
ICANN Transcription
GNSO New gTLD Subsequent Procedures Working Group
Monday, 11 May 2020 at 15:00 UTC

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<https://community.icann.org/x/voPsBw>

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<http://gns0.icann.org/en/group-activities/calendar>

TERRI AGNEW:

Good morning, good afternoon, and good evening. Welcome to the New gTLD SubPro Working Group call, taking place on the 11th of May, 2020.

In the interest of time, there'll be no roll all. Attendance will be taken by the Zoom room. If you're only the audio, could you please identify yourself now?

Hearing no one, I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

As a reminder, those who take part in ICANN multi-stakeholder practice are to comply with the expected standards of behavior.

With this, I'll turn it back over to our Co-Chair, Jeff Neuman. Please begin.

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

JEFF NEUMAN:

Thank you very much. Sorry for the little bit late start today. We just had seen that some people had to update their Zoom, so I just wanted to give an extra minute for that. Thank you for bearing with us.

The agenda, as always, is up on the screen. We're going to spend the entire time talking about predictability and how to solve some of the issues from the last round with respect to predictability.

But, before we do that, let me just ask to see if there are any updates to any statements of interest.

Okay. Not seeing anything on the chat or any hands raised.

Then just a couple more administrative items. Last Thursday, you hopefully will have seen that Steve sent around the third package of draft final recommendations. This package included continuing subsequent procedures, applications assessed in rounds, application submission limits, RSP pre-evaluation, application freedom of expression, and universal acceptance. The deadline for those comments is May 14th at 23:59 UTC. As with the other two packages, if you could please use the form to fill out the comments. That form, just a reminder, wants you to put the exact language from the section and what you would propose in place of that as to what you can live with. That would be the most helpful. If you look back at the workplan, you'll see that, in a couple of weeks, we will start talking through the first three packages of materials. So it's very important that you get that stuff in. We post all of that up on the ... If you look at that e-mail from Thursday, you'll see the [community.ICANN.org](https://community.icann.org) link to all of the comments that we've already received.

The other administrative announcement is just a reminder that our next meeting on the 14th, on Thursday, will be an extended meeting (a two-hour meeting). The primary topic for that will be closed generics, though we may have some leftovers from today as well to continue.

We will send out the materials for the [closenert] within a couple hours.

Any questions before we go on to predictability?

I'll just look at the chat and see if anyone has got their hand raised. No. Okay.

As we open the topic of predictability—the link is ... Well, was up on the screen. If someone could type in the link if you follow along in the Google Doc. Thank you, Julie. What you'll notice is that the section in the main part of the materials is very short. In fact, it's really just a recommendation to adopt the framework that's in the annex. So the bulk of our time really is going to be to focus on the annex. The first recommendation just adopts the predictability framework and talks about the SPIRIT Team. The second recommendation deals with an issue of refunds. We'll get to the issue of refunds, I think, later, after we talk through the rest of this section. So I don't really want to spend too much time focusing on this recommendation in the sense of the body of the text and really want to jump to the annex

But, before we do, is there any questions on just what the recommendation itself says? Obviously, the details are in the annex.

All right. Let's jump to the annex. As we do that, I want people to remember what we've discussed over the past several years. I know it's been a little while since we've addressed this, but certainly we've addressed this a large number of times—not only the full group but there is a work track and then there was the initial report and many comments that we've reviewed. Ultimately, at the end of the day, the working group, as well as most if not all of the comments agreed that there was an issue with predictability in the 2012 round: there were lots of things that came up that didn't have a formal process to go through, both policy and what I'll call non-policy. I'm trying to stay away from the term "implementation" because that as well has connotations. I'll just say policy and non-policy items. For the policy items, the GNSO has had a working group process to deal with policy and implementation, but, for the non-policy items, that may not neatly fall into implementation. There really is currently (and certainly was not back in 2012) any formal way to deal with all of those. In the 2012 round, if any issue would come up, the Board, when it got around to tackling the issue, which wasn't always right away and, in a lot of cases, could have been several years down the line, essentially make it as they went along. Yeah, they got it right a lot of times, according to some people. They may not have gotten it right all the time. The goal is to help provide a more efficient, speedy resolution to issues of different natures that come up.

I also want to point out that what's very important is that this predictability framework and the things that are easier are meant to incorporate the GNSO processes, not replace them. So the GNSO always has the ability to start a PDP on a subject or the

GNSO guidance process or the EPDP. I believe there's a couple of other mechanisms at the GNSO's disposal.

But what we established here and what seemed like got a good amount of support during the several comment periods was the creation of a standing panel. I want to go over this before we get to the details of the standing panel to just remind everyone of the different types and natures of changing that could happen and did happen in the last round so that we can understand what process to apply to it moving forward, or at least the recommendations in here to move forward.

Just starting at the top of the annex, just a general overview language: The predictability framework will be used to address issues that arise in the New gTLD Program after the Applicant Guidebook is approved, which result in changes to the program and its supporting processes. The predictability framework seeks to ensure that the issues are managed in a predictable, transparent, and fair manner.

Paul, you have your hand raised. Please go ahead.

PAUL MCGRADY:

Thanks, Jeff. I was just typing into the chat. Do you want questions as we go, or do you want to be given the opportunity to read through it once and then go back to the top and take questions? Sometimes we badger you with questions, which I think you're okay with. But which would you prefer? Thanks.

JEFF NEUMAN:

I think section by section. So, for now, don't ask a question about the SPIRIT team, but you have questions on the different types of changes or the premise for, I guess, the need to have a predictability framework, I think now is the appropriate time. But, if its detailed questions about the SPIRIT Team, I would prefer to wait until we have set the stage for that, if that makes sense.

Paul, was there a question on that, or are you waiting for the later details?

PAUL MCGRADY:

There's a question on this—the first paragraph—which is, what does it mean when we say, "which may result in changes to the program and its supporting processes"? Does that mean that the program will be changed as it goes? Or does it mean that a round could be shut down? Does it mean that an application could get kicked out? Does it mean that the next round can be halted? What do we mean when we say "may result in changes to the program and its supporting processes"? Because I don't support the idea that the SPIRIT could be able to stop a round, create indefinite delay, target specific applications, or keep the next round from happening. I think that those things shouldn't happen in the perfect world, but I would say that, at a minimum, if extraordinary things like that would happen, it would be the Board and not the SPIRIT. So can we just have a discussion about what this means when we say "may result in changes to the program"? If it's changes to the program, like, "Oh, yeah. Well, here was a problem in this round that we can fix in future rounds," as long as we're not shutting down the next round—in other words, we don't get SubPro-ed forever with eight years in between while the SPIRIT

tinkers—I think that's fine. Whenever the SPIRIT's change gets through and it's effective before the next round opens—whenever that is—that makes sense, but how much power is this thing going to have? Thanks.

JEFF NEUMAN:

As we get into more of the details below, you'll see some of that. The overview is meant to be incredibly general. Anything can come up. The result of what happens with the issue that comes up is dictated by the type of issue and the process in which to deal with it.

So what you'll see below is that very little could result in the stopping of a round, but there will be issues that come up, or could very well be issues that come up, that do result in a change for unforeseen circumstances. You could have, for example ... I'll make something up. Let's say everything is going along fine, applications are accepted, and then the state of California passes a new law that bans the type of random drawing that we're contemplating doing. So something needs to happen. That thing that needs to happen and the way in which we get to that thing that happens is this framework.

But you're right. There are some changes that will have a result that may be more material to applicants than others, in which case there are things in this annex that attempt to deal with that.

So this overview sentence is meant to be very general. Any issues that arises that could result in a potential change, whether that change is minor or major, will follow this framework. We're talking

here about a process, not an outcome. Hopefully, that makes sense, although there are certain outcomes, as you'll see below, which may or may not follow, depending on what the issue is. And that's very vague.

Okay, Paul. Yes. Understood that you're concerned with lobbying. When we get into the details of the SPIRIT, we will certainly address that. We'll try to figure out ways in which to lessen those concerns.

Alan, go ahead.

ALAN GREENBERG:

Thank you. My understanding of this section was that it is an attempt to minimize the impact of addressing things that we didn't think of. But I think the current situation the world is in right now shows we're not always all that good at predicting exactly how things will unfold. Things happen, and they could happen in really disastrous ways. And they could do some of the things that were being predicted, including shutting down the whole program, never doing it again, and making radical changes. But this is an attempt to make sure that doesn't happen unless it's truly warranted. At least that's the way I understood it. Thank you.

JEFF NEUMAN:

Yeah. Thanks, Alan. Yeah, this is meant to be the process that leads to the types of outcomes that can happen because it's any issue—I'm being very vague ... There may, in fact, as Alan said, be issues so major as to put a stop to the program, but hopefully

that won't be the case. But, whether it's a minor or major issue, we will have, hopefully, this process in place to deal with it.

This next section tries to deal [with and categorize] types of changes because, after all, the types of changes that should dictate the process that's followed in moving.

The first types of changes deal with the changes to ICANN organization internal processes. There's a description for each of these, and then followed by examples. The descriptions here are minor changes, which are defined as a change to ICANN Org's internal processes that does not have a material impact on applicants or other community members, change applications, or any of the processes and procedures set forth in the Applicant Guidebook. This usually involves no changes to the Applicant Guidebook, including the evaluation questions or scoring criteria but may involve the way in which ICANN Org or its third-party contractors meet their obligations under the Applicant Guidebook.

Examples of this type of change would be things like a change in internal process workflows for contracting, pre-delegation testing, changing backend accounting systems, ICANN Org selecting or changing a subcontractor to perform assigned tasks under the Applicant Guidebook, where the original selection process did not involve feedback from the ICANN community, ICANN Org rolling out an organization-wide change that includes the New gTLD Program processes but nevertheless has no material impact.

So, for these types of changes, if we can scroll down a little bit, these are minor ICANN Org internal process changes. For these,

we say that they can be implemented with ICANN Org without the need for consultation.

The next category of changes—oh, sorry, Paul. Hand up. Go ahead.

PAUL MCGRADY: Thanks. Can we go back up to the paragraph that we skipped? There's a paragraph: "The GNSO Council, ICANN Board, or ICANN Org may identify an issue or proposed program change that needs to be analyzed to determine in which category it belongs. The category will assist in proposing an appropriate course of action for handling the change." So the category will assist who in proposing an appropriate course of action? Do we mean to put in SPIRIT there?

JEFF NEUMAN: Well, it's meant as guidelines to the community. Ultimately, the SPIRIT Team, if that's the course we take, will be responsible. But the GNSO Council, as you'll see, which as supervisory authority, could always take that authority and say, "No, we disagree. We think this is of the major type as opposed to minor." So these are meant to be guidelines for the community. Ultimately, I suppose you could have either of three of those try to classify it, but there are checks and balances in the system.

PAUL MCGRADY: Yeah. So, for the second sentence in the first paragraph, I think we need to say, "The category will assist in proposing an

appropriate course of action for handling the change as outlined below:,” so that we know that’s what we’re doing with one, two, three—whatever.

For my big concern that the SPIRIT will become a new thing to lobby, can we put “only” before “the GNSO Council, ICANN Board, or ICANN Org may identify”? In other words, we don’t want the SPIRIT to be the party that is lobbied that then identifies an issue that is sent to the Council, Board, or Org, that this needs to be from the Council, Board, or Org because there are no checks and balances on Org in terms of approaching them. The ICANN Board, I suppose, has an internal check because there’s more than one Board member. And the Council has so many checks that it can’t get anything done. So are we okay with putting “only the GNSO Council, ICANN Board, or ICANN Org may identify”? Because we can’t just jump into the bottom of the funnel. We got to figure out where’s the top of the funnel. Thanks.

JEFF NEUMAN:

Thanks, Paul. Let me see if there’s comments from anybody else on that. The intention here was that it was only those three because of the reasons that we’ve talked about on a number of occasions. So let me just see if anyone would have any issue with making it much more clear that it is only the GNSO Council, the ICANN Board, or ICANN Org that may identify these types of issues.

Martin seems to support it. Anne, go ahead.

ANNE AIKMAN-SCALESE: My question there, Jeff, is, are we trying to say that the members of the SPIRIT Team are unable to raise questions even by majority of the SPIRIT Team raising with the GNSO Council as to how they want to handle an issue? It seems like, with the people who are on the SPIRIT Team, there's some kind of concern in the team during that phase that, once they carry a concern to Council and ask how it should be dealt with, that should be permissible and included.

JEFF NEUMAN: I think what we're saying is that the Council would need to get behind the request—or ICANN Org or the ICANN Board. So, in theory, anyone can come up with an issue, but they have to convince one of these three bodies that there really is an issue that's worth addressing. So it is not—

ANNE AIKMAN-SCALESE: The word “identify” is not the correct word then because I'm thinking the SPIRIT Team is able to identify issue but they can't give themselves assignments. That'd be Paul's point: they can't assign themselves an issue that doesn't have a higher authority saying, “Yeah, dive into that issue.” But they could identify issues. They just can't proceed on spending time and money resolving them without ...

JEFF NEUMAN: Remember that some of these types of changes, like the types we were just talking about—the operational minor—are not going to be for the SPIRIT Team at all. That's a completely ICANN-internal

type of change. So it's not the SPIRIT Team that's identifying anything there, which is why this is meant to be guidelines to the community: if they want to raise an issue that involves the New gTLD Program, it has to be raised by ICANN Org, ICANN Board, or the GNSO Council. I don't think we wanted to use the word "raise," or we didn't use the word "raise"—although we can—to not cause confusion with the [PDP].

ANNE AIKMAN-SCALESE: You could say, "Assign[ed] an issue to the SPIRIT Team," or some other ... What you're trying to do is determine what initiates work by the SPIRIT Team, but it's not correct to say the SPIRIT Team cannot identify an issue.

JEFF NEUMAN: It's to identify issues that work through this funnel, as Paul explained it. It's not to identify issues that go to the SPIRIT Team, because some of them don't, as we go through this because we haven't gotten to the process yet for the operational [ones]—actually, no; sorry, we did—which is that ICANN can handle it. I think this is worded very general for a reason. It's to cover all four of these situations, and not all of them involve the SPIRIT Team.

I see what Justine has put in the chat. Again, it says, "[Earlier] formation of a SPIRIT Team as the body responsible for reviewing potential issues related to the program to conduct analysis ..." Right, but they don't raise the issues by themselves. They have to get one of these three organizations to formally bring the issue to them.

ALAN GREENBERG: Jeff, can I get in? I think I can address it.

JEFF NEUMAN: Thanks. Go ahead, Alan.

ALAN GREENBERG: The word that's bothering Anne—it bothered me as well, which is why I raised my hand—is the word “identify,” which is the act of discovering the problem/the issue. Joe could have identified it, but Joe can't take action on it. Only one of these three groups can take action on it. So Anne, I don't think, was saying the SPIRIT Team will be in the path of every issue that may come up, but they may be the ones for whom the lightbulb came on and said, “This is an issue that we need to address under the predictability framework.” So the word “identify” is the act of finding it, and that's the one I think she's questioning and I was questioning also.

JEFF NEUMAN: Okay. So what would we change that then to? “GNSO Council, ICANN Board, and ICANN Org may ...” Do we just want to go back to “raise an issue”?

ALAN GREENBERG: “Take action on an issue.”

JEFF NEUMAN: Okay. How do people feel about that?

Paul, you're in the queue.

PAUL MCGRADY: Sorry for the delay. I'm using a web-based format because I was told my app is out of date. I have to fix that.

I am okay, if we can put "only" before, "the GNSO Council, ICANN Board, or ICANN Org," and swap out "identify" with "initiate." I don't like "take action" because there's a lot of people who can take action further down to do something. I like "initiate action": "Initiate action on an issue or proposed program change," or something along those lines. For me, the "only" is the key because, otherwise, we're just going to have a [leaky] lobby situation here with the SPIRIT. So "only" has not made it up in brackets before "the GNSO Council," so I'm going to keep saying it until does because I think it's important. I think it's the key to understanding how this funnel is going to work because, otherwise, if these things can come from anywhere, then they will. If we say, "the GNSO Council, ICANN Board, or ICANN Org may," and we don't say other people can't, then other people will and they'll point to this language as vague. Then we'll have a big old mess. So "only" still is not there in the brackets. I hope it gets there because I think it's key to make sure this funnel works. Thanks.

JEFF NEUMAN: Thanks, Paul. Can we put in brackets, before that paragraph, the word “only”? There we go. I see they’re going to do it. Okay. While they’re—

PAUL MCRADY: And “identify” should come out. Sorry.

JEFF NEUMAN: Right. So let’s go the proposal, which got some support from Anne. It would be, “Only the GNSO Council, ICANN Board, or ICANN Org may initiate action on an issue.” So, if we cross out the word “identify”—all right—and then just highlight the “initiate action” because that seems to have some support ... okay.

After that’s done, we’ll jump down to the ... Could we just highlight “initiate action on”? Because I think that’s the one that has more support. Okay.

Let’s go to the second type of ICANN Org internal process change. That’s Part B. These are non-minor. The description here is: “These are changes to ICANN Org’s internal processes that have or that are likely to have a material effect on applicants or other community members. Examples include a change in ICANN Org’s internal service level agreements related to contracting or pre-delegation testing that adjust the overall timeline or changes made to the workflow for handling change requests—for example, a procedural change rather in the change in the scope of allowable change requests.”

So, if ICANN has it in the guidebook that all string similarity results will be announced with 45 days after the applications are submitted but it turns out that, due to the volume and other reasons, it now has to be 90 days, then this would be considered a non-minor change to an ICANN internal process.

“Therefore, all non-minor changes to ICANN Org’s internal processes must be communicated to all impacted or reasonably foreseeably impacted parties prior to deployment of the change.” So we’re not saying here that anyone else needs to be in on the decision to agree or not agree to it but that it must be communicated to the impacted or reasonably foreseeably impacted party. So, if there’s going to be a delay in the timeline, then they would have to notify at least all the applicants and anyone else that might be impacted by that delay, which could include those that are filing public comments or objections or that have announced that they will. So these are what we’re calling non-minor operational internal changes.

If I look at the chat—although, Paul, you got your hand raised. So, Paul, do you want to just cover what you had?

PAUL MCGRADY:

Sure. For 1A and 1B, should we spell out that these things would not trigger the SPIRIT?

Then, more substantively for B, do we want guardrails around this? Because we say that changes to the workflow, changes in timelines ... With the way this is written now, it would be a non-minor change, and ICANN staff could simply say, “We’re delaying

the gTLD program for three years,” because that’s a non-minor change to the process. But that would be a major change, right? But, again, we’re calling it non-minor. So I think non-minor equals major. I think.

So, in any event, I think we need guardrails around this. I don’t think that staff should have a complete right to stall or halt around with ... I think that’s definitely a decision for the Board. Thanks.

JEFF NEUMAN:

Okay. Can we scroll up a minute here? Just to the first page of this annex. Yeah. It would be weird to say here, for 1A and 1B, that this doesn’t involve the SPIRIT Team because we haven’t even mentioned them yet. I think, when we get down to the SPIRIT Team, we can make it clear to which type of changes that that applies. But it would just be weird with a one-off reference to a SPIRIT Team that hasn’t been introduced yet in this document. But I think your point is clear: 1A and B are not for the SPIRIT Team to address.

On the other one, non-minor may be material. We used the term “non-minor” because we didn’t want to get into the whole “what’s the classification of material?” versus something that may be important but not minor.

If we scroll down, back to the annex—a little bit more—Paul, I’m still trying to figure that out. Let me see if Anne can help a little. Anne, go ahead.

ANNE AIKMAN-SCALESE: I recall that the intention with respect to the SPIRIT Team was that it's a form of implementation review team that is standing—a standing panel—and that [inaudible] in relation to predictability. So it was not my understanding that there would be rules that would exclude the SPIRIT Team from consulting with staff, for example. I had understood it to be collaborative relationship with staff in a similar manner that IRTs work with staff before this point in time, so I wouldn't see it as a mechanism where, if you've defined the change or proposed change a certain way, you don't have to talk to the SPIRIT Team about it. Rather you'd have categories of changes, and staff would work with the SPIRIT Team, and everybody would agree what category they're in.

JEFF NEUMAN: Remember, these two types of changes that we've been talking about are solely ICANN internal process changes. They're not new processes. They're not processes that have other parties necessarily doing other things. We need to give some flexibility to ICANN to be able to do what it needs to do for internal processes without always burdening them with the SPIRIT Team or anyone else. Of course, they're free to consult with the SPIRIT Team if they feel like they want to, but remember, these two types of changes are changes to internal Org processes. Once we get to a new process—something that hasn't been thought of—in the next one, that's where we get into the ones that could or should involve the SPIRIT Team.

ANNE AIKMAN-SCALESE: Yeah, but, of course, whenever ICANN Org changes a process, you always have the possibility for GNSO Council to come in from one of its annexes and say, “We don’t quite agree with you on that.” There’s always the ability for GNSO—

JEFF NEUMAN: I’m not sure that that’s so true. I’m not sure that GNSO Council has a right to step in, let’s say, if ICANN is going with Oracle backend servers as opposed to ... and then decides to change to some other company’s servers to handle. I think it’s irrelevant—what the GNSO Council says. I don’t think ICANN Org or Board would have to entertain anything the GNSO Council have to say on something like that. Now, they probably would because it would look horrible to ignore, but—

ANNE AIKMAN-SCALESE: Well, it always goes back to “One man’s policy is another man’s implementation.” If security and stability issues are somehow implicated by that sort of change within ICANN Org, then you can get into a whole kettle of fish. The issue: I’m not sure it makes sense to strictly define out and say, “Well, here are the types of decisions that neither ICANN Org nor GNSO Council nor the SPIRIT Team ... Here are issues that nobody can touch.” I don’t think that was the intent of the predictability framework. The intent was—[the] cooperation—was that this would be a predictability IRT.

JEFF NEUMAN:

Yeah, I think that's true, although we also need to have some sort of balance between creating a bureaucracy for something that is literally only an internal change—certainly for Category A—that doesn't have any kind of impact. ICANN is appointed as the authority to do this kind of thing. So we don't want to create too much of a bureaucracy in there. That hamstrings everything, but I take your point that we also are developing this predictability framework for a reason.

Paul, go ahead.

PAUL MCGRADY:

Thanks. I think that this section just needs guardrails or else we're implementing an unpredictability framework. So what does this mean. With the way it's written now, ICANN Org can make changes to its current internal processes. Well, once you put in your application, the current internal processes are everything. So can ICANN Org suspend a round? I'm not for that. Can it suspend something for 30 days because they need to implement a new software? Maybe. That at least seems reasonable. Can it suspend review of applications for 120 days? Well, that's a whole lot of delay. So this is just a blank check right now. We really have to work on guardrails here if this is going to make any sense. Otherwise, we're just, like I said, having an unpredictability framework. That defeats the entire purpose of this exercise. Thanks.

JEFF NEUMAN:

Thanks. By classifying it into these categories –maybe a check and balance we can add on the classification—that’s what we’re trying to do: establish the guardrails. So, if we think that there needs to be a check on this to say that the SPIRIT Team can please or go to the council with their recommendation to change the qualification, that could be. But these are the guardrails. So, if there was no disagreement that something was an operational, non-minor change that could be handled in accordance with this, then that should go through. So maybe it’s a check and balance on the classification, and maybe that would solve it. But these classifications are the guardrails.

Alan, go ahead.

ALAN GREENBERG:

Thank you. I just put it in the chat and forgot to lower my hand. It’s really a question of whether the changes will have substantive impact on the applicants. Things that are going to be effectively invisible and have to [inaudible] are clearly in the minor category, even if they’re physically a major change. Ones that will have substantive impact are going to have some sort of community oversight, even if it’s to say, “Yes. This will delay things by three years because the building blew up and we’re going to have to build a new building first.” Then so be it. But it’s really the impact that guides to what extent there is involvement, I would think. Thank you.

JEFF NEUMAN:

Thanks, Alan. I see Paul's: "Alan, but non-minor changes will have a substantive impact on applicants." Well, then they're not ... yeah. So non-minor changes—right—could have a ... ugh. I hate using "substantive" because then you get into a debate of substance versus procedures. But they certainly will have an impact on applicants or material effect on applicants, whether it's procedural like a suspension or substance like a change to what an applicant can or can't do.

So this is not attempting to write a blank check. I would ask that we help to think about ways that we can ensure that it's not a blank check. Maybe that's just in giving a right to the SPIRIT Team and/or the GNSO Council to request a change to the classification of the issue.

Kathy and Anne are making the point, which is what I'm trying to get away from, which is the difference between implementation and policy. This is why we don't mention, in this section, policy.

Paul, you'll see that come up a little bit later—the suspension of a round, a delay, and all that stuff. So hold onto those thoughts until we get later into the section.

Anne, go ahead.

ANNE AIKMAN-SCALESE: It's the age-old debate as to how an issue is classified—whether it's policy or implementation, whether it's substantive or minor/non-substantive—that actually creates the name for the SPIRIT Team and the involvement of the SPIRIT Team. You give examples, and the examples are helpful and they're things that

look like, “Hey, we can all agree on this.” But what we learned previously is that issues arise where they’re not obvious and that people don’t all agree on and one person thinks it’s policy and the other thinks it’s implementation. So some tools were developed to deal with that at the council level, but this is an effort to deal with it more quickly at lower level so that issues can be worked through. I think, for that reason, we shouldn’t be trying to exclude the SPIRIT Team from working with staff on how these issues are classified.

JEFF NEUMAN:

Justine says—then I’ll come back to what Anne just said—“The recourse for an impacted applicant or community against a 1B—this is an operational, non-minor issue—is to appeal to the GNSO Council, ICANN Board, or Org on a classification of the issue.” I think that’s what we’re getting to: to have some mechanism to deal with a disagreement on classification. But, again, it can’t be just one person that says, “Hey, I disagree with the classification, and therefore it needs to have all these processes associated with it,” because that could be abused as well. So I think the note here is to make sure we deal with disagreements as to classification.

Paul, go ahead.

PAUL MCGRADY:

Thanks. Responding to Justine, yes, or an accountability complaint. But appeals to Council, Board, Org or to the arbitrators all come with great cost and expense and delays which could be longer than the cost and expense and the delays of the material effect that we’re handing ICANN staff a blank check to write.

So I guess I'm not understanding, Jeff. What's the concern about building in guardrails here? I've proposed four off the top of my head: this can't suspend around, a delay can't be more than 30 days, it can target specific application types, and it can't delay future rounds. Why not put those up there in brackets and let the working group talk about those things? This is very wide-open language. I know I'm being told, "Wait for it. It's below," but I guess I don't understand: what's our concern about building guardrails here? Thanks.

JEFF NEUMAN:

Well, there's none. I'd just like to get through the different types of changes and then come back. But the four guardrails that you mentioned—that would be me; I need to scroll up to read the comments—would be the "cannot suspend rounds, cannot delay more than 30 days, cannot target ..." So are you saying that, if it's going to be one of those, then it needs to fall ... where? So, if ICANN has a security breach, let's say, and they need to patch it up, but its going to take longer than 30 days ...

PAUL MCGRADY:

Then the Board can act.

JEFF NEUMAN:

Well, the Board can always act.

PAUL MCGRADY: Correct. But if you want 90 days for security breaches, well, let's put that down as a guardrails. That's something we can talk about. I'm just throwing these things out here as ideas so that we can refine them. You've already said, "Well, I don't know. 30 days doesn't sound great from a breach notice." Okay, well, let's talk about that. But there's a difference between trying to identify and refine guardrails. That to me seems a worthwhile activity as opposed to just saying the ICANN Org can make changes that had material effect on applicants. Yikes.

JEFF NEUMAN: In order to make that more concrete, then you're saying, if one of those four guardrails were to be triggered, we would then classify it as a ...

PAUL MCGRADY: As not for staff.

JEFF NEUMAN: Well, if we go down a little bit—sorry. ["]Not necessarily a policy-level change ...["] Can we scroll down a little bit more? All right. Sorry. We have to go up again. What if it's a new proposal? It would be—sorry. A little bit above that. If it's one of those four guardrails, then I think we might want to include that as ... 1C? Would that fit? "Framework will be used to conduct an assessment and make a recommendation on whether there may be a policy implication, noting that the changes here are envisioned to potentially have a substantive impact." Yeah, I would think that that we can make one of those four types of

things fall into Category C. At that point, we got to use the framework, which is described below.

PAUL MCGRADY: I think they're needed for B and C.

JEFF NEUMAN: No, no. I'm saying that, if it would normally fall into A or normally fall into B, if it has one of those results, we automatically put it in C, which involves the community, which would go through the SPIRIT Team and all of those other things—all the other checks and balances.

PAUL MCGRADY: Well, let's read C then, if we want C to be the catch-all.

JEFF NEUMAN: All right. Let's read that and then I'll go to Anne. C is the operational new processes. "There are new ICANN Org internal processes that are likely to have a material impact on applicants or community members. Examples include"—these are the two examples we had, which are, let's say, a new public comment platform tool—"a new process or platform that's created to submit an objection." We can add those four guardrails as other examples. Then, "If the GNSO Council, ICANN Board, or ICANN Org identify an issue that they believe to be in this category, the framework will be used to conduct an assessment and make a recommendation[.] There may be a policy implication, noting that

changes here are envisioned to potentially have a substantive impact to applicants and/or community members. Once changes are agreed to, changes should be communicated to effective parties before they are deployed.”

If you scroll down past the category of changes—past #2. Past #3. Keep going. All right. Sorry. Too far. This would involve the SPIRIT Team and/or the GNSO Council procedures. If you keep going, it talks about what happens and who raises the issue and what you do with those issues.

PAUL MCGRADY:

I don't know if I'm still on or not, but, before, we didn't want to reference the SPIRIT because they had not come up yet, but, if we're going to reference the framework, we maybe have to tag the section or something so that we know that what we mean by framework is now a euphemism for SPIRIT.

I would say, “Sure,” for purposes of the three paragraphs we're looking at right now, but, by saying that, I don't want to give the misimpression that I think that the SPIRIT should have the ability to [suspend] or keep the next round for happening or target specific applications or do any of the other nasty stuff. That I don't want to see happen. But for purposes of getting through the staff section? Sure.

JEFF NEUMAN:

Okay. I hear you on the types of remedies that the SPIRIT Team could recommend. We'll get to that when we talk about the SPIRIT

Team. So making 1C a catchall for material non-policy changes ...
Let's go to Anne.

ANNE AIKMAN-SCALESE: Thanks, Jeff. Just to review a little history on this, since the original drafting used to contain words like, "The SPIRIT decide," or, "The SPIRIT make a determination," or whatever, several of us kept raising the fact that the SPIRIT was not empowered to make decisions or make determinations. So you'll see in the working group history that the word "recommend" replaced the words "make a determination" or decide."

So I want to address Paul's concern—I think Justine put it in chat earlier—that the SPIRIT Team is not supposed to be making any decisions or determinations. It's always supposed to be "recommend." They are, however, supposed to be helping staff and others to classify issues/screen issues to see what level of attention they might need because they're a representative group from the community and they're supposed to be fully representative.

The items that Paul mentioned I felt clearly fell into the policy category. I note a couple of other people said so in chat as well. They can certainly be examples that we add to this narrative, but the guardrails, per se, consist of the structure that's being put into place. The guardrails are staff working with the SPIRIT, the SPIRIT making recommendation to GNSO Council, and Council and the Board always having the ability to intervene using their processes to override anything that's going on there. So the

guardrails exist in the structure that's being set up, not in trying to enumerate every example. Thanks.

JEFF NEUMAN:

Thanks, Anne. I think that that makes sense. I think what Paul's concern is, if I'm reading it right, that there are ... What we're trying to do is not have the debate right now of policy versus implementation versus anything up but, like you said, have a process to deal with changes that have the guardrails needed that don't rely on making the assessment policy versus implementation but rather can have the safeguards we all need.

With that said, let's go on to—we mentioned the operational new processes and the two examples—again, what we call possible policy-level changes, again, hopefully with the goal of avoiding the whole policy versus implementation, which is why we say “possible.” So how we describe this is that these are potential changes to implementation that may materially differ from the original intent of the policy and could be considered creation of new policy. An example is the development of an application ordering mechanism, like Digital Archery.

The process here is ... Again, we should probably do a reference here to the SPIRIT Team, but the outcomes here—these are the potential outcomes if it's this type of issue—is that the SPIRIT Team could recommend that the change is not significant, meaning that it's not likely to have material impact on the affected party, and that the proposed change is consistent with the existing recommendations and ensuring policy implementation. The SPIRIT Team could recommend that additional consideration by

the community is needed. In such a case, the issue would be referred to the GNSO Council. The GNSO Council could then use of its processes to handle. Under extraordinary circumstances, there could be a recommendation that the New gTLD Program be halted to a communicated amount of time. In such a case, the triggering mechanism and rationale for recommending this extraordinary action must be provided. All recommendations are subject to review and oversight of GNSO Council [inaudible] discretion on whether or not to adopt the recommendations made to the council.

Sorry. There's a bunch of chat here. Let me just go back. Anne says, "Paul, there's no reason not to [enter] your examples in the right categories. The guardrails are the checks and balances we are building into the system. SPIRIT cannot make determinations. They can only make recommendations." Paul is saying he wants the guardrails on staff. Okay, understood.

If we get onto the fourth type of change (1D)—then we'll get back to the SPIRIT stuff ... Sorry. Third type, even though #1 had three types in it. The description of this one—it's a possible new proposal, so these aren't changes to old proposals; these are completely new things—is "These are new mechanisms that may be considered to be within the remit of the policy development. Examples could be development of a new rights protection mechanism, development of a new contract specification, and creation of new exemptions in the code of conduct. If the GNSO Council, ICANN Board, or ICANN Org identify an issue that they believe to be in this category, the framework"—again, we'll have a section reference—"will be used to conduct an assessment and

recommend the mechanism by which the solution will be developed. Options include”—here are the different options that could be the outcomes. So it’s the same, I believe, as the last type of issue. “All recommendations are subject to review and oversight of GNSO Council, who maintains the discretion on whether or not to adopt the recommendations made to the council.”

If we scroll down—okay—now we get to some more text about the SPIRIT Team. This is what we’ve been jumping to anyway. It says, “Given the unique and complicated nature of the New gTLD Program, the working group recommends that a Standing Predictability Implementation Review Team (SPIRIT)”—we should probably put again here, as we put in the recommendation “pronounced as [“spirit”]—be established to utilize the predictability framework. The SPIRIT Team would therefore be the body empowered to provide input”—again, we don’t say “decisions”—“to the GNSO Council, the ICANN Board, ICANN Org, and the ICANN community on issues regarding the New gTLD Program after the approval of the Applicant Guidebook. The SPIRIT can, for example, review any potential change before it’s made to determine which of the categories as delineated above are relevant to the change. The following is summary of what the GNSO Council, ICANN Board, or ICANN Org is expected to request involvement from the SPIRIT for.”

I think you probably should go through the chart on your own to make sure that we captured what was above. I don’t know if we need to make any changes based on what we just discussed.

Kathy, go ahead.

KATHY KLEIMAN: Thanks, Jeff. Can you hear me?

JEFF NEUMAN: Yeah.

KATHY KLEIMAN: Okay. I'm looking at 3: Possible policy-level new proposals. This doesn't reflect where I remember this discussion ending. Let me just go back to the description. "These are new mechanisms that may be considered to be within the remit of policy development"—so new RPMs, new contract specifications, new exemptions to the code of conduct. I don't understand why these are going through SPIRIT at all. And I don't understand why they're going through the framework, or what part of the framework would be used. It seems like it should not go through any assessment or any recommendation of mechanism from SPIRIT. This is clear policy. It should go through the policy development process. I don't understand why there'd be any further input from SPIRIT. Thanks.

JEFF NEUMAN: Thanks, Kathy. I think, towards the end, you said this is clear policy. I think that's what the SPIRIT is helping to assess: whether it is clear policy. Maybe those aren't the best examples because I agree with you that, if they were to come up with a new RPM, that would be clear on its face. But the role of SPIRIT, if the SPIRIT does determine (if you look down) that it is pure policy, then it

would recommend that additional consideration is needed by the GNSO Council. That would fall under that second sub-bullet.

KATHY KLEIMAN: Jeff, may I follow up.

JEFF NEUMAN: Sure.

KATHY KLEIMAN: As soon as it's policy, SPIRIT should get out. As soon as it triggers one of those three bullets or something similar—"Recommending additional considerations [need]"—SPIRIT should just get out. It goes up to the GNSO Council. These were the clearest examples we could find of when SPIRIT should not be acting or providing input, right? Because these [were] outliers. These were outside the grid of SPIRIT. So I'm not sure why there is this kind of what looks like an extensive discussion development mechanism process going on in these three bullet points. It doesn't seem to apply. Thanks.

JEFF NEUMAN: If we scroll up a little bit, I think that this may be a problem of examples rather than a problem of the description. The point here was to get the SPIRIT Team involved to help make a recommendation as to whether something involves policy or not. If it doesn't involve policy, then there's necessarily no need for the GNSO Council to go through its processes. Again, I think this

might be where the examples do not help the description. I'm trying to think of what we can do about that or whether we could think of examples that may be on the edge of being policy or not to make it more clear.

Let me see what's in the chat. Paul is saying, "I think new contract specifications being included as policy is a misplacement." Okay, Paul. Why do you say that? Because there are others that believe that any new contract specs would need to go through the GNSO? So can you—

PAUL MCGRADY:

Thanks, Jeff. The classic example of this is Specification 13. There was nothing in the policy against the idea of dot-brands or the Applicant Guidebook, which is not policy. In fact, the policy talked about the preservation or the ... I don't have the Paris language in front of me—I apologize—but there was definitely a recognition of protecting intellectual property rights, which .brand [as] Specification 13 falls under. So there wasn't any change to policy, but there was a newly-created specification. It took a long time—months and months and months—and we had to get past staff to get it done. We had to appeal directly to the Board to get it done. So there may be new specifications that simply implement policy. The policy was that ICANN should respect intellectual property rights. Implementation was Specification 13. So, by saying every specification is automatically a new policy, I just don't think that's historically accurate, and I don't think it'd be accurate for the future, either. Thanks. But we still need guardrails, Jeff. Right?

JEFF NEUMAN:

Yeah. That's why the development of a new contract spec, I think, is appropriately in this category. So while you might say that brand specification does not rise to a level of a policy, one could argue that, when Fadi but his new contract up, which added a unilateral right to amend the agreement, that could be policy. That's why you'd have this SPIRIT Team to make a recommendation to the council to say, "Okay. We have these two proposed changes. One is a new spec on brands, and one is new contract provision that adds the unilateral right to amend." It's possible that the SPIRIT Team says, "Okay. GNSO Council, it's our recommendation that the unilateral right to amend could be considered a policy issue, but, GNSO Council, it's our recommendation that we don't think the brand specification rises to the level of new policy," and therefore that would its recommendation.

So I think what we're saying there then is that it does appropriately fall into this category as a possible policy-level new proposal. That would be why the SPIRIT Team would discuss it and make the recommendations. I think the development of an RPM is probably one that will always likely be a policy. So that may be a poor example, but the development of a new contract spec, I think, is one of those that could fall either way.

Kathy says, "The creation of"—oops. Hold on. "The creation of new categories of applications [and] the huge new issue in Spec 13 actually went through very quickly." Yeah, so—Anne, go ahead.

ANNE AIKMAN-SCALESE: Thanks. I think the discussion points to the fact that this is a screening mechanism and not a determination of what categories something fits in. I agree with you: maybe we need to work on the examples. But, in fact, if it is a guardrail to have the SPIRIT Team look at this because ... For example, the SPIRIT Team could say, “We don’t think that’s policy”—whatever change it is. Well, this is the reason that we put into the predictability framework that the GNSO input guidance and EPDP and PDP processes essentially override—I’m being really careful not to use the word “trump”—any of the recommendations that the SPIRIT Team might make. When the SPIRIT Team comes in and says, “Hey, we think this is a policy issue. It needs to go up to GNSO Council,” that’s the category that Kathy is talking about. And council takes a look at it and decides what to do.

In the case where somebody thinks the SPIRIT Team is exercising too much power and they determine it’s not a policy issue, the check and balance on that is that any single council member can invoke one of the processes in the input or guidance or EPDP and overrides the SPIRIT Team. The SPIRIT Team is just the screening process. They don’t make determinations. They’re helpful in that they bring issues to council that are actually policy issues in the point of view, I guess, of the voting majority of the SPIRIT Team. So they avoid things that were complained of later in the 2012 round.

JEFF NEUMAN: Thanks, Anne. I think using the term “screening” is very helpful. I’m looking at the process language. “If the GNSO Council, ICANN Board, or ICANN Org identify an issue that they believe to be in

this category, the framework will be used to conduct”—what we say is an assessment. Maybe we can say something about “to screen” or put that concept in there because I think that is helpful to put into the concept because I think then it might send the message ... We’re not saying that these issues be resolved by the SPIRIT Team but it’s the SPIRIT Team that’s there to help screen it and make sure that we are, as efficiently as possible, getting to whatever it is that has to determine the outcome.

Kathy, go ahead.

KATHY KLEIMAN:

Sorry. Coming off mute. If I understand this section correctly, we’ve already got an issue identified as policy or likely policy by the GNSO Council, ICANN Board, or ICANN Org. I don’t think that goes to the predictability model. What we talked about was that occasionally the SPIRIT committee will get things that someone thought was implementation and that they realize rose to policy and that that gets escalated. But here we never, to the best of knowledge, talked about it going the other way. You’ve got something that’s been identified by someone as policy. I don’t think it goes to the implementation team. That’s the wrong process. It could go out to the stakeholder groups for input so that you don’t have just the IPC thinking they’re affected by Specification 13—because they’re not. But it should go out. It should not go down. It should go out, and the SPIRIT can be part of the discussion. But I don’t think known policy would ever go down to implementation in the predictability framework. That’s just counter to the way the process works. Thanks.

JEFF NEUMAN: Thanks, Kathy. Again, if the GNSO Council were sure that it was definitely policy, they wouldn't refer it down to the SPIRIT team. This is for cases where they believe it may be and they're seeking some guidance. If the Board, Council, or ICANN Org know that this is definitely policy, you're right: they wouldn't spend it to the SPIRIT Team. This is to help make the determination where the issue is not as black and white.

KATHY KLEIMAN: But these examples are very black and white. I know that's a problem with examples. Examples are really helpful, though. I think what we're getting here is something really close to policy. Sorry to interrupt because I know there are others in the queue. But I don't think we push this analysis, again, down to implementation for input. SPIRIT can be one input, but there should be many inputs at this point once we get this far into these types of very policy-oriented examples. Thanks.

JEFF NEUMAN: Okay. I think the second and third examples are better than the first. I'll give you that. The second and thirds ones may or may not be policy.

Let me go back to the ... There's a lot of discussion about Spec 13, which I think is beside the point. I think the point here was that there's not universal agreement on whether that is or is not policy. That's why it goes to the SPIRIT team for their guidance, which I think is just proving the point.

Paul says, “Jeff, really the council wouldn’t shortcut the PDP and send this down to SPIRIT.” Paul, they wouldn’t because the SPIRIT is not the team that does development of policy and recommends substantively what to do. The SPIRIT Team is not going to say, “Oh, okay. Council, thanks for forwarding this to us. We would solve the issue by approving this, this, this, and this.” That’s not their role. Remember, they’re not a substitute for policy development.

Kathy is saying, “The category of applications is policy.” But, Kathy, I think that’s the issue here. You believe that a new category of applications is always policy. I’m not sure that the entire community necessarily believes that. That’s why you have the SPIRIT Team: to help figure out if it is policy or not or give a recommendation as to whether it is or not and why or why not or whether only certain elements are or may not be. I think what’s going on here is proving the point of why we need a SPIRIT Team.

Paul, go ahead.

PAUL MCGRADY:

Thanks, Jeff. Can we scroll up? Then I want to go back down to the sub-paragraph that says, “Process.” This says, “Possible policy level. New proposals.” So we are talking about things that could be new policy. If the GNSO Council is going to retain all its rights to develop new policy through a PDP or an EPDP and it will never send down new policy work to the SPIRIT, then I don’t understand the purpose of this paragraph, or at least the purpose

of having the GNSO Council listed in the process section. So I guess maybe we could talk about that.

Secondly, under the process section, let's assume *arguendo* that the council will use the SPIRIT to shortcut the PDP process, which, again, I'm not ambivalent about but think we need to really think through that. If the council is going to do that, we need to build, again, similar guardrails.

Let's assume for a minute that this will be used to develop new policy. Then I'm really concerned about ICANN Org being able to put something into the funnel. I think, if it's going to be a new policy, then the GNSO Council or ICANN Board perhaps make it. Again, we have this "identify" issue, which we can fix by saying "initiate an action on an issue." Then, again, we need to be thinking about guardrails for this section, too, taking into mind what Anne pointed out, which is what the limitations of SPIRIT are. So we would put "assess and recommend" and we need to say to who—to the GNSO Council or the ICANN Board. I think making a policy recommendation to ICANN Org is useless because ICANN Org does not have the power to implement new policies. The council, if it wants to cede its role and have new policy go directly to the ICANN Board, well, then maybe the council can tell us what they have in mind here. But, otherwise, we do need to at least recognize that there's already a process worked out within ICANN for developing new policy. If the SPIRIT is going to be used to circumvent that so it'll be speedier, then we guardrails and we need to understand how the funnel goes down and then how the funnel goes back up. Thanks.

JEFF NEUMAN:

Thanks, Paul. But the problem with what you just said is in the assumptions. I know you said, "Let's assume this. Let's assume that." We should not assume that the council is going to send policy issues to the SPIRIT Team for the SPIRIT Team to solve. Look at Anne's statement in the chat. "The purpose of the SPIRIT is to raise possible policy issues that need GNSO Council to address them." So it's not always going to be as clear, like, "Oh, we want to develop a new rights protection mechanism. SPIRIT Team, let us know if there's any policy implications." It's going to be more like things like, "Oh, the CEO has proposed a new contract (has proposed a bunch of revisions to the contract) for new TLDs. SPIRIT Team, help us pull out the policy-level issues, if they are any, and provide a recommendation to the council as to which issue should go through further consideration through ... What other potential policy issues?" The SPIRIT TEAM would go, "Okay. Well, we have this request for to get rid of presumptive renewal. That is a policy issue, so that should go through a GNSO policy process. But we also have this change that recommends that each new TLD operator designates a head of security as a contact person for domain name abuse." Well, that may or not be policy. Maybe the SPIRIT Team comes back and goes, "You know what? That change we're not sure has got policy implications. So maybe, GNSO, you might not have to do a PDP on that one."

So I think that's the way you need to think of it. If you start putting assumptions in that the GNSO Council is going to use it as a shortcut to the PDP, then we're all thinking about this the wrong way. We need to make sure that that doesn't happen because that's not the intent. So, Paul, I get—

PAUL MCGRADY: Can I respond to that?

JEFF NEUMAN: Yeah.

PAUL MCGRADY: First of all, maybe we need to retitle 3. If we mean sorting policy issues from non-policy issues, then let's call 3 that.

Let's also figure out why the SPIRIT would be recommending a mechanism because the mechanism for anything involving policy is a PDP or an EPDP policy. So I guess we could say they could recommend a PDP to the council or an EPDP to the council. I don't know if the Board has the power to unilaterally do policy on its own by bypassing the council. I think that harms the purpose of the council. But, again, I can leave that to the council to defend their own honor on that.

But I don't understand "recommend the mechanism by which the solution will be developed." Are we talking there about a rewriting of the PDP book? That language, to me, is causing a lot of trouble. Why don't we just say—

JEFF NEUMAN: Sorry, Paul. We're getting towards the end.

PAUL MCGRADY: Well, that's okay, Jeff.

JEFF NEUMAN: But I understand your point. So I understand the title change. I think that makes sense. That's the way we were using a possible ... But that's not clear, so I think it makes sense to work with that.

On the recommended mechanism, no. Again, we're using general terms, like "to recommend that this is a policy issue. So, GNSO, you need to consider it," or, "This part of it is not a policy issue, so why don't we recommend just doing a community comment?" or something. Again, [its] recommendations go to the GNSO Council.

So, yes, there are drafting issues. That's clear. But I think we're making progress on this.

Kathy, go ahead, and then why don't you include the AOB? Then I'll go over what we're going to plan for for next time.

KATHY KLEIMAN: Great. Thanks. I agree with what Paul said. If we're asking SPIRIT about mechanisms, I think we should be asking all the stakeholder groups. There should be a quick response if we're at this policy/implementation borderline. Let's get it out beyond SPIRIT because I do think they'll see everything as implementation at a certain point.

A quick question. Maybe you said it at the beginning, but I didn't come in until a few minutes after, Jeff. What are we doing on

Thursday? Are we continuing this discussion [or] moving on to other discussions? Thanks.

JEFF NEUMAN:

Thanks. Because closed generics is a topic that is followed by a lot of people, we're going to start on closed generics. I know that we were making some progress on this—that's good—but, because people may be showing up for that call and expecting to address that issue and it is a longer call, I would like to start with the closed generics. If, for whatever reason, we solve all of that quickly or within the two hours, then we'll come back to this. If not, let's plan on picking up this subject two calls from now. We'll change the workplan to reflect it. But we'll definitely start off with closed generics.

Does that make sense to everyone? When you see closed generics and then followed by this subject ... I saw, the last time, that there were question as to why not continue on this. While that is the logical way to go, I think that, because people plan on the workplan on advance, I'd like to stick with the closed generics. You should have a draft out by the end of today so that there's time to review for Thursday.

So the next meeting is May 14th at 20:00 for 120 minutes. Thanks, everyone, for your input. We're all reading these comments, and I'll have to go back and look at these comments because I know I missed a few. But they were coming in pretty fast and furious. So thank you, everyone. We'll talk to everyone on Thursday. Thank you.

[END OF TRANSCRIPTION]