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## ICANN Transcription

## Applicant Support GGP

## Monday, 05 June 2023 at 15:00 UTC

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JULIE BISLAND:            Good morning, good afternoon, good evening everyone. Welcome to the GNSO guidance process, GGP, initiation request for applicant support call on Monday, June the 5th, 2023. We have no apologies for today's call.

Statements of interest must be kept up to date. Does anyone have any updates to share? If so, please raise your hand or speak up now.

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behavior. Thank you. With this, I'll turn it over to Mike Silber. Please begin, Mike.

MIKE SILBER: Thank you, Julie. And thanks everybody for joining. Maureen, I see your hand is up.

MAUREEN HILYARD: Thank you, Mike. Thank you, everyone. I just wanted to introduce Satish Babu, who's our new alternate since Sarah has just got a job with ICANN Org in GSE. So, Satish will be taking over in her position. Thank you. Just thought I'd mention that.

MIKE SILBER: Thank you for letting us know. That is appreciated, Maureen, and welcome, Satish.

SATISH BABU: Thanks for having me.

MIKE SILBER: All right. On that basis, I think we are ready to kick off. There's been a fair amount of work that staff have done to try and trim down the task six work to make sure that it's understandable, intelligible. It's been circulated. I think there has been some comments from Maureen, if I'm not mistaken. Thank you, Maureen. I always appreciate your contributions and diligence. But what I'm going to do is I'm going to suggest, Julie, we hand

over. Let's go through the work plan and the plans for ICANN 77. And then we can go through the working document and the presentation you've prepared. And we can take it from there. So, Julie, over to you. T

JULIE HEDLUND:

hank you, Mike. And welcome, everyone. Sorry that some of you had some Internet issues. Must be a case of the Mondays. And let me then... You'll see the agenda here. So as Mike noted, we'll start out with the work plan and ICANN 77. So just a reminder, we are on schedule for our work plan. This is the work plan that was submitted to the GNSO Council at the beginning of the year. We're still on track. And in particular, we're looking at sort of the end of the April, June. We're in the April, June timeframe. A few rows down. And finalizing task six. And then beginning the draft report development.

So what we're hoping to do today is finalize task six. The document that we sent out last week has the rationale and deliberations for the recommendations guidance for task six. And what I want to do today or what we want to do today is make sure that there isn't anything we missed in those deliberations and the rationale. And the recommendations guidance has already been discussed and agreed to by the working group. But of course, if there's anything that we might have need for clarification there, do also let us know. And thanks again to Maureen for your comments. That will help with our discussion.

And so after this, the next document you'll see is we will do the same, have the same treatment for tasks three, four, and five,

where you'll see the recommendations guidance that we've already agreed to and discussed. Then following that will be the rationale and the deliberations. And so for the next meeting at ICANN 77, which is next Tuesday, 15:30 to 17:00 EDT. So that's Eastern Daylight Time in Washington, DC. And I believe that's 19:30 in UTC. We'll go over then in the same way via a presentation, but also looking at the document. We'll go through and make sure there's nothing missing or needs clarification in the rationale and deliberations. And if there's anything that needs to be minor changes to the recommendations. So we would not be opening up not today or nor next week. We will not be opening up the recommendations guidance for revision in any substantive way, because those have been discussed. But we do want to make sure that we captured the rationale and the deliberations accurately. And staff has put that text together based on the actual transcript, Zoom transcripts and recordings of the discussions of the working group. And while we try to be as accurate as possible, if we've missed anything, please do let us know.

So that's where we are on the work plan. And assuming we stay on schedule, which we do plan to, then the report shall be published for public comment in July. I believe that is for 40 days. I'll check that, but I believe that's 30 days is the minimum. So I think 40 days. And that will bring us into August. And then the working group will discuss those public comments, review them and discuss them and address them and determine whether or not they require any changes to the draft recommendations guidance report, and then develop the final report to submit to the GNSO Council, preferably not later than December 2023, but hopefully

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before. So that's where we're at. And I'll just pause to see if there are any questions. Rafik, please.

RAFIK DAMMAK:     Thank you, Julie. I just want the clarification about the steps for task six. Since from what I got, it means that what we have left is this call and the next meeting in, In Washington, D.C. But I'm not sure you mean that we, during the ICANN meeting, it will be done for task six. Well, I'm asking because I won't be there. I'm not going to join face to face. I will try to join remotely, but for sure, it's not humanly manageable hours. So I think I would ask really not to, I mean, because I'm representing my group, I don't have someone else, but not to kind of close at that meeting and to leave some time before making any kind of assessing that we are good for the task six draft. That's my request.

JULIE HEDLUND:     Thank you, Rafik. So that's a good question. Two things. So we're hoping to finish task six today. That is to indicate whether there are any further clarifications needed to the rationale and deliberations, but it won't be completely closed out today either. Depending on the discussion, we can carry it over to ICANN 77. But even so, if we feel that we have completed the task today and that we're comfortable with the rationale and the deliberations, those will go into next the template for the recommendations guidance report. And you will all get a chance to have one last look at that before it's finalized. So there will still be another opportunity to weigh in on the final text, Rafik, after ICANN 77.

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And with respect to the work at ICANN 77, we'll be reviewing the task three through five working document with the deliberations and rationale. But we expect, I think that that will likely carry over into another meeting, probably into the meeting on the June the 26th, noting that June the 19th is a U.S. holiday and the ICANN offices are closed. So we will be meeting that following Monday the 26th with the expectation then that we could finish out task three through five. And then staff will put all the text into the final draft of the recommendations guidance report template. And we'll all have a chance to just make sure that there's nothing that needs to be adjusted in that text. Any further questions?

MIKE SILBER:    Just one comment, if I may, Julie. We can do one call after the ICANN meeting, at very most two. But I really need people to engage on the document and on the mailing list. The mailing list has been dead and there's very little feedback on the document. We can't just keep on having calls. So the one or at most two calls after ICANN 77 are to wrap up the report. They're not to reopen issues. They're not to debate issues. They're to close off the report. So people actually need to do the work. I'm very sympathetic to Rafik's comments. But if we're going to do that, then we need people to actually do the work post ICANN 77 and to do the work on the list and on the Google doc and not just wait for calls and keep on pulling this chewing gum as far as it can go. It's got to come to an end and we can do one and at very most two calls post ICANN 77 to wrap up. But then we need to get it published. Rafik?

RAFIK DAMMAK:    Sorry, Mike. I'm not sure how to read your comments. I'm not playing any shenanigans here. I'm just trying to understand the process we have. And I just raise the point that we are using a face-to-face meeting that not everyone can join. And so I'm just asking if there was some discussion I could not join to be able to weigh in and to not think it's sufficient. So that's it.

MIKE SILBER:    No, no. Rafik, completely understand. And I think your request is eminently reasonable. And I think as Julie has explained, there will be opportunities to engage with the document as post face-to-face. We're not going to be finalizing it at the face-to-face and then publishing. But I'm just asking, for you who's not going to be there, that's very understandable. But for those people who are going to be there, if they have substantive comments that actually need to get them through to us, we can't just go around in circles on calls. We've got to have substantive engagement on the document, is all I'm saying. And there will be plenty of opportunity for that post-ICANN 77. But we also need to come to an end.

JULIE HEDLUND:    Thank you, Mike. And thank you, Rafik. And just a reminder, too, for those who haven't participated much in the working group process, I know you have, Rafik, so you know this. Generally, we don't finalize documents at an ICANN meeting just because we can't be sure that people will be able to join remotely because usually the timing is not acceptable for some of the time zones as the normal meetings would be. So there's always an opportunity after an ICANN meeting to finalize text.

And then also a reminder that we've already discussed as a working group the recommendations guidance for task 3 through 5 and agreed to it. So the adjustments to the text will really be in the rationale and the deliberations, which are important, but they also are being taken from the record from the Zoom transcript and the recording. So we're hoping that they're fairly complete, but worthwhile discussing, of course. So anyway, just that reminder.

And then with that, maybe given the time, Mike, if you'd like, I'll go ahead and switch over to the recommendation guidance.

MIKE SILBER:            Yes, please do, Julie.

JULIE HEDLUND:        Thank you. All right. I won't read through all this. This is task 6. I think we're familiar with this by now, but it's very specific, just looking at the case that available funding cannot provide fee reductions to all applicants that meet the scoring requirement threshold. And there's the rationale for that.

Recommendation guidance one. And this is, I guess, well, I'm sorry, as I said, already discussed, but I'll read through it. And then here you have the rationale and deliberations. So in the scenario that there is inadequate funding for all qualified applicants in the applicant support program, the recommended methodology for allocating financial support should be for ICANN Org to allocate limited funding equally across all qualified applicants while not hindering the efficiency of the process.

And here, we hope you've all had a chance to read the rationale and deliberation. But while you're looking at this, let me go to note a couple of comments that we received from Maureen in the document. And the first is on text from the ODA, which talks about how ICANN will explore the possibility of additional budget allocation. So that was a recommendation in the ODA. And Maureen mentioned how the process is somewhat arbitrary. And my question was, is there something that we want or to do or something that we would want to include in our recommendations? And then also related to that, for the working group to look at the scenario where funding is not available.

And again, Maureen noted additional resources such as the portal, showcase events, brochures, banners, etc. Are these all included in the costings that may or may not be ASP-specific, so ASP-related? Yes, let me share a link to the document. That's a good idea. Thank you, Gabriela. One moment, please. I'll put that in the chat. And then there we are. So you can follow along. So going to Maureen, did you want to add any context to your comments or further discussion?

MAUREEN HILYARD:     Thank you, Julie. No, I just hoped actually that we'd started a discussion online as we've been going through the recommendations. And we have been given an opportunity to discuss it, as Mike has actually mentioned in between meetings. And I just, I mean, some of them are just, just simply comments. And I sort of, I think I mentioned earlier, I've spent 10 years on the ALAC and this is my final year. And so I'm so used to making comments. And I hope you don't mind. But I just really just sort of

thought that if it would initiate some discussion, that would be fine. But as you say, it's not to change anything. It's really just to make suggestions that you can take or leave. Thank you.

JULIE HEDLUND:    Thanks, Maureen.

MIKE SILBER:    Maybe I can respond and we see if we can put this to bed, because I think it's worthwhile just making sure in task six, we just put a footnote there somewhere, which says that we're dealing with the specific support in the form of fee reductions, as well as bid multipliers for auctions, but we're not dealing with the actual cost of the program. And I think we should just put a footnote in which says that program costs should be dealt with separately.

JULIE HEDLUND:    Thank you, Mike.

MIKE SILBER:    Makes sense, Maureen?

MAUREEN HILYARD:    Yes, I think we decided last week that that was what we would put in there. And I'm happy with that. Thanks.

MIKE SILBER:    Perfect.

JULIE HEDLUND:     And just to clarify, so that text, you want to add that as part of the deliberations, or is that part of the recommendation? I'm sorry, I'm trying to multitask here.

MIKE SILBER:     I think we need to do that as part of the recommendations. It really is a footnote, which just in the discussion, we're talking about where sufficient funds—and we should just some way say sufficient funds for applicant support, but this doesn't include the funds required for actually running the program, which should be dealt with separately.

JULIE HEDLUND:     Okay, thank you. I'll make sure to pull that from the transcript too. And I'm noting that Gabriela is saying cannot find the same text you are sharing here. So I'm not sure what your question is, Gabriela. I'm not trying to just...

MIKE SILBER:     So Gabriela, just to clarify, Gabriela, the text in the document is the actual recommendations. This is just a presentation that Julie and Steve have prepared, extracting the highlights. You're not seeing the exact same document.

JULIE HEDLUND:     Okay. Right. I'm displaying a presentation, which just reflects the rationale and deliberations. If it's more helpful, I can go to the

complete document. That might be better. I notice people are commenting it, so it might be a good idea to have somebody commenting right now. So I'm not sure who that is, but maybe I'll go ahead and switch over to that to avoid confusion. One moment. I'll stop sharing and switch to that document.

All right. And I think you're all seeing that. Some additional comments here. Let's see. From Maureen. So where we see the text highlighted, we have a comment from Maureen. Refresh my memory, but can an ASP applicant use ASP funds, quote unquote, to purchase post-pro bono services? And apart from a fee reduction, which would come out of the applicant share, what else could an ASP applicant's possible equal allocation be used for?

And that's a good question with respect to making sure that we're clarifying what we're talking about here. I mean, so the funding is, and I think the assumption is that the funding would be in the form of a fee reduction. So I'm not sure that it, and maybe we need to make this more clear, but as Kristy notes in the chat, Kristy Buckley notes, pro bono services are pro bono, meaning free. So first of all, there's not any funds being provided to an applicant. It's just a reduction in fees. And second, there isn't anything really then, there's no way to purchase anything because there's no funds, but also the pro bono services would not need purchasing as they're pro bono. But is there anything that we're missing in the deliberations and rationale that we need to add? Please go ahead.

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MIKE SILBER: I don't see anything. And I'm looking at the language to see if we can improve it. And I'm not sure what we can do to improve it, because it says allocation. And it's a fee reduction and an allocation. So I appreciate Maureen raising the question, but I'm not sure what language we need to insert to clarify any further. You know, with that explanation, Maureen, is that sufficient, or do we actually need to insert more language?

MAUREEN HILYARD: Thank you, Mike. I'm just sort of looking at it from my own personal viewpoint, and I just felt that—I'm very keen to hear what others think as well. But I just sort of felt that, for example, with regards to pro bono services, the services that they actually select get, and it does mention somewhere about the fact that if they want to go further than what the pro bono services are actually offering, that it's at their own cost. But if that additional information or additional service that they need from an expert requires funding, do they get support for that?

MIKE SILBER: Not from ICANN. That's up to them and the pro bono provider, or other...

MAUREEN HILYARD: Right. Yeah, and I mean, those provisos would have to be very clear to the applicant.

MIKE SILBER: So, can I suggest, let's look first at the recommendation guideline. Then we can get into the rationale and deliberations. So, in the rationale guideline, it says to allocate limited funding equally across all qualified applicants, while not hindering the efficiency. Do we say somewhere in there to allocate limited funding brackets by way of fee reduction? Close brackets across all qualified applicants, so that it's very clear in the guidance right up front that there's no cash out.

JULIE HEDLUND: I've made that suggestion in brackets, Mike.

MIKE SILBER: Yeah, let's look at that, because I think that may get to Maureen's question. Then in terms of the rationale and deliberations do we need to say anything further? And in my view, seeing as the pro bono services are offered by third parties, pro bono, and ICANN is simply facilitating, I don't think we need to say anything more.

JULIE HEDLUND: I'm just noting that as Kristy mentioned in the chat, do we want to make it clear? Well, I don't know that we can make it more clear that pro bono services are pro bono. But there is the issue of recommendation 17.2, which talks about legal fees. And there is a concern expressed by the board of the open-endedness of possibly ICANN covering legal or other fees. And that's an issue that's pending between the board and the GNSO council to address, not for this working group to address. But I don't know if

it's useful to reference that or not. I'm also unclear whether or not we need more clarification here.

MIKE SILBER:              So I'm just trying a little bit of drafting on the fly just to try and address some of those concerns.

JULIE HEDLUND:            Thank you. I appreciate that. And I see Gabriela has a comment in the document saying, can we please include definition of this equitable solution?

MIKE SILBER:              Yeah, so that's what I put in there.

JULIE HEDLUND:            Okay, excellent. Thank you. That's very helpful. So Maureen in the chat says, so that means that fee reduction and pro bono services are the only support services they can get. I think that's correct. May I ask if, Kristy, is that ICANN Org's understanding?

KRISTY BUCKLEY:          Yes, hi, Julie. Yeah, so whether there's further support provided is the pending rec with the board, 17.2. But as of right now, the recs that have been approved that are not pending would be the fee reduction for bono services and also the bid credit and multiplier [inaudible].

JULIE HEDLUND:      Thanks, Kristy. I'm sorry to put you on the spot there while you were in a noisy spot, but we I think heard you fine. And thanks, Steve, for putting the 17.2 text in the chat. It might be worth noting what Kristy has added about what is expected, what has been approved to be covered in the recommendations, what the board has approved, and what is pending as a separate matter outside this working group since we've mentioned it today. So obviously it now has become part of the deliberations. Shall I move along to the next recommendation?

MIKE SILBER:        Yes, I think please do, Julie.

JULIE HEDLUND:      Thank you. So this is recommendation guidance two again. The working group has discussed this and agreed to it. But to mitigate the risk that the allocation of support under the applicant support program could be diluted to the point of being unhelpful, ICANN Org should designate a minimum level of support each qualified applicant must receive and develop a plan if funding drops below that level. I'm just noting in the chat that Rafik has said it would be nice, but not within the scope of this GGP to propose it anyway. And Steve was noting that Rafik is correct.

So within the rationale and deliberations on this recommendation, there's a comment from Maureen who is rightly noting, I think, that where we say each qualified applicant should receive makes it sound like people are receiving funding and it could be unclear.

And so I suggest the edit that funding each qualified applicant should be allocated as perhaps more accurate.

MIKE SILBER:            Julie, can I pause you there for a second? I see Rafik's hand is up and so is Maureen's.

JULIE HEDLUND:          Thank you. Rafik?

RAFIK DAMMAK:           Thanks, Mike and Julie. I'm just maybe asking for clarification and input from our friends from the GSE here. Or GSD. I forget. Sorry. So about the minimal, I don't know how to call it. Yeah, maybe we need to find the minimum level of support. Is this sufficient as guidance for ICANN Org or they want some more guidance? I understand maybe you are leaving to them to designate. I'm not sure how they will calculate or determine that or if they need some input from the GGP to provide more clear guidance to help them for determination. So just more question here. But for the rest, I'm fine with what's proposed.

JULIE HEDLUND:          Thank you, Rafik. Maureen? And then Maureen's saying in the chat, "That is my question as well. Should we be more specific about the minimum support that other things will be given?" So let me ask if anyone from ICANN ORG wants to address this. I know

again, Kristy, I think is out on the road. I see Aaron's hands up. Aaron, please.

AARON HICKMAN: I think it's hard to answer that question because we don't actually even know what the final fees are. However, in the ODA, we did present sort of a range where we thought the level of fee reduction would be appropriate of 75 to 85%. And so I think we're using that as our starting point. And so should the level drop significantly below that, 10% or so, I would say—this is just my initial response. We haven't looked at this at staff. We don't have a position. But we'll have to look at that and say, oh, boy, that's now becoming not a significant reduction. And then we'll have to make that point. I mean, to me, this is helpful because it's sort of establishing that there's a purpose and a goal behind the allocation of support. And so we want to make sure we don't spread it too thin such that everyone gets like 10% off and that's not helpful to them. So difficult to answer that question. And I'm not sure we could come up with a specific number or anything because every applicant may have a different profile. But I do think as a goal and as an objective, this is pretty clear. And I think it's going to be helpful guidance for staff as we go to design this out.

JULIE HEDLUND: Thank you, Aaron.

MIKE SILBER: I think that's very useful. I just wanted to circle back to Rafik and Maureen and check, does that answer the question?

MAUREEN HILYARD:    Thank you, Mike. Just jumping in here, Rafik. I think that, I mean, the guidance that we're actually giving here, of course, is to the council and the IRT. So I guess I'm happy with it. But I guess when it comes to what goes into the actual, the manual, that it really does need to like, I mean, people need to know exactly what they can get, what sort of support they can get if they're actually even attempting to apply for ASP. And I think that if they are aware of what the minimum support will be, that just needs to be clearly articulated. I think even when that information goes out to the communities and that it's all part of the actual distribution of that, of the information, we do whatever, on the portal and all those other means that we're actually thinking about. And I'm talking about like the basic applicant level, not the IRT we are actually looking at the moment.

JULIE HEDLUND:    Thank you, Maureen. Aaron, please.

AARON HICKMAN:    Thank you, Maureen. And I will note that the plan would be that the applicant support guidebook or whatever it ends up being called ultimately, I think it was the financial assistance handbook last time, would be presented to the IRT. So this isn't the end of the discussion, I guess. And this is probably just, I would call this maybe the start, because we would be working with the IRT to present that and make sure that whatever is presented and provided is in line with all the recommendations and the guidance

to the extent possible. So there definitely will be another step there before these things get finalized.

MIKE SILBER: Yeah, thanks, Aaron. And I think it's worth all just reminding ourselves what our role is here, is we're not here to design the program or help implement it. We were here to answer certain specific questions. And we can help provide some guidance and help steer some of those answers. But we're not here to answer the questions. So I'm comfortable that it's been resolved, but I just want to make sure that my colleagues are before we move on.

MAUREEN HILYARD: Yeah, I'm good. I'm good with the current discussion. Thank you.

MIKE SILBER: Thanks, Maureen. That's very useful.

JULIE HEDLUND: Thank you very much. Mike, shall I move on?

MIKE SILBER: Please.

JULIE HEDLUND: So I'm going to read recommendation guidance three and four together, because the rationale and deliberations covers both of those, and they're related. So recommendation guidance three,

ICANN Org should develop an applicant support program that is flexible enough to allow applicants to know as much as possible about their range of support allocations as early as possible. And I think this goes to what Maureen was mentioning. And then implementation guidance four, ICANN Org should communicate the results of the applicant support program evaluation process to applicants in a timely and transparent manner.

And here you see the rationale and deliberations. And we have a specific comment from Maureen. Let me just scroll down so you can all see it. So on the text on early indications for all qualified applicants—

MIKE SILBER:          Can I push back a little bit over there?

JULIE HEDLUND:          Please go ahead.

MIKE SILBER:          Because Maureen, I think you've misunderstood. This is not about getting information to potential applicants. This is a question of, if you qualify, that we need to tell people they've qualified and give them an indication of what they're likely to qualify for, so that they can then plan. If they don't get 100% and they need to go and raise funding elsewhere, they can get going with that so that they're not stymied expecting 100% fee waiver and they land up with 50, for example. So that's what this is about.

So I don't want to get into the discussion we have under other tasks in terms of information and communication. This is very specifically in terms of communicating the results of the evaluation and the likely support that applicants are going to get after they've already applied, not before.

JULIE HEDLUND:     Thank you, Mike. And I see a couple of items in the chat, if I might read those. One from Gabriela. It is important to highlight transparency and clarity, clarity on how much is the benefit and how many beneficiaries from the very beginning. I suggest not to change rules and amounts according to what we get in the process. And Maureen says, my point was that the timeline needs to give potential applicants time to make an application or to make a decision about any other direction they may decide on. And Rafik is saying, wondering if using the term flexible is appropriate as we were thinking about time response here. So the term flexible in the recommendation, flexible enough to allow applicants to know as much as possible. So over to you, Mike, but I'm wondering if people want to suggest alternate tax in the recommendation.

MIKE SILBER:       I need to push back here because I think we're going into different tasks. And Gabriela, in terms of your comment, I thought that had been closed already. I thought we'd had discussion over that over two previous meetings and I thought the issue had been closed. That given we don't know how many applicants there will be, we are not going to set a limit or recommend the setting of a limit. But

we're going to recommend an equitable process with a minimum threshold.

Now, if we need to reopen that discussion, then we need to have that discussion. But it's going back at least three, four weeks in terms of what we've accomplished or what I thought we'd accomplished on the previous two calls. And the whole point of task six is what happens if we get more qualified applicants? So then what we're doing is we're saying we discard that, we prioritize and that's exactly option three that we had rejected and that we'd prefer to have an equitable option where we would spread the available funds. We would try and get more and we'd spread available funds between qualifying applicants as long as we don't spread it too thin. So if we need to go back to option three, then let's do that. But we need to close this off and we need to close this off within a week. So please, can I get—if there's anybody else who supports that position, can I please get your input now? We've got 14 minutes. Let's get that out and let's get it resolved because I thought we were closed on that issue already.

JULIE HEDLUND:      Thank you, Mike. I'm looking for hands. I don't see any. And just as a reminder of the process that we're looking at now is the working group has discussed these recommendations and has agreed to the terminology. We're really looking at the rationale and deliberations to make sure that those are clear. But I see Rafik has suggested and asked whether or not the term flexible is appropriate in the recommendation. And I'm wondering, is that the case or do we need a different term?

MIKE SILBER:                No, but Julie, it's not in the recommendation. The recommendation is that ICANN needs to communicate results in a timely and transparent manner. And then in the rationale and deliberations we say that principles is that the program should allow for flexibility in the timing of notifications. And we kick that to staff and they must take with that because I don't think our intention is to tell staff you must communicate a decision within three weeks, for example. I don't think that's helpful. I think what we're trying to tell staff is that they must design a program which allows for timely and transparent communication and then give them some flexibility.

If they feel the program will allow a communication to applicants they've successful, but we don't have the full numbers yet, then that's great. If they don't believe that that would be timely and transparent, then not. But we're not trying to tell them what to do here. I see Paul and Rafik have got hands up. Paul, let's start with you.

PAUL MCGRADY:              Thanks. So I just want to sort of chime in with the word of caution here and it's consistent with what Mike is saying, which is we found, in going through the handful of SubPro recommendations that have been put into a holding status by the board that several of them had to do with being overly prescriptive, where we gave this must be done in this many days, this must be done in that many days, or this must be done with this many dollars or whatever.

And so as we are getting closer on all these recommendations, it's up to you guys of course, but the more prescriptive we are, the more likely the board will flag it, the more likely it will go back to council. It may have to be the subject of a clarification process or some sort of other supplemental recommendation. In other words, it could really get hung up for months and months. And so to the extent that you guys have an opportunity to say it must be sufficient, it must be timely, those are the kinds of things that will make it easier to get past council and past the board. And then ultimately, those things go to the IRT who decide essentially what's sufficient and timely. But that's kind of how the process works. So anyways, I hope I am not sticking my thumb on any scales I should not be sticking them on. Thank you.

MIKE SILBER:            No, Paul, I think that's useful. Rafik, you had a comment?

RAFIK DAMMAK:          Okay, thanks, Mark. And why I raised this point about the word, it's not about wordsmithing, really, but because for me, the word flexible, it can mean many things, different things to everyone. So I get the idea is as a principle, but if we are going in principle, so we need to be more clear than to give guidance.

And thinking more here, since we have those two recommendations, I don't see why we are splitting them. Just one would be sufficient and just that idea of flexibility, if you want. Still not finding it is really the maybe the most appropriate word because I get it, we are not prescriptive here. We are not even

setting any specific time response period or anything. We are just, please do your best. We were talking about best effort and we are letting the ICANN Org to find out what's appropriate here.

But for me, it's too vague. It can be understood in many ways. And I don't think this is what we are asking for. I am not going really to push too much for it.

MIKE SILBER: But Rafik, I think that's a valid comment. But could I ask that you then propose some language? Because I hear your concern, and it's a concern that needs to be addressed. I think there are no irrelevant considerations. But can you propose something that we can consider? Because at the moment, all we have is a concern, but nothing concrete.

RAFIK DAMMAK: Okay, what I'm saying here first, maybe if—I understood this is just we are giving some principle about what we are expecting from the program. But what I guess I can see more really useful and going to the point is just the recommendation guide number four. So maybe just we can merge both and we can add that we are assuming or expecting that applicant support program to be enough. Okay, now I need to fit some synonym, enough. I will try to find appropriate, but something like that just to merge and that's it. So because I think there is some kind of duplication here or overlap.

MIKE SILBER:

I'm very comfortable with that. Could I ask you to please look at the document after the call? And if you've got any language suggestions, I agree with you, trying to do it on the fly in a meeting is not always helpful. But if you could look at the document and suggest an edit, that would be very helpful.

JULIE HEDLUND:

Thank you, Mike. Thank you, Rafik. And along with the notes, staff will send a clean version of the working document but also will include a comment here noting that there may be some suggestions for changes to the text we see highlighted here. I tried to take down what you said, but I think maybe Rafik, when it's a better time for you of the day during, the daytime, you will be able to come up with some text that we can consider and we could close it out at the beginning of the next meeting but preferably we could close it out with any comments online before next week's meeting. Any other questions or needed clarifications in the rationale and deliberations for these two recommendations? Mike, I see your microphone is on.

MIKE SILBER:

So I think we've resolved Maureen's comment on that early indication of support. I think we've resolved that because that relates to after submitting not before submitting. So I think we can push Maureen's comment and make sure that it's addressed in the other tasks.

So on that basis, I think we're actually in pretty good shape. I think the only thing that we've got is Rafik's valuable input in terms of

three and four, possibly merging the two of them or doing it a 3A and B or let's I'll leave you and Steve to just think about that. If you can get that during the course of your day today and then Rafik will have some time at a time zone that actually makes sense for him and allows him to actually focus to look at that and if you can just, Rafik, give any suggestions of edits once Julie and Steve have looked at that, I think that would be very helpful.

Other than that, I think we're in good shape on task six and we can go into the meeting next week and start looking at everything. I don't think there's anything other than that three and four that needs to just be looked at that's still outstanding on task six.

JULIE HEDLUND: Thank you, Mike. I think you're correct. I think we can proceed then to look at the rationale and deliberations for the recommendation guidance for tasks three, four and five next week at ICANN 77 and I hope to see some of you there in person and apologies to those who might find it difficult to join remotely if the time zone is a hard one. But again, we won't try to finalize things until after the meeting. Thank you, Mike, for chairing today very aptly, and thank you all for joining.

MIKE SILBER: I'm hoping that I will see you there. Unfortunately, Ros's country, because I transit through them, are giving me visa headaches so it all depends on the Brits if I will be there in person or not. Thank you all.

JULIE HEDLUND: Thank you everyone and this meeting is adjourned. And safe travels to DC, everybody who's traveling. Thanks so much.

**[END OF TRANSCRIPTION]**