

ICANN
Transcription ICANN Johannesburg
GNSO - new gTLD Auction Proceeds Cross-Community Working Group
Tuesday, 27 June 2017 at 13:30 SAST

Note: 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**.

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Man: It is June 27, 2017 in Ballroom 2, ICANN 59. This is the gTLD Auction Proceeds CCWG Face-to-Face Meeting at 1:30.

Erika Mann: Okay let's get started please. I assume that everybody who is still sitting here is planning to join the auction proceeds group.

Woman: (Unintelligible) recording is on?

Erika Mann: Hm?

Woman: (Unintelligible) the recording is on.

Erika Mann: Yes, yes, I will check (cording). I'm doing it (unintelligible). Recording is on. Okay, so let's get started please. I would love to do - so first of all, welcome very much. And I would love to start on this side to the very end.

If you just would be so kind, keep it short. Just say please who you are and this would be lovely. Alan I was wondering if the - even participants in the end, you're joining us, aren't you? So please, be so kind.

Man: Good afternoon. (Unintelligible) is my name, a BC member and ICANN 59 fellow. Thank you.

Onica Makwakwa: Good afternoon, Onica Makwakwa with the World Wide Web Foundation.

Xavier Calvez: Xavier Calvez, CFO ICANN organization.

Lawrence Olawale-Roberts: Lawrence Olawale-Roberts, a member of the BC and a member of the working group.

Alan Greenberg: Alan Greenberg, member from ALAC.

Maureen Hilyard: Maureen Hilyard, member from ALAC.

Asha Hemrajani: Asha Hemrajani, ICANN board and a liaison to the CCWG on Auction Proceeds.

Chris Disspain: Hi everyone, Chris Disspain, ICANN board.

Becky Burr: Becky Burr, ICANN board, board liaison to Auction Proceeds.

Julf Helsingius: Julf Helsingius, GNSO Council.

Woman: (Unintelligible), staff.

Marika Konings: Marika Konings, ICANN staff.

Erika Mann: Erika Mann, co-chair with Ching Chiao who can't be with us today but maybe will join us, hopefully actually. Please.

Man: (Unintelligible). I'm on the call with the registrars.

Woman: (Unintelligible). I'm an individual participant, but I (unintelligible).

Kurt Pritz: Kurt Pritz. I'm with the registries.

Tony Harris: Tony Harris, ISPCP.

Philip Corwin: Philip Corwin, BC, GNSO Council.

Erika Mann: Ching, would you love to just introduce yourself quickly?

Ching Chiao: Thank you Erika. Ching Chiao, the co-chair of the proceeds group from ccNSO.

Erika Mann: Thank you so much. And can I have a quick check just to see who else is joining us? Nobody? Nobody online? Okay, then let's continue and let's move to Point 2.

We thought it would be nice -- because we expected many new faces to join this meeting -- maybe to do a quick recapitulation of what we have done so far. We will keep it pretty short, so don't be afraid. We're not going too much into detail because we like obviously have a lot of stuff to cover today.

So just keep in mind the auctions are what we call the mechanism of last resort to resolve string contention within the new gTLD program. They're only attached to the gTLD program and there is no desire to continue this in the future.

There is significant funding when you look into the amount. It's currently \$230 million US dollars, so we are not talking about a small amount. The community started discussion on how to deal with these funds at ICANN 52 and proposed a charter for a CCWG submitted to ICANN's SO and ACs.

This was chaired at the time by Jonathan Robinson, you might remember, and Alan Greenberg. Alan is with us. Thank you so much Alan. And so it was prior to ICANN 57, and was adopted then by all communities.

The CCV – oh, God, the CCWG – commenced deliberations in January 27 and has been tasked with developing a proposal and mechanism to be developed in order to allocate a new gTLD auction proceeds. Let's go to the next slide please.

And the goals and the objectives. There are a bit more than what you see here, but these are the key ones. So CCWG is tasked with developing proposals for consideration by chartering organization on mechanism to be developed in order to allocate new gTLD auction proceeds.

We're not - this whole exercise is not part of the last round which then will allocate money to the concrete proposals. We're not part of this process.

CCWG also expected to consider the scope of fund allocation, necessary conditions to preserve ICANN's tax status and how to deal with potential or actual conflicts of interest.

Much of this we have done. The conflict of interest is something which we do each time. So each time we do a quick check. If somebody wants to raise and wants to mention that there is a change in their conflict of interest, anybody can do so. And of course it's possible to do online as well.

We had a first exchange about - or actually more than one about the tax status. And this will be a topic which we will have to debate again and again probably.

The last item is CCWG will not make recommendations or determinations with regard to specific funding decisions. The last part of our whole exercise

which we'll touch on which specific organization or projects are to be funded or not. So we will not do this.

The first round, the first what we call stage 1, this was the initial one through of all charter questions to excess initial responses, possible gating questions, and common understanding of questions.

Gating questions are just questions which we thought are important to deal with up front because they're so important that any further deliberation of decision making would have not made sense. So just for you to understand what it means.

And we are now in Stage 2. Address any charter question that has been identified requiring response before commencing the next phase. And again you will see later on an example, a concrete example. I'm not going into the detail here because you will – for those who will new – you will experience how we are dealing with it.

And then you can look back into the document and if you need help and advice because you are new to this process, please feel obviously either to approach Ching and myself or Marika and the team who is working with us directly.

You see we have many more stages ahead of us. This is online available. I'm not talking about all of these stages. It will just take too much time, so three, four, five, and six. But what is important for you to know, we like to come to an end of the whole exercise by the end of the year so that we then can start with the community, the consultation process, because otherwise we are a little bit afraid if we can't get this decided by the end of the year it will simply take too much time.

Information, you see information where you can find this information. Could we please get this slide up? That's the last one, CCWG charter and the

CCWG work space. Any questions with regard to this? I mean, this is pretty basic, and I think many things will become self-explanatory later on. But would you like to raise a particular point? Yes please Marika. Don't touch it.

Marika Konings: I just pushed the button. I haven't moved it. I haven't moved it. Sorry. Just for everyone, you're not supposed to change your microphone's positions because the camera is set on the positions of the microphones.

Yes I just wanted to make one clarification with the end of year, that line or timeline relates to the initial report. So the objective is to publish the initial report by the end of the year. And then of course there are some further steps after that. We are reviewing public comments, going to the chartering organizations for approval and then ultimately submitted to the board.

And once they have approved the recommendations, it would move into implementation. I just wanted to make sure that everyone's clear on that.

Erika Mann: Thank you so much for being so clear. Okay, let's move to Point 3 if you have no further questions or comments. So on Point 3, I will hand over to Xavier. Xavier sits over there, and he is responsible for the finance and audit at ICANN.

We had already an exchange but because again so many of you are new this time, what Xavier will do, he will again focus on the main key points which have to be looked at, in particular this time less from the financing point of view or from legal issues or fiduciary constraints but more from the audit point of view.

And he will guide us again through the key points which we will have to respect and points of further discussions which are needed in the future. Xavier, please.

Xavier Calvez: Thank you Erika. And since we have already had a presentation on these financial considerations, I will go - I will remind the group of what we went over at a very high level, and if anyone wants more detail I will do that.

So the financial considerations that we presented so far included the presentation of the governance requirements that the organization is required to satisfy. And we mentioned mainly three requirements. The fact that ICANN needs to conduct an annual independent audit, so it hires external auditors who are independent and conduct a financial audit as per the requirements of the U.S. audit standards.

The organization has then also fiduciary requirements for both the directors and the officers of the organizations to ensure that the activities of the organization meet the mission of the organization or within the mission of the organization and these activities are carried out in a legal fashion, lawfully basically.

The third set of governance requirements that the organization needs to meet is the more specific ICANN's accountability and transparency requirements that create specific requirements for the organization.

So those are the three governance requirements that the organization needs to ensure it meets. Therefore in order to do that, there are operational requirements that the organization will need to put in place.

At a very quick high level, those operational requirements will be to put in place policies and procedures to manage the applications process for the funds. The organization will also need to put in place processes and procedures to manage the risks associated with the program.

There may be challenges of the decisions made as part of the program, and that's something that will need to be specifically managed. The organization will also need to put in place processes and procedures to ensure compliance

of the disbursements of the funds and the use of the funds with the objectives that triggered the approval of the requests.

So when a request is evaluated and it's approved, then we will proceed with the disbursement of the funds. From that point on, we will need to ensure that the funds are used consistently with the intended purpose that was stated at the time of application.

And lastly the organization will need to put in place also processes and procedures to ensure adequate reporting, obligation of information, engagement and explanation as well of what it has done, how it has done it in order to disperse the funds and monitor them.

So at a high level, this is the overall view of the financial considerations that have already been presented to the working group. And I'm happy to go in any details if there is any more questions and dependent upon the time we have available. Thank you.

Erika Mann: (Unintelligible) is this understandable, the process? Yeah? Yeah, okay. Please Marika.

Marika Konings: This is Marika. And on the link you see on the agenda is where we've posted the information on the slides as well as the audio and the transcript from the briefing that Xavier gave during the previous session.

And we've also created an FAQ based on the questions that were already raised during that session. So please have a look at those and, you know, if there are any further questions, feel free to send them to me and I can add them to the document of course after consulting with Xavier on the response to those.

But the idea is that both for this topic as well as the legal fiduciary requirements, we have created separate sections on the working group wiki

so that all information in relation to that is available from there and again also to be able to capture any questions that may come up or have already come up or may come up at a later stage that we capture those and keep those so there's a live document so that some things don't need to be repeated over and over again.

Erika Mann: And I think we have the - your longer document available there as well Xavier and Sam's briefing that she did. I think the both of you did exactly together about the legal and fiduciary duties as well. I think these are updated on the same wiki, aren't they? Okay. If you can't find it, please be so kind as to come back to us and ask us and we can guide you.

Okay then let's move to the - if there are no further questions. Online, somebody? Ching, you would love to make an additional comment?

Ching Chiao: So far I'm fine, thank you.

Erika Mann: Okay, thank you so much. Okay then let's move to Point 3 and Marika will guide us here. Marika, please.

Marika Konings: Yes, so this is Marika. I'm just pulling up the document, but for those of you that may have difficulty seeing it as it's not that large, if you go to the chat, early up in the conversation there's a link to the working group wiki page for all the documents that we're showing and discussing today are also posted.

So this is just a brief recap of where we're currently at and what we'll be doing probably over the next couple of meetings. I hope this is visible for all.

Woman: Do you – did we make an official address?

Marika Konings: If you have your Adobe Connect open, you can also go full screen and zoom in yourselves. I can try to make it a bit larger here, but it may move out of the screen I suspect. Okay. I guess that is okay like this.

So as Erika showed, we have the six stages identified for the work of the CCWG and tackling the charter questions.

We completed stage one during our last meeting, which was basically focused on an initial run-through of all the charter questions to make sure that everyone had a common understanding of those charter questions, identify whether there are any subquestions that would need to be addressed, identify whether any external expertise would be expected to be needed in order to answer those questions but also to identify whether there are any so-called gating questions, so questions that the group would need to deal with or at least have a draft consensus on what the answer would be as it will be a determining factor for the subsequent stages of this work.

So you can see here on the screen is basically the three questions that were identified by the CCWG as so-called gating questions. So the idea is that a preliminary answer will need to be found to these questions before we can actually move into Stage 3, which is the compilation of a list of possible mechanisms that could be considered by the CCWG.

So of those three questions, on one question the working group actually has already started its deliberations, and thank you to those of you that have responded to the survey that we set up to get input on this question. And we actually will move there for the next agenda item.

So if you scroll slightly down you'll see in the subsequent stages we've also identified different questions that need to be addressed for those issues. And as well for a number of questions as you can see as part of the initial deliberations a number of subquestions were identified.

So also hoping to use this document to keep track of those and as well as further questions may get identified to add them here. So I think hopefully this gives you a good idea of where the CCWG is currently at as well as what

will be coming next. Don't know if there are any questions on this or whether we can move on to the next agenda item to start looking at the response to the survey.

Erika Mann: Is this a format you like to work with? Because we are still testing together what is a good format actually to bring this to summarize these questions and the answers we receive and to make it as understandable as possible. Is this something you like to work with actually with such a format? Yeah? Because I think it's easy to see and relatively easy to follow. Okay. Okay, perfect, so we can continue, which is nice. Marika, please.

Erika Mann: All right so then one second. So the following agenda item deals with reviewing the response to the survey that we run on the charter question Number 2. So charter Question 2 is, "As part of this framework, what will be the limitations of fund allocation, factoring in that funds need to be used in line with ICANN's mission while at the same time recognizing the diversity of communities that ICANN serves?"

This should include recommendations on how to assess whether the proposed use is aligned with ICANN's mission. Furthermore consideration is expected to be given to what safeguards if any need to be in place." And as part of some further deliberations on this question, it was recognized that this question should not only identify the limitations but should actually also focus on the objective or scope of funding allocation.

And I think that the working group recognized that that was probably one of the primary questions it would need to deal with initially as that will determine to a large extent some of the subsequent questions or responses to those questions.

So in order to help start the conversation on that, we launched a survey for working group members and participants to participate in. And I think in the agenda you can actually find the link to all the responses that were received.

We got feedback from 14 members and participants and thank you for that.
So I'll just pull up now first of all – let me see.

Erika Mann: (Unintelligible).

Marika Konings: No.

Erika Mann: No, we can't?

Marika Konings: They do not allow us to touch this Adobe Connect.

Erika Mann: Which is a pity. It would be nice to change it to have the main context actually bigger instead of seeing the nice - it's nice to see our faces, but...

Marika Konings: If you want to see it for you, (unintelligible).

Erika Mann: Yes I go on the - but I'm not sure everybody can now.

Marika Konings: Yes, if you have your Adobe Connect room open, you can use the four arrows that point outward on this window and push on that. And then it will show you the full screen view. And I said before you can also download this download separately from the wiki page and zoom in and zoom out as works best for you.

So what you see here on the screen, this is kind of a snapshot of the responses received to the question "please list your proposed objectives criteria for fund allocation, factoring in ICANN's mission and legal, fiduciary constraints."

I have to note here this is something that staff put together based on its review of the responses. This is not something yet that the CCWG has reviewed. So again we're sharing this now so you have an opportunity to review this and see if staff has indeed identified appropriate categories.

Did we mischaracterize anyone's input? Are there any broader categories that you believe are missing? And my understanding is then a subsequent step would be once we've gone through that to actually see which of these overall objectives have general support in the CCWG. It may be one, may be two, may be all of them.

But again I think the first step here is to try and identify do we have the overall objectives that people have put forward? Do we have those clearly identified?

Erika Mann: Maybe you read them quickly. Not everybody might see them. So these are the ones which are in the yellow box.

Marika Konings: Yes, so correct, so...

Erika Mann: The overall.

Marika Konings: Correct. So this is Marika again. So indeed, that was what I was going to do next. So basically the yellow highlighted boxes, that again is what staff derived from the comments. And again, you know, some of those comments may touch on different aspects but we've tried to see is there a kind of common bucket that some of these fall into.

So the first bucket you see here - and you see that there are a number of comments that at least appear from a staff perspective to align with that overall objective is that funds should benefit structures or projects that directly support the DNS.

And again of course your input is welcome as well. You know, should that overall objective be further refined? Is it at the right level? Should there be further information added? But again this is a first attempt of distilling the input that was received.

So then if we scroll further down – and I don't actually know - yes I think it's actually on the presentation laptop where - I think you need to...

Erika Mann: Who has the presentation laptop?

Marika Konings: I think it's over there. I think Julf is going to (unintelligible) to get the...

Erika Mann: Okay, thank you.

Marika Konings: ...probably the controlling one. So if we scroll a little bit down you see that the next category - and again for this one there was only one comment that specifically seemed to focus on that. But that doesn't of course make it any less relevant.

And again you may also, based on further discussions, determine that actually some of those others may actually fit under some of the other categories. So again this is just a first draft.

So the second bucket is that funds should focus on development distribution and the evolution of the Internet. And another category where we also had a number of comments that seem to fall in that bucket is funds should benefit capacity building and underserved populations.

Then we had one comment that characterized as a fund should benefit a broad range of topics as possible, although if you look at the (unintelligible) comment, it does not given the limited remit of ICANN. So again it may fit in one of the other ones but we did feel that was worth calling out here.

There was one comment that noted that funds should benefit the promotion of the use of domains. There were a couple of comments in relation to funds should benefit the open Internet. And again at least from a staff perspective

we weren't sure whether that could also fit under supporting the DNS or whether this is considered to be a separate kind of activity.

So again would love to hear your feedback of whether that is something that actually falls under that first bucket or whether it does need its separate bucket. And then there was also a comment that noted that part of the funds should be used to replenish the ICANN reserve funds.

So Erika I don't know if you want to pause here or if you want me to cover the same time the buckets for where funding shouldn't go.

Erika Mann: I think we should stop here maybe for a second and maybe should go a little bit more into what kind of questions we received to allow a more informed debate because most of you will - are seeing this for the first time. So it will make it maybe a bit more easier to stimulate a debate if you want to have one. If you don't want to have one, no need to have one. Elliot please. Please introduce yourself.

Elliot Noss: Yes, Elliot Noss speaking. You know, I'm wondering if first we could kind of approach, you know, as Marika put out, you know, does this adequately capture the comments because I'm sort of not sure. I almost want to go back and see the text of what I submitted, you know, because I see parts but not the essence of what I wanted to put out, which is that I think that what we as a group need to most do is to stress test the mission limitation.

And I say that because, you know, I'm somebody who has repeatedly said and, you know, probably in somewhere in there in the funds should benefit the open Internet. I'm recognizing that in our dialogue and in some of the discussions with - you know, with Samantha and others, you know, that, you know, sort of the words of the mission may be more limiting than that.

And I really think that there's an exercise for us in actually talking through abstracts or sample submissions. You know, would this violate mission?

Would this be inside mission? Because I think that's the only way we're going to be able to understand our parameters.

And I'd say, you know, the very first point that was listed here, you know, with I think the single largest number of comments underneath it to me presupposes an answer to that question.

In other words, the first chunk, you know, things should be – projects consistent with furthering the DNS -- is making an assumption that the mission is limiting us only to those things. And so for me that is the most important part of working through Number 2. Thanks.

Erika Mann: Marika?

Marika Konings: Yes this is Marika. Thank you Elliot. So if you have any specific suggestions on those buckets - because I think indeed you're correct. I think that part of the survey we also ask people to give examples of what they think, you know, would fall under what people believe should be the objective and also what they thought shouldn't belong there.

So I think part of the exercise will be indeed like once we've identified all those categories, indeed also do we check against legal requirements, fiduciary requirements? Do any of these, you know, not align with what we understand to be ICANN's mission?

But I'd also indeed look at concrete examples and to make sure as well once the group has settled on what should be that overall objective to make sure as well that we understand what would fill in that category with very concrete examples so that even having a broader overarching objective, there's still clarity around as well what would be considered qualified under those headings and what possibly not.

Elliot Noss: I'm not sure I understand, so clarifying question. You know, are you saying that this will sort of lead us into a discussion where we're going to do that type of stress testing?

Marika Konings: This is Marika. That was indeed my understanding of what the CCWG has to (unintelligible).

Elliot Noss: Okay, and I just - so what I don't feel was captured up there is, you know, what I was trying to put out was that we need to do that as opposed to, you know, here are my presuppositions. You know, I certainly do speak in my comments about a broader rather than narrower view of projects that I think we should fund relative to mission.

But I'm recognizing, you know, this process. And so maybe if there was something in there that could talk about, you know - well, it's fine because I think this leads us into it so it's fine. Thank you.

Erika Mann: Erika Mann. Elliot, I think actually it's captured under the rubric of open Internet. But I mean let's have a look if all of the points you wanted to raise are really captured and then we can come back to it. Alan please.

Alan Greenberg: Thank you. I think I'm supporting what Elliot was saying. If you look at the second comment, which I think is mine, I don't know if you can scroll down or not. I'll read part of it. "My hope is that funds will be used for good things which extend the reach..." I can't read it all on my screen.

"Which extend the reach, utility, and safety, security, resiliency of the Internet." I would have put that under several of your categories, but not the one it ended up in because I don't think it's a DNS specific thing.

Erika Mann: Where would you put it in? Just to help us...

Alan Greenberg: Again, my screen is small (unintelligible).

Erika Mann: Yeah, I have the same issue.

Alan Greenberg: There's another - second. The focus on development, distribution, evolution of the Internet, capacity building, underserved populations. It fits several ones. But the point I'm making is I think by trying to get these capsule categories, we lose the ability to do what Elliot was suggesting of really stress testing the mission to see whether these things fit in because it's easy to say that the categories will fit in with the mission but yet the things we're putting within each bucket, other people may question whether they do or not.

So I think we may be putting the cart before the horse of trying to categorize them because if we then forget the details, we're not really going to be doing the job effectively.

Erika Mann: But maybe we are misunderstanding the yellow buckets as well because they're not excluding, you know, a particular potential to fund something. They're just to help us to guide our discussions. They're not plus or minus. They're just, you know, where do they fit more to shape our debate. They're not excluding anything. Please, Elliot.

Elliot Noss: Yes I want to make sure though I'm clear. You know, I think consistent with what Alan was saying there, you know, for me what we think is nice and is important but when I talk about stress testing, I'm talking about us actually putting specific ideas in front of staff and staff legal in particular to give us their opinions because, you know, I would hate to see us, you know, go down a road where we spend - you know, it could be a couple years of work or a year or two of work, you know, to find that we're - you know, we were sort of void ab initio here.

And, you know, I think none of us wants that with time being dear. So, you know, what I'd love to see today if we could was to come up with some examples that we could then put to staff and have staff's feedback.

Erika Mann: Okay. Sam.

Samantha Eisner: Thanks Elliot. This is Sam Eisner from ICANN Legal. I think that the other critical part of that conversation, I think you're right that there has to be some really conscious effort to talk about where things are in or outside of mission, that there's some sort of collective sense of it from the outset.

I think it's also really important to hear from the group so it's not just ICANN telling you we think this in or outside of legal - or in or outside of mission. But I think it's really important to hear from the community and the members of the group why there is a belief that this is something that's within mission because I think that's a really important dynamic as we're working together on - you know, through the more defined, more limited mission.

Erika Mann: Marika?

Marika Konings: Yes this is Marika. So we actually already have – as I noted – linked to this question as well as the other one. People were asked to identify which project they would consider then as part of, you know, what they see as the priority. So those are not on the screen. Those you can actually find in the link. Our thinking was for this meeting to first focus on looking at the buckets and seeing do we have the buckets rightly identified and again emphasizing what Erika says.

These are not intended to be - we can only pick one or, you know, we cannot look at what belongs under that bucket, how, you know, big or small that goes. This is just an attempt to make sure that we've captured all the inputs so far, and especially as well give an opportunity to those that may not have had an opportunity to respond to the survey to provide that input and identify what is missing or – you know, as Alan noted – some comments might fall under multiple buckets.

And I think there's only one that actually cut in two because they were so different. But for most of them I recognize that those other buckets were listed, so it didn't seem necessary to repeat the same comment there again.

And then indeed - so we have already a list of specific project proposals that people identified as, you know, being then part of, you know, whatever they had identified as the objective. So that indeed could then be the next step to concretely look at those and identify okay is that indeed a common understanding that these are types of projects that would get funded under this kind of overall objective? And is there indeed an assessment of whether that aligns with ICANN's mission or not?

Erika Mann: Could we agree on this?

Man: (Unintelligible)

Erika Mann: Yeah? Because I think it might get a bit confusing if we do this stress test right now and raise project ideas and then test them practically against Sam and Xavier. That's maybe we need a different group to have together as well. I just wonder.

I mean, wherever you want to take the debate let me know, but my feeling is maybe we should go through the agenda and then see if we want to come back to this point.

Elliot Noss: Yeah, as you were saying, sort of run through this and then circle back. Yeah, I think that's absolutely right, yeah.

Erika Mann: And then circle back. Yeah? Can we do this? Okay, fine. Marika.

Marika Konings: So I think a concrete – so this is Marika – an action item for the CCWG and we'll put it as well on the list after this call is to review this document in further detail, make sure that, you know, your comments have been accurately

captured, identify whether there are any other buckets that are missing or should be reworded so that for hopefully the next meeting we have a more final list of possible objectives. So then maybe next...

Erika Mann: And maybe we should put in the full survey reply which we got because I had a feeling - my feeling it's the full one. But I had a feeling that some colleagues thought maybe it's not the complete text. So just let's check this again.

Marika Konings: Yeah, and this is Marika. I'll double check as well to make sure that I didn't miss anything. But the text that is in here is copy/paste as I noted. I think the only one I cut apart was – and I think it was actually Alan's – comment (unintelligible) I think he had, you know, one part and the other part I think related to the reserve fund. So that one I did separate out. But for the others I didn't go through that exercise.

But I'll double check before this goes out and of course fill in anything that's missing. Please let us know.

So then next, looking at another question as part of the survey was having first focused on what should be objectives. And the next question was what shouldn't be objectives. So again here this is just a staff effort to try to put this in categories. Again if we got this wrong, if there were categories missing, you know, do let us know.

So first bucket was funds should not be allocated to projects that would normally be funded by ICANN as part of its obligations under ICANN's mission. And I believe that is a comment that has been made throughout some of the deliberations already as well and as noted a couple of comments supported that again as well.

Another bucket – and again it’s a relatively high-level bucket maybe that needs to be further broken down – but funds should not be allocated to projects that do not focus on the DNS.

Then there was another category that we categorized as funds should not be allocated to projects that will not have an impact.

Erika Mann: Hm, that’s the most difficult one.

Marika Konings: There was also a specific comment that noted funds should not be allocated to government applicants. And again that’s something I noted as well in the comments on the objective. There were some comments that specifically already focused on type of applicants. And there’s probably some - I think for one I actually took that information apart because probably it’s a separate thing, the CCWG, at some point will need to look at.

Once you’ve identified indeed what is the – or agreed upon – what is the overall objective, then there may be as well sublayers to, you know, and who then can apply for those funds. So I think this is probably a comment that goes to that conversation on the type of applicants that would be eligible.

This comment - and again I tried to interpret it or an interpretation I took away was that, you know, funds should not be limited to only short-term projects as it may only benefit applicants from certain regions.

And another comment noted funds should not be allocated to physical telecommunications infrastructure.

You’ll note there on the left hand as well there was one comment that actually came up here but in reading it, it actually seemed to belong under the first question on what should be the objective. So actually I’ve made a note to go back to the person that put in that response to get clarity on whether this was indeed intended to be focusing on what shouldn’t be the objective instead of

what should be the objective. So again, once we get a response on that we'll make sure to update this.

So again the question here is now are there any other specific objectives that should be called out which should not be the focus of auction proceeds and, you know, whether there are any other categories that may be missing or where further details may be needed to really make clear what shouldn't be part of fund allocation.

Erika Mann: (Lusuisse). Please. Erika Mann, please, calling on (Lusuisse).

(Lusuisse): (Lusuisse) (Unintelligible). I just have a question for clarification. I understand this is a collection in baskets of what will and what won't be done. But I'm wondering if there may - what happens when there's a conflict? I'm just thinking about the suggestion to put money in the reserve fund on the one hand, on the other hand not to do anything that conflicts with ICANN's mission.

Part of the mission is to make sure it's a sustainable organization. Part of that is having a reserve fund. So it sounds a little bit like these are conflicting. I'm just wondering how that's going to be resolved, at what point in the procedure? And then maybe toss a question to Sam or the legal team of whether that is indeed a conflict or not.

Erika Mann: I mean we had some discussions about this in the past. We haven't looked into it for example if a request for fulfillment of the reserve fund would be part of the mission or not. But we need to have this debate absolutely. Sam, I don't know, would you want to say something with regard to this topic?

Samantha Eisner: Thanks. This is Sam Eisner. I think that one of the outcomes could be – and this is really just the beginning of the conversation with the charter questions – one of the outcomes could be different segregations of types of uses or other ways that there could be multiple types of uses funded throughout the

whole of the auction funds because there is a large pool there so there could be segregation among it.

So I don't know that the answers to any of these questions today - there was an agreement, from what I understand, among the CCWG that there'd be any preclusion of anything currently because there haven't been any decisions taken. So that's just part of the conversation of what's the balance, how do we want to proceed in making recommendations?

Erika Mann: Correct. Please Tony.

Tony Harris: Yes, Tony Harris here. When you talked about the type of applicants in one of the buckets that you discussed just now, my point would be types of applicants, what would the process be for validating or let's say doing due diligence about them because you're going to get people coming out of the field when there's money around saying with great ideas, but maybe they're just sitting in a garage and there's no real desire to follow through to the end or...

I mean, there should be perhaps some considerations. Is it an NGO? A lab at a university, something which really has substance? Or just some creative individual – God bless him or her. But will this actually - do they have the stability, the - I don't know, whatever it takes to get this done? And who's going to validate this?

Erika Mann: Yes we had discussion about this. But still it's a very early phase because this impacts the last phase, so how will the structure be set up? Will it be part of the existing ICANN environment? Will it be a new unit build? Will it be outsourced? Will it be run by a fund manager? But you're totally right. These questions have to be answered and - but we're not there yet. We're not there yet how this will be judged.

We are practically defining the criteria against what it will have to be judged but now not how it will have projects will have to be evaluated, we are not there. I have Alan and then followed by Asha.

Alan Greenberg: Thank you very much. Alan Greenberg. Unless I'm misunderstanding, these are categories that try to put the various comments people made into buckets. We have not made any decisions that we're using these because in fact many of these are contradictory and could not fit together.

And at one or two of them, I would strenuously object to. So just make sure everyone who's in the room, especially new people, you know, these are not decisions have made. These are simply trying to categorize ideas that have come up at this point. So I think it's important to remember.

Although we're not talking about going further on Tony's comment, something did strike me as he was speaking. We've got a lot of money here and any funding organization learns pretty quickly that some things work and some things don't.

And we're going to be taking risk on some of these things and the size of the grant will depend how much risk we're willing to take. But if we don't take some risk we also won't do interesting things sometimes. So we're going to have to work hard on setting that criteria so we're not too inflexible.

Erika Mann: Erika Mann. Marika would like to make a direct comment to your point Alan.

Marika Konings: Yes so this is Marika. Thanks Alan. That's exactly right. And I think, you know, part of this conversation should be as well so how do we then move to the next phase.

So at least I think staff initial thinking would be indeed like once we've agreed that indeed these are the overall buckets that people have suggested, do we run another survey that says support so that maybe becomes clear, you

know, which one are clearly not supported by the broader CCWG and which ones are clearly supported.

Maybe there are some middle categories where then further conversation will need to take place. And, you know, as Elliot noted as well of course, that needs to be then a clear understanding what would fall in within those buckets and what wouldn't be consistent with ICANN's mission.

So if you have any specific ideas or if you think that's an approach, you know, worth pursuing, please feel free to share because we're hoping that that's where we're of course going to be moving next.

Erika Mann: Erika Mann. Asha, please.

Asha Hemrajani: Thank you Erika. Asha Hemrajani, ICANN board and liaison to this CCWG. So Marika just mentioned a little bit of what I was going to say, which is that we would like input from the CCWG to help us figure out this methodology and what is or what is not within the mission.

This is very important. I think this is where we would need a lot of input and ideas because we have to be able to figure out what goes in or out of the bucket because there are going to be gray areas. That's very clear.

And now coming back to Tony's question which I thought was very good, regarding this due diligence on applicants, right from the very beginning as Xavier and Sam, they put a paper together from a legal and financial perspective. So some of that is addressed in that paper. You know, feel free to have a look at that and see whether that addresses your concerns.
Thanks.

Erika Mann: Erika Mann. Kurt please.

Kurt Pritz: Thank you Erika. Kurt Pritz. So given that the charter of this group is not determined to what to award funding but rather to determine the mechanism for awarding it, I think we shouldn't drill down too deep into individual projects and who's for and against them but rather just use the input we have to give us a flavor of what sort of inputs we're going to get and then, you know, use that to get toward a discussion pretty fast about okay what's the mechanism, what's the process, the procedures, the tools that some of which have been developed and then come back to these ideas and test it out.

So I'd rather get to that sort of discussion about creating the mechanism rather than debating the ideas.

Erika Mann: Yes, I think that's a good idea. Erika. Any further comments? Do you feel confident with this procedure? And what Marika recommended, would you like to see it, another step of just testing if there's some of these topics which are ways within these different (ovens), rubrics, if you would like them or if you maybe would want to add something, take them out, give a clear no so that we have a clearer indication maybe for our next debate? Would you like such a step? Yeah? Shall we do this?

Ching Chiao: Erika, this is Ching. Can you put me in the queue?

Erika Mann: Ching please go ahead. Sorry that I - go ahead.

Ching Chiao: Thank you Erika. This is Ching Chiao the co-chair from ccNSO. I just like to, you know, just pretty much observe from the sideline is that it seems that we heard the staff and from board members, the liaison speaking many times about - so the need of continuous input from the community in terms of the ideas, I mean the mechanism.

And then on the other hand, the community has been trying to throw in ideas and a lot of thought and suggestions, recommendations. And my kind of question or comment is that is the exercise that we've been doing kind of

both ends? Is this - I mean everybody thinks this is good enough or we have to do more exercise like this?

Or do we start to kind of trim down what we have in those baskets and then like what Elliot just brought up, that we expect that that goes to several items. I just wanted to get a sense, kind of feel is everybody on the same page? Are the staff, the board members, do you want more input or is the community on the other hand is saying we've done enough exercise in the past six months. Let's do a stress test. So I just want to feel how everybody's feeling on this one. Thank you.

Erika Mann: Thank you Ching. This was practically restating the questions we raised and broadening it to some degree. So what is your opinion? Shall we move ahead in doing this another survey? Yeah? Based on just what you see in front of you now and allowing you to target more precisely - yes, go ahead Marika.

Marika Konings: So this is Marika. So one question I have then for the group and you as well Erika, so would you like that survey to be launched prior to the next meeting so that basically we circulate these documents now right after the meeting, give you all like a week to provide input, whether anything is missing, any buckets not there.

And then following that week basically launch the survey asking everyone to express, you know, whether they would support some of those specific objectives identified. Is that a reasonable - I know there's a big American holiday upon us. So I do want to make sure as well that it's realistic.

I mean, it's no problem either that we for example give you until the next meeting to provide that input. We can then review that input. And another question we need to address is there were two more charter questions that were identified as gating questions.

Alternatively we could also put these out now shortly after this meeting, give you until the next meeting to provide input, clarify, but launch in parallel actually a survey on the other two questions to do a similar kind of exercise of what we've done now to get the other questions?

Erika Mann: Yes.

Marika Konings: Yes, I can pull them up after this and see if we can get a similar approach going where we try to identify is there kind of, you know, common ground on some of these questions that will help facilitate the discussion on getting to at least a preliminary agreement on what our potential response is.

Erika Mann: Personally I would like this very much but it of course depends what you can - what you can really master because it's a lot of work to put on you. I think we need two weeks. I wouldn't do this within a week. This is probably too short. People are traveling. So two weeks, yes, until our next call, our next meeting.

And so these are the two out things. So the point Marika was raising is we do practically an update on the one which we just debated with more thinking of black and white. And we do at the same time two other surveys which focus on these two chartering questions. Can we see them bigger? Yeah.

Marika Konings: Go ahead (unintelligible) over to increase that. Just a note that for these two questions of course we already got some preliminary input as part of the initial exercise we did. So one question for the group is would you like staff to make an attempt, based on that initial input, already identify some potential answers and then of course leave as well, you know, an open comment box that you can also formulate your own response?

Or would you just like to run a survey just that question and everyone just fills in their answer? What do you think would make most sense? What would you more comfortable with?

Again we're also happy to share first a preview so we can look back at the templates that we've developed and see indeed if we can identify obvious responses from those and then share that for preview with the group so you can also indicate, you know, actually that's not what was suggested.

But again it's really to help inform the deliberations. It's not to try and drive to a certain response. It's really trying and see what makes the most sense so that you have the information you need during the next meeting to make progress on that question.

Jonathan Robinson: Hi, it's Jonathan Robinson.

Erika Mann: Yes, Jonathan.

Jonathan Robinson: I think a strawman type response seems to make sense, or straw person to put it into gender neutral terms. I think it makes sense to sort of draw out because people can always disagree with that but at least it sort of nudges us forward a little. And so unless others feel strongly against that it feels to me like that starts to move the thing forward a little by trying to distill what's already been discussed. So I don't have a concern with that.

Erika Mann: I think we have early indication about how colleagues would love to debate these topics. So it's not based on blue thinking but they are concrete ideas already raised.

I would like us to – do you feel – can you answer about this (unintelligible) concern? Yeah? Okay, then let's move forward. A lot of work for you. Okay. Thank you so much (Unintelligible). Thank you so much for offering this. Okay, any other points with regard to this topic? Marika?

Marika Konings: Yes this is Marika, if I can just note as well, you know, please all have a look at the survey responses. There was also an additional question where we

asked is there anything else the CCWG should be considering in regards to this question.

You know, we can pull out those comments and share those in a separate document. So just want to make sure as well that those of you that made the effort of going through the survey and providing that input, that it's something that is taken into account and factored in as you move forward.

Malcolm Hutty: Thank you Erika for letting me have the floor. I haven't participated till now.

Erika Mann: Could you be so kind, just for the record?

Malcolm Hutty: My name is Malcolm Hutty. I'm with the ISPCP constituency. I was very actively engaged in these CCWG accountability work on the work to do with the definition of the mission and the mission limitation clause. I hadn't appreciated up to now just how significant this is to that work.

I think it is - I would like to raise a thought just for the community to have in mind. I think it would be very easy to look at this as a big pot of essentially free money that we can do lots of good things with and great opportunities to achieve things that need to be funded, that could be good for the world. That would be great, and just to see it as nothing more than that.

But given that the requirement is that all uses of this funding must be for things within ICANN's mission, the choices of the kinds of activities and purposes to where it's put imply an interpretation of how we understand ICANN's mission to be. And that is very significant thing that I would ask you to bear in mind as you develop this and as you develop your process for conducting that analysis.

I'd ask you to think when we are deciding that we can give something to this kind of purpose, this kind of activity out of this part, we are also deciding that ICANN could in future engage in that purpose and - engage in that activity

and pursue that purpose in its own right. It might in the future seek to raise additional revenues after its existing streams to support that kind of activity and that kind of purpose.

If we have decided that it is - this kind of thing is within the mission, that is the nature of the decision that we are taking when we say that this is a potentially authorized form of activity to support from this funding. That is something that I think that impacts on the whole community.

I will certainly now be myself looking to raise greater awareness in my own community of the significance of the work that's being done here on that kind of question. And I hope others will too.

I would ask this group to think about what it can do to continue to raise the awareness of this implication for the interpretation of the mission and to encourage a greater level of response to those kinds of questions in further comment rounds that I hope you will do.

I hope you will look at this question iteratively, so not just as oh well we will consider a category and then we'll make a decision as to whether we consider that within the mission in the abstract but actually progressively as a greater understanding of what is being suggested is made, iterate that analysis. Thank you.

Erika Mann: So currently we are – and please feel to correct me if you don't agree – but currently we're authorized to work on the new gTLD auction proceeds. We're not looking beyond what can happen in the future. And I think we have so much to do to get this structure set up and to have all of the ingredients which we need looking at it from all of the legal and the fiduciary and the - you know, all these, you know, gating architectural gating our environment.

We need to look at them, and this is a lot of work. I think if the community in the future wants to reopen the debate because there is the need to reopen it,

we don't know what's going to happen in ten years or five years or ten years.
Who knows?

I think your point might come relevant, but I think we need to have an understanding that currently we have a pretty rigid understanding about what our role is.

Malcolm Hutty: Erika I wasn't suggesting that you were taking a decision to fund things in the future. I was simply suggesting that in deciding that something could be funded out of this part it was the kind of thing for which a future funding decision could be taken for another move. That was all I meant.

Erika Mann: Thank you so much for clarifying it. Chris please.

Chris Disspain: Thank you Erika. Chris Disspain. I'm now totally confused. So would it be possible to put up the bit of the slides that we had up earlier on the root that had the clause about the ICANN mission, what the money...? I think it was the first - yeah. And it had - it was like a sort of orange color box or burnt amber perhaps. Showing my knowledge of colors. And it was one that...

Erika Mann: Do you want to see the statement or the...?

Chris Disspain: No, the one that said what the money could be used for, that referred to ICANN's mission.

Erika Mann: Maybe the first three which were on the sides which I did.

Chris Disspain: It's one of those ones that has a sort of - you've been going through them. If you just go backwards through the slides they should still be there.

Erika Mann: I can find them. In the meantime I give the floor to Wendy and then we come back to your point. Please.

Wendy Seltzer: Thank you. Wendy Seltzer. I want to disagree with what I heard, the interpretation in Malcolm's comments, that I don't think the decision of what ICANN can fund out of the auction fund proceed is concomitant with the decision for what ICANN can fund out of its other pots of resource collection.

At the time that the auction funds were initially set up, the goal was very distinctly to have this be different from and set aside as they have been from ICANN's reserves and ICANN's other funding sources so that it wouldn't be a substitute for others of ICANN's activities and so that it wouldn't be used as a revenue generator but really more that the auction funds were a by-product of a different decision that ICANN was making as the best way to allocate new gTLDs.

And so we need to find a way to preserve that distinction and not say an allocation here is granting ICANN's scope to go off and exceed the narrow policy dimensions that we have given to us through bylaws and policy-making processes and other internal structure decisions.

Erika Mann: Are we ready to come back to the point Chris wanted to make or can I go to Alan first and you're still searching? It's there?

Chris Disspain: It's up there now, yes.

Erika Mann: Okay.

Chris Disspain: I think this is where I got confused because it says funds – so I know these are suggestions, right? But it says funds should not be allocated to projects that would be normally - that would normally be funded by ICANN as part of its obligations under ICANN's mission.

So what that's - I read that as saying that if it's something that's under ICANN's mission then the fund shouldn't be used for that. So this is where I think there's a bit of confusion here, and I'm not sure what we mean and what

you just said Malcolm. I thought it was the opposite, so I'm completely confused.

Malcolm Hutty: I think that's the opposite to what I was saying as well, but I think what I was saying was consistent with what our legal team have just advised. And I would turn to (unintelligible) comment.

Erika Mann: Sam you want to comment directly? Otherwise, Alan are you to the same topic? Okay then let me take Alan first because he's already long on the list. Alan please.

Alan Greenberg: Okay, thank you. If you go back to the Applicant Guidebook, there was a footnote on what this money should be used for or what we hoped it would be used for. We had no idea how much it was going to be.

We basically said we should do good things for the Internet and Internet users. I don't remember the exact words. You have it? Would you like to read the second paragraph? That was the one. And let me finish and we can go read.

That was before we rewrote the mission. It was a long time ago. We basically said we should be able to do good things which ICANN otherwise wouldn't be able to do.

We now have the mission. The interpretation of how that the auction funds that we would be jeopardizing our tax status if we violate – if we go against our mission – was an issue that we seriously talked about during the chartering process.

And we ended up using words that said projects should not be counter to the mission – a subtle difference but it covered the kind of issue that Malcom was saying that it shouldn't be the thin edge of the sword that says, "Since we now funded a project, it is within mission." Okay.

And I think we really have to - we're going to have to work hard here, despite the legal constraints we're under and the fiduciary constraints we're under to make sure we can use this money for really good things and not just do more of what we do with ICANN operational funds because otherwise we're going to be - I won't use the word something in a way.

Erika Mann: You want to read it?

Man: (Unintelligible)

Erika Mann: Please. Just state who you are.

Jon Nevett: Jon Nevett for the record. Footnote 1 in Section 419 of the Applicant Guidebook says, "Any proceeds from auctions will be reserved and earmarked until the uses of funds are determined. Funds must be used in a manner that supports directly ICANN's mission and core values and also allows ICANN to maintain its not-for-profit status.

Possible uses of auction funds include formation of a foundation with a clear mission in a transparent way to allocate funds to projects that are of interest to the greater Internet community such as grants to support new gTLD applications or registry operators from communities and subsequent gTLD rounds, the creation of an ICANN-administered community-based fund for specific products for the benefit of the Internet community, the creation of a registry continuity fund for the protection of registrants ensuring that funds would be in place to support the operation of a gTLD registry until a successor could be found, or establishment of a security fund to expand use of secure protocols, conduct research and support standards to development organizations in accordance with ICANN's security and stability mission."

Erika Mann: Sorry. Alan, this is an old hand?

Alan Greenberg: Sorry, that is the old hand. The phrase I was referring to was for the benefit of the Internet community.

Erika Mann: Okay then Sam can you still wait? Then I go back and have the debate and take you maybe a bit later. Chris and Elliot and (Sharim).

Chris Disspain: Thank you. So again I'm not 100% clear what the status of these orange boxes is but it seems to me that funds should not be allocated to projects that would normally be funded by ICANN as part of its obligations under its mission.

It's not really that different from what it says – rather in the Applicant Guidebook it says the opposite except it doesn't say obligations. It says a different word. So I think we have a - there's an issue there I think.

It says - I'm trying to find the words here but in a manner that supports direct - so funds must be used in a manner that supports directly ICANN's mission and core values is what it says in the Guidebook. And that says should not be.

Erika Mann: Yes, I want to explain but go ahead.

Marika Konings: Yes so this is Marika. So the buckets identified here are based on the comments that were submitted. They're not derived from anything else. But just to note I think at least from what I derived from some of the comments that were made as well throughout the deliberations, this goes to the view that some have that for example projects that are now run by ICANN shouldn't suddenly be applied from the auction proceeds. I think some of that - you know fellowship.

ICANN runs a fellowship program. Just because it fits with ICANN's mission it shouldn't suddenly now become an application through the auction proceeds because ICANN thinks it's easier to get the funds there. I think

that's a bit - at least just from those that have made that comments if I'm not incorrect.

Erika Mann: And what might help actually for us is to bring little windows in there where we will have the complete mission statement on the document which will then help us - everybody who evaluates then they can immediately see what the context is. It makes more work but I think it might help us in the future. Elliot and then (Sharim). Elliot, Elliot.

Elliot Noss: The reading - sorry, Elliot Noss for the record. I think the reading of the statement from the Guidebook really does a nice job of framing the nature of what a stress test would look like. And I'll be specific. You know, I think that there are a number of specific suggestions there that are just a bucket and a bunch of precatory wishes and that's nice and they could be part of the discussion.

But I think the two elements from that statement that we need to focus on in this group are first "and its core values," because that is something that is more than the mission. So that's kind of the expansive language that's in the Guidebook.

And then there's the restrictive language in the Guidebook - "won't cost ICANN its not-for-profit status." So I think there that does a beautiful job of setting the two poles on what stress testing we need to do to try and make our exercise as expansive as possible without costing them their not-for-profit status. So I thought that was great. I thought the reading was very helpful. Thanks.

Erika Mann: Yes. (Sharim).

(Sharim Challibi): Sorry, just a very quick comment.

Erika Mann: (Sharim Challibi)

(Sharim Challibi): (Sharim Challibi) speaking. Hearing what Jon just read from the Applicant Guidebook and what Chris and Elliot said, I kind of agree with them. It seems that the text in the Applicant Guidebook provides a better context for the - sorry, there's a...

Man: (Sharim) you want to switch mics? Try this one. There you go.

(Sharim Challibi): Ah, thank you. I'm not going to repeat. I'll continue. The orange bit, the first one, doesn't set the context properly in my view. I think what was said in the Applicant Guidebook is a more complete context.

And that's why the comments underneath then are really contradictory to what the Applicant Guidebook said. So it's just an observation that perhaps the orange bit ought to be written slightly longer and with more context so people then can make comments within that context. Thank you.

Erika Mann: Yes we will do a review. But keep in mind these both – so the orange header and then the topics raised below – they relate to replies from participant and members. So we are not going to change them because this wouldn't be fair.

But we will do a second round and we will have a second round of comments and the debate from today. So you will receive a new merged document. We will see how this will look. Sam I would love to have you - Asha can I take Sam first? Okay, fine. Thank you. Sam please.

Samantha Eisner: Thank you. So Malcolm I really appreciate your comment and the way that you framed it. And I think, you know, a lot of the conversation that's happened in the past 15 minutes has really focused on the concept of there are things that ICANN does today – and as Marika said, those are – that often is what people are referring to here as maybe those are the things that shouldn't be funded.

But again no decisions have been taken yet as to the application of any of these. But then also there is a world of things that ICANN doesn't yet fund that could be within mission – and as Malcom stated – if there is a determination through the recommendations of this group that are accepted, that that would also equal the possibility that it's appropriate for ICANN to do that in the future. And I think that that is a really important concept to keep in mind.

Erika Mann: Thank you Sam. Kurt, can you keep it short please? I have Asha first and then Kurt, so apologies. Asha. Do I have somebody else overlooked?

Woman: Wendy.

Erika Mann: Oh, Wendy, apologies. Short please. We have two more points to cover.

Asha Hemrajani: Erika I'll pass because Sam just mentioned what I was going to talk about. And I'd like to hear what the others have to say because I think there is some misunderstanding here. But I would actually direct everyone's attention to the second box. "Funding should not be used for classic ICANN operations funding" except - that box kind of clarifies a little bit more what the orange box is meant to say. Thanks.

Erika Mann: Thank you. I forgot who it was. Kurt and then Wendy quickly.

Kurt Pritz: The Guidebook also mentioned the word foundation and I don't know how much thought's been put into that. But foundation connotes an ongoing funding source from which we take but don't exhaust and use it in a way that it goes on and on. So would like the group to consider if it hasn't, you know, creating a foundation that is ongoing rather than one that sort of exhausts the funds and then it's over.

Elliot Noss: Thank you. And thank you Kurt for setting me up to say what I have said in every auction discussion going back to the ones preceding the CCWG. I

strongly feel – and we've had direction I believe including from board members – that this is a one-off exercise that we should not institutionalize a foundation. That would be a grave mistake. If a foundation is appropriate, it should be done separately from this process. Thank you.

Erika Mann: But it's a debate we need to have. So the discussion is not finalized yet. Wendy and then I would love to conclude this debate.

Wendy Seltzer: Wendy Seltzer, very briefly, just noting there are multiple sources of restrictions on what ICANN can fund. You know, some of those are, you know, at the highest level articles of incorporation and bylaws. Others are internal processes and the limitations that we as a community have created within the corporate structures.

And so we're not in this group proposing to abrogate those other structural limits by saying auction funds might be used for something different from what other process discussions might produce.

Erika Mann: Thank you so much. Erika Mann. Marika, can you summarize the action points quickly?

Marika Konings: Yes. Thank you Erika. This is Marika. So thank you everyone for your helpful input and contributions. Your first action item is we'll be recirculating these documents after the meeting. Staff will do a quick check to make sure that we didn't leave anything out.

And then the question for you is you need to review this, identify are there any buckets missing? Do any of the buckets need to be reworded? There have already been some concrete suggestions for example to reword this first one and to provide that input ahead of the next meeting.

In parallel to that, staff will go ahead and create surveys for charter questions number 4 and 7, looking at the initial input that was received and seeing if we

can derive some possible responses to those questions. We'll share a preview with you so you can have a quick look and make sure that that meets your expectations. And then we hope to launch that prior to the next meeting.

So we'll have the responses to those questions available and we can start the conversations around those two questions. I think that's all I had noted as our comments.

Erika Mann: Thank you so much. Erika Mann. We had one more item on the agenda which is actually pretty important. This was Point 6, start a process to identify questions for our external experts.

So we decided in some previous meetings that we will have meetings, call meetings, with experts which have experience in funding environment. So we already have a list identified of these experts. The list is open. Feel free to send us different organizations you have worked with.

Please be so kind, select organizations you know well. And be so kind as well to give us the name of the person you think would be the key person to contact and ideally the contact details.

So what we need to do is actually to at least we thought this would be a good idea to send them a list ahead of questions we identify as important. We will have to give of course a little short information background about what this exercise is about, about, you know, what ICANN is, the typical things we will have to send to them.

We can't assume they automatically understand our environment. And then we will have to - would love to send them few questions which we think are relevant for them to answer in written ahead of the call we will have with these experts.

Since we will have no time to debate this anymore, I mean we have maybe few minutes, so if somebody has a quick idea and we can take note. But otherwise I wonder Marika if you could maybe do another survey and send this to you as well where you have more time to think about it and send us these questions actually back. Would this be possible or is it a stupid idea?

Marika Konings: Yes this is Marika. It may be easier to do it actually as a Google doc because that at least allows others to see which questions have been identified and just add to what is missing.

Erika Mann: Can you all work this Google doc?

Marika Konings: We could put it on the wiki as well.

Erika Mann: Yeah? Okay we do Google doc and wiki so in case somebody can't use it. Okay I think that's a good idea. If that's okay, anybody have a quick point, comment to make right now? No, okay.

Then let's proceed like this. And then the last item on the agenda is actually our next meeting, which is on Thursday – ah, it's in a week. So it's not even in two weeks.

Marika Konings: No, two weeks.

Erika Mann: It's in two weeks?

Marika Konings: Yes.

Erika Mann: Ah, then I lost a week. So July 13 at 14 UTC. Thanks, yep.

Marika Konings: Yes this is Marika. If I can just remind everyone the schedule of meetings is in our work plan. We will continue on the every-two-week schedule. So if

you're wondering about the dates, just look at the work plan that's on the wiki that has the dates in there.

Erika Mann: And thank you so much for participating today. Hope to see you at our next call and thank you so much and have a good day.

END