri, was bad weather or not the voting members and the agreement was that you could have outside experts - you could have experts that were contracted but experts who were part of the voting membership should be volunteers as well.

Cheryl Langdon-Orr: That also brings us to Part B which specifies exactly what Avri was saying that the SARP's voting volunteers should consist of 1/4 At Large members, 1/4 GNSO members, 1/4 from ICANN's other SO and ACs and 1/4 contracted outside experts.

So we have a total disconnect of what is currently in the executive summary and what is on the table as the current text in the main body.

Carlton Samuels: Yes.

Avri Doria: So I think you would remove B from the executive summary and you would add to the body of the text there is some support for a set up that includes and then you include the rest of this paragraph.

Cheryl Langdon-Orr: Yeah.

Carlton Samuels: Yes.

Cheryl Langdon-Orr: Yeah. So play with B and whack it down as an alternate. And I'd be very happy with that alternate; I actually think there's a good reason to have some contracted outside experts in there as well.

Seth you have your hand up and Olivier agrees. Seth go ahead.

Seth Greene: Thank you Cheryl. Yes I was just going to say that in addition to what everyone is saying I also - it's just an error that the footnote has remained from the actual text in the executive summary. Would it be alright if we take the footnote out given that it's an executive summary?

Carlton Samuels: Yeah.

Seth Greene: Okay thank you very much Carlton.

Cheryl Langdon-Orr: Okay. Right so there's a little work to do there and we look forward to discussing on...

((Crosstalk))

Avri Doria: One question on the footnote.

Cheryl Langdon-Orr: ...Friday with that.

((Crosstalk))

Avri Doria: The footnote will remain in the body of the text not just - just not the executive summary correct?

Cheryl Langdon-Orr: Correct.

Carlton Samuels: Yes it will remain in the body of the text but not in the executive summary.

((Crosstalk))

Avri Doria: Right, just wanted to confirm, thank you.

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: We've already agreed, Avri, that executive summaries should only be focused on...

Avri Doria: Yeah, yeah, yeah, yeah.

((Crosstalk))

Cheryl Langdon-Orr: ...focused on full or near consensus.

Carlton Samuels: Yes.

Avri Doria: Yeah, I just wanted to make sure.

Cheryl Langdon-Orr: Hey, not a problem. You're talking to the - I'm a fellow pedant. Okay now C when the SARP rejects a support candidate it should explain its reasons. The support candidate may then work to improve its application or apply for a gTLD without support. Is that anything other than a no-brainer?

((Crosstalk))

Avri Doria: One question I've got here is if it works to improve its application there's an implication that they can reapply...

Carlton Samuels: Reapply.

Avri Doria: ...for support.

Carlton Samuels: Yeah.

Avri Doria: So that is probably what's important the or apply for gTLD without support is the no-brainer. But the implication of improve application means they can come back...

Carlton Samuels: So you want to have a phrase there that says and reapply?

Avri Doria: If that's consistent with what we said in the body?

Carlton Samuels: Yes.

Avri Doria: Or it should be consistent with what we said.

Carlton Samuels: Yeah.

Cheryl Langdon-Orr: Can we just make sure that it is consistent with what we said in the body of the text? So perhaps Seth could make a note on that to just cross check on that.

Seth Greene: Yes sure.

Avri Doria: I love the next one.

((Crosstalk))

Cheryl Langdon-Orr: When the SARP accepts a support candidate it should still be required to pay the USD \$5000 gTLD application deposit.

Avri Doria: So that's the SARP is going to pay it right?

Cheryl Langdon-Orr: That's (unintelligible) because I want to know who's going to sum this up because that's how that sentence reads, Avri, you're right.

Carlton Samuels: No, no it's not the SARP.

Cheryl Langdon-Orr: Well that's how the sentence reads.

Carlton Samuels: Yeah, it does say that but it's not the SARP it's the support applicant candidate.

((Crosstalk))

Carlton Samuels: They'll still be liable for \$5000.

Avri Doria: And in fact that's one of the points of contention we had because some of us believe that they should pay the \$5000 before the SARP considers them and get it back if rejected but anyway.

Cheryl Langdon-Orr: Yeah.

Carlton Samuels: Avri, you know - you know...

((Crosstalk))

Cheryl Langdon-Orr: ...add anything by being there?

Carlton Samuels: No, I was about to ask that question because quite frankly I think we have agreed that the \$5000 would be paid before they are considered anyways.

Avri Doria: Right.

Carlton Samuels: And so I don't think that here makes sense.

((Crosstalk))

Avri Doria: Well you may want a D then to be consistent says support applicants - support candidates are still liable for paying the \$5000 gTLD applicant - has application deposit or whatever...

Carlton Samuels: Deposit, yes.

((Crosstalk))

Avri Doria: And just have that in there so that statement is made as a flat statement and...

Carlton Samuels: Okay.

Cheryl Langdon-Orr: Yes.

Carlton Samuels: I could agree with that.

Cheryl Langdon-Orr: But not with the when the SARP accepts the support candidate.

Carlton Samuels: No, no, take out that piece.

Cheryl Langdon-Orr: Yeah, okay so support candidates are still required...

Carlton Samuels: Required.

Cheryl Langdon-Orr: ...to pay the USD \$5000 gTLD application deposit.

Carlton Samuels: Application deposit, right.

Cheryl Langdon-Orr: Then the final part is the ICANN staff should produce a candidate support guide.

Carlton Samuels: I think it says they will produce one.

Cheryl Langdon-Orr: My only question is why is it now a candidate support guide instead of a support candidate guide?

Carlton Samuels: Support candidate guides.

Cheryl Langdon-Orr: Support candidate for the rest of the document...

Carlton Samuels: Yes, support candidate - you're quite right.

((Crosstalk))

Carlton Samuels: And it should be capitalized...

Cheryl Langdon-Orr: Yeah.

Carlton Samuels: ...support candidates.

Cheryl Langdon-Orr: Yeah that's right. Mr. Chairman, is there any good reason why - oh hang on let's ask Seth first what did you want - why are waving at me, Seth?

Seth Greene: I'm waving at you because I can't ever seem to remember to take my hand down.

Cheryl Langdon-Orr: Mr. Chairman, is there any good reason why we should go further tonight because this is the longest 10 minutes I've ever had.

Carlton Samuels: No this is the end of it. I thank you so much. I wanted to get you to bed before 3 o'clock.

Cheryl Langdon-Orr: Darling, I'd like to get me to bed before 3 o'clock as well.

Carlton Samuels: So thank you. I think we've - I'm happy that we've got to this place. Thank you so much, Cheryl, for as you usual your indomitable spirit in getting us through here. It really helps when somebody else does it a little differently, you know.

Olivier, are you happy with this, sir?

Olivier Crépin-LeBlond: I am indeed, yes.

Carlton Samuels: Okay thank you. Avri...

Olivier Crépin-LeBlond: Thanks very much.

Avri Doria: Whee happy, happy joy, joy.

Carlton Samuels: Okay.

Cheryl Langdon-Orr: Well...

((Crosstalk))

Carlton Samuels: And Rafik has gone - he's gone to bed it's his very late so I understand he's gone to bed.

So Alan has gone as well. Seth and Rob, Seth you have your hand up?

Cheryl Langdon-Orr: No he doesn't he just...

((Crosstalk))

Seth Greene: Actually this time I - this time I actually do, Cheryl, sorry.

Cheryl Langdon-Orr: Oh.

Seth Greene: Just for one second. I don't think it's something you want to pick up now but if anyone would like to think about the smaller matter that it might be useful to have a one-page executive summary if there's anything that very easily you think is not important enough that's on there now that we could just simply hack off we would be happy to do that and we could bring that up on Friday.

Carlton Samuels: Yeah, there's only two or three things that we're going to...

((Crosstalk))

Carlton Samuels: ...we will get rid of. But if you can come up with something else just run it by us we'll see.

Seth Greene: Okay thank you, Carlton.

Carlton Samuels: All right so we need to get going here. Thank you everybody for participating here. I think we've made great - thank you, Cheryl, for helping out.

Cheryl Langdon-Orr: Okay.

Carlton Samuels: Thank you, Avri, thank you, Olivier, for sticking through. Rob, Glen, Seth, Karla and Gisella and thank you all for supporting us.

We will see you on Friday.

Avri Doria: Bye-bye.

Cheryl Langdon-Orr: And only before.

Carlton Samuels: Bye-bye. Not less before.

Seth Greene: Thank you, Carlton.

((Crosstalk))

Carlton Samuels: Bye.

Olivier Crépin-LeBlond: Thank you Carlton for chairing a marathon call. I know how tiring it is to do so.

Carlton Samuels: It is but Cheryl helped me out on the end so I'm happy with it.

((Crosstalk))

Cheryl Langdon-Orr: It's good for soul gentlemen.

Seth Greene: That's good luck for the rest of your day, Carlton.

Carlton Samuels: All right, thank you. See you all.

Cheryl Langdon-Orr: Bye.

((Crosstalk))

END