ICANN78 | AGM – GNSO SubPro Pending Recomms Small Team Working Session
Saturday, October 21, 2023 – 3:00 to 4:00 HAM

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PAUL MCGRADY: Thank you very much. This is Paul McGrady, the lead for this small team. Thank you all for being here. And for those in the room, thank you for joining us. Now realized I picked a stupid spot and so I may actually switch spots once we get started. I'll go down there so I can see the folks behind.

But let's go ahead and kick off. We're going to do a couple of things today. The first one is we're going to just walk our way through what is we're calling our approach document. This is a document that we've had now for about a week. There were some comments made on the on the list about it. They were not terribly substantive I don't think. And so, I think this is pretty much ready to go. Once we finalize this document, then we are going to ask Marika to give us a quick look at a document that she's working on. It's not finished, but it has to do with our work plan and timing on things.

We are getting questions here in Hamburg about like when will the plus be added to the team. So, there's questions about timing and things like that that will be addressed by this particular document that Marika will walk through. And so, I am going to go ahead and basically, since we've had this document, this approach document for a week, I'm going to go ahead and open a queue on questions about the approach document while I change seats.

JIM PRENDERGAST: Thanks, Paul. Jim Prendergast for the record. I guess question on rules of engagement. Typically, observers don't have full participation rights when you guys are meeting. So, is that different for this meeting?

PAUL MCGRADY: Thanks, Jim. Let's make it different for this meeting. Why not? Everybody's here. And I guess the only rule of engagement is that by doing that, we don't necessarily want to go back to the beginning of SubPro and start again, right? So, to the extent that there are questions or things like that, we're happy to address the questions. If there's inputs if we can take them on at this stage, we'll do that. But just a commercial for our little group which is all of our calls are open to observers and all of our documents are available and people have hopped on the documents and provided comments or things like that. So, it is encouraged. All right. Do we have any other hands or questions about the approach document?

Okay. I'll address the one that came up in the week of editing which is we do use a phrase called SME which was referring to subject matter experts. That's the sort of the acronym that's in our assignment document from Council. There were some concerns about whether or not that meant that the small team would be judging whether or not the new plus member coming from a particular part of the community is expert enough to join us. And so, we just wanted to say out loud that that's not the point of the acronym. We're not going to be deciding whether or not somebody from ALAC or somebody from wherever, who has been appointed by their group to come and join the small team+ is or is not expert enough.

What we're looking for are the very best people from each of the groups that will be invited to send some folks. People who have kept up with this, people who know what the remaining recommendations that the Board is having trouble with are so that they can hit the ground running.

We are hoping that those people do not show up to try to relitigate all of SubPro, but rather to stick with us where we are in the process.

SME is just the phrase we used. If people don't like subject matter expert, I've thought of smart member extras. These are all kinds of other whatever you want SME to mean to you, let it mean it to you, but the bottom line is what we're looking for are the enthusiasts who have kept up and who want to join us where we are. Any other comments or questions on the approach document? I see Jeff and Anne.

JEFF NEUMAN: Hi. This is Jeff Neuman. Anne, is your question on the SME part? Because mine is on something different. Okay. So, when I looked at this again, so what it's saying is small team members, so that's this current team is going to develop proposed modifications. But then the small team+ comes in after those are developed? I kind of glossed over that, and I thought that was kind of a typo, but it's not. So, does that seem like the best way to use the small team+? I thought it was. I know we've had discussions on these, but I thought the small team+ was supposed to be part of those.

PAUL MCGRADY: Thanks, Jeff. That's a good question. When it says that the small team will have developed those, it doesn't mean that it's developed them in final format. What that means is that it they will be essentially a straw person for each of those things so that we can frame out where we are and where we think we are going based upon our interaction with the board to date so that as the community members pick their SMEs to send to us, they know where we are and what we've learned from the board so far. It doesn't mean that it's a foregone conclusion. We're just trying to find some way to scope it out. Marika, go ahead.

MARIKA KONINGS: Thanks, Paul. Just to add to that and I think as I explained on the last call as well. This is model to a certain degree on the section 16 process because there it also says it's the Council who develops the modifications which are then tested with the reconvened group. So, again the idea is that this provides a starting point based on the conversations the group has already held, but it also spells out very clearly that when the small team+ starts this conversation, if someone wants to put a new proposal on the table or collectively the group believes whatever was put there as the straw person is not suited for purpose, they can start over.

But the idea is by the conversations that have been had the exchanges with the Board that at least this group should have a pretty good grasp on at the concern that you're trying to address. And again, trying to put that in writing will form an easier starting point for that group conversation and saying hey, let's not all collectively start brainstorming and trying to put the pen on paper.

JEFF NEUMAN: Thanks. And this Jeff Neuman again. I think that makes sense for a number of items. I don't think that makes sense for the applicant support issue, because I don't think the small team can come up with a proposed modification because we're interested in hearing other views.

I mean, that's part of the main reason for the small team+. So, I could see for the waivers and appeals. Yeah, I could see starting with the strawman, but I think applicant support may be unique in that and we might need a different approach for that one.

PAUL MCGRADY: Thanks, Jeff. Again, it's just meant to be a framing placeholder. So, for example, the draft on applicant support could be just a recommendation that the Board find a way to increase applicant support beyond just discounts on the backend of this process. And then something is open ended as that would allow the small team+ to consider the ALAC proposal, would allow the small team+ to consider the non-commercial proposal, would allow the small team+ to consider other ideas that the SMEs bring to the table with them.

The IRT staff have I think three or four ideas that they want to bring back to us. And so, again it is a document framing exercise more than it is trying to jump to the end. But what we're saying with that is we're essentially closing off the universe of what we want to do, because we don't want to look backwards to undo applicant support. We don't want to look backwards to only make it discounts after the fact. As a small team, I think we're pretty much in agreement that we want more from the Board, not less. And so, that's the level of detail what these are going to be. We're not going to pre-do the work. We're just going to set the table.

JEFF NEUMAN: Like I said, I just think if I'm remembering the recommendation for applicant support, it already says it should provide more than just financial. I don't know if there's actually a modification we need to propose. It's more because that's all it says. I think the-- Well, there might be a word or two that might be changed. I'm trying to think of the exact language, but. So, it's not necessarily a proposed modification. It's really a proposed framing issue or framing document as opposed to a recommendation. I just don't want people to think that if the small team proposes this as a quote recommendation, there's very little wiggle room for the small team+. I don't want to give that impression.

PAUL MCGRADY: So, Jeff, there are things in that recommendation on applicant support that got into some detail in terms of references to attorney's fees and things like that. That's all stuff that we've gotten feedback from the Board liaisons on that needs to go away. And so, we will be working on draft recommendations, but again, they're placeholders. And this document says that there's going to be room for discussion. I'm saying it. We'll say it to the each of the community members who are going to be sending an SME and the invitation document. Again, this mostly about keeping us in order and also mostly about making sure that we capture what we've already learned from the Board liaisons because there's no point in coming up with something that we know is going to fail. All right. Thanks, Jeff. Anne?

ANNE AIKMAN-SCALESE: Thanks, Paul. It's Anne Aikman-Scalese, and thanks for clarifying what we really mean by the use of the term SME. I tend to agree with Susan's comment in the chat, that that should be cut defined in the document because it sorts of a term of art and we don't really mean that you have to be an expert if you're designated by your SOIC as the lead, then you are the lead and will be participating in small team+.

I think I had made a comment that little plus sign is quite easy to miss as you're reading through this, and I would favor changing that tiny little plus sign to the word plus or something that is more recognizable than just the little plus sign so that it's clear to even those who aren't actually participating in this process.

When it comes to the question that Jeff has raised, I would more support the approach that he has suggested because I think particularly with respect to applicant support, these are ideas that would be coming that we would not want to limit. I actually thought that where we were as a team right now is in a state of readiness to actually put out invitations to what we're calling SMEs and to have them participate in certain deliberations that will become recommendations to the Council, rather than just I thought we were beyond the "framing stage" of things because the issues I think have already been framed in our discussions with Council.

And at this point in time in following the supplemental recommendations process that's outlined in the bylaws, I think the team should actually be doing the work on the proposed modifications to the recommendations that the Board has rejected. And in that regard, if we look at the bullet point that is the last bullet point under supplemental or under assumptions, sorry. Last bullet point under assumptions. This talks in terms of sending ideas or proposed modifications out to the community and getting community input before we bring them back to Council.

And as I had commented in the last small team meeting, I believe that what's incumbent upon the small team here is a two-step process. Because I do not think that proposed modifications or even framing should be sent out to the community for comment until the Council itself has actually reviewed what we would be framing or suggesting as proposed modifications. Because it's actually the Council's responsibility under Annex (a) section 9 to both review the letter that came from the Board regarding its Board statement with respect to non-adoption of these recommendations and the Council's responsibility to develop supplemental recommendations.

And I understand that Council has delegated a great deal to the small team, but I think that if we want to avoid risk of community objections and processes around total transparency, that before we send out any proposed modifications to the community, that the Council should authorize us as a small team to do so. And I would definitely change that last bullet point under assumptions. Thank you.

PAUL MCGRADY: Thanks, Anne. Jeff I have to respond to Anne directly right now because there were like 5 or 6 comments in there about different things. So, if I call on you I'll lose my ability here because we covered a lot of things. So, Anne, I think we may be in terms of the work, we may be conflating the work that we've already done with the work that we need to do to onboard the SMEs. Okay?

Because we could say to the SMEs, yeah, please read the entire transcript, please listen to every phone call, please do the same thing for all of SubPro all the way back. Show up. And you if you do that, you will know where the rest of the small team is. Not practical. We want the SMEs to be as caught up as possible, but they've not been involved all along with us on this way. So, we do need a framing document to pass along in the invitation where the SME will be defined. And so, that they know where we sit, what we've learned from the Board liaisons, what the Council's about to learn from the Board this week because we are meeting with them on the remaining non-adopted recommendations so that they can hit the ground running.

That's not the same thing as a fade accompli where we're telling everybody what these recommendations are. They're placeholders. They deemed to be in the form of draft recommendations because that's the work product that the small team+ is going to be doing. Some of the other ideas like from the ALAC, from the non-commercial, from SMEs themselves, those are-- Again we're doing policy. I doubt that those things, at least none of the ones that I've seen our policy. They're actually really good implementation ideas, right? And so, our recommendations are supplemental recommendations may come with our implementation suggestions as well, but we can't conflate the big ideas coming from the community with policy.

Policy should be this big. Implementation guidelines guidance could be this big or this big. It just depends on what we end up doing. But if we don't do the preparatory work, we're going to have a harder time onboarding the SMEs and that's going to slow us down. And we are still working against the clock to make sure that we get all this stuff into the Board on time so, that we don't hold up the next round.

ANNE AIKMAN-SCALESE: Just two fingers on that. I think that the step that you described about framing that helps educate SMEs. If that's what we're doing should actually be in this document and explained in this document because it it's not really clear that little framing exercise or background exercise that you just described isn't actually in here. Second point is this policy. This not implementation. These are recommendations that have been non-adopted by the Board and its policy.

PAUL MCGRADY: Thanks, Anne. And again, respectfully, what we're doing here is I agree. It is in fact policy. But just like each working group that comes up with policy, they oftentimes include implementation guidance. And so, if the goal is merely to develop a policy, I think we could do that in 30 seconds. The Board should open up its wallet. The end. That is going to discount all kinds of good ideas that are coming from the ALAC, that are coming from the Non-Commercial Stakeholder Group, that are coming from the SMEs themselves and other folks who've done a lot of work in trying to put together some ideas about how to actually give the Board some comfort that they can in fact open up their wallets.

And so, if nobody has to participate in the part where we do implementation guidance, but implementation guidance is a normal part of policy development. But we can't conflate that the little bit of framing background work which consists of a draft recommendation with implementation guidance. And they're cousins, but they're not the same thing. All right. Yeah, Jeff, go ahead.

JEFF NEUMAN: Thanks. A couple of things. I think in the last assumption we should have as a default public comment. I mean, I don't like such community review could take different forms. I mean, we could always do something in addition to public comment, but I think the basic is public comment. When I say public comment, I don't necessarily mean it has to be the 40 whatever days that we normally have, but I think we should have a baseline that everything we come up with at least at the end of the day before it gets voted on, should have public comment. And I don't like it could take different forms. I think we should just be open and say it's going to have public comment, and we may do additional things. So, I think that's one.

The second thing is on Anne's comment on taking it to the GNSO before we go out for comment. I believe that we should ask the GNSO, we'll get their authorization to put it out for comment. I think Anne used that. That doesn't mean they have to agree with the recommendation. It just means okay, small team, we think you've done the work, and you could put it out. And that could be by means of non-objection as opposed like a formal motion and having to wait two meetings. I just think the Council should give the authorization that, okay, that's ready for public comment. I think the Board does that too.

PAUL MCGRADY: So, thank you for raising the issue about the second part of Anne's initial comment, which has to do with getting Council authorization to do a public comment. I think that we have not had this problem. I think that we have been keeping the Council rather fairly well informed all along the way. By the time they get documents from us, they're pretty aware of what we're doing, what we've been doing. And so, I don't anticipate that we'll be changing our MO. I think the Council will be informed as we go. So, I really think that's a shadow that we're boxing there, but I take it on board that we should continue to keep the Council informed of our progress so they're not surprised when we come to them and we say we're about to do some sort of public input process.

One of the reasons why we have public comment or and some of these other things are is that we have to keep a close look on the time frame. We have to keep in mind that we are working against the clock. And if say, for example, if the work on the applicant support takes a very, very long time and our choice is to do something that is more streamlined than a public comment so that we can meet the Board's deadlines and not ask the Board to move the launch of the entire program back for the applicant support component of it, then we need that flexibility. I'm not saying that's going to happen, but I don't think we necessarily need to sort of cut the other ideas out right now.

I understand that your desire for the default to be public comment. I just don't think we should necessarily take tools out of the toolbox and leave them on the floor. Let's keep all the tools in the toolbox because what we don't want to do is to have applicant support be the final thing before the round goes forward because there'll be folks that will view applicant support as less important than the next round happening and we don't want to-- That's not good strategy. That's not a plan to win. The plan to win is to be as flexible and fast as we can be. Jeff, go ahead.

JEFF NEUMAN: I mean, again just to stress, when I say public comment I'm not saying it has to be for the capital P, capital C, 40 whatever days. I'm just saying some sort of input mechanism at a minimum should be getting comments from the public. You can add tools, you can always add tools, but you shouldn't-- I just think that's a bare minimum always. It could be shorter period of time, but I just never see an issue with saying that there'll be some time period for the public to comment. And maybe in that way, let me ask the question. With these, does the Board before they could adopt it, do they have to have a public comment period? I'm looking at Steve and Marika. Sorry. Are these the type of recommendations that when they go to the Board, they have to have a public comment?

STEVE CHAN: We're conferring together, and I think the answer is no for supplemental recommendations.

JEFF NEUMAN: No.

STEVE CHAN: I mean, it we went through a series of recommendations and it didn't happen for [CROSSTALK].

JEFF NEUMAN: Well, I would think that if we did a public comment period, there's certainly much less of a likelihood that the Board would do it. I would think if we didn't, the Board may want to do their own anyway. It would be highly unusual for there to be no public comment period. Anyway.

PAUL MCGRADY: Okay. Well, that's not necessarily a question that we can answer right now. So, Jeff, I hear you. On the other hand, I do think it's important to keep as many tools in the toolbox as we can and not cast any out. And so, maybe you can just take it as a live to fight another day to push for public comment on the other side of this document because public comments are not precluded by the document. We have Marika and then we have Jeff again. Is that an old hand? Okay. And, Anne, is that a new hand?

ANNE AIKMAN-SCALESE: New hand.

PAUL MCGRADY: Okay. So, then we'll cut this off at Anne because we have to get on to Marika's document to show us where we go from here. Marika?

MARIKA KONINGS: Yeah. Thanks, Paul. This is Marika. I think indeed when we get to that conversation, there is already suggestion for something else that is community input, but not necessarily public comment with capital P, capital C. I just wanted to respond to Anne's comment or question on why we haven't reached out yet to that potential plus members. But as the assignment form lays out, the idea is that would happen once the group has a work plan in place because it's the assumption that some member may not be interested in working on all these topics but may only be interested in working in certain topics.

So, the expectation is that the group kind of maps out in which time frame it's expected to cover certain topic and then possibly as well, the time it's planning to spend on that so that volunteers can consciously say yes, I'm in because I know that's the time I need to spend and I'm only going to show up for those topics. So, that's I think, yeah, the next conversation we're going to and once we have that in place, we're able to go back to indeed the different groups by saying yeah, this the approach, this the work plan in place along the lines of which we're planning to work.

That's also the point where we then go back as well to Council to share that work plan and saying this the approach we're taking so Council obviously also has an opportunity to say this doesn't align with our expectations. But I think the point we made before, I mean, there's a pretty large representation of Council already in this small team. So, normally shouldn't hopefully come as a big surprise or a major concern raise at that point.

PAUL MCGRADY: All right. Thanks, Marika. Anne?

ANNE AIKMAN-SCALESE: Yes. Thanks. It's Anne. And just two points again, would be that, Paul, I appreciated what you had to say about keeping the Council very well informed about the work that we're doing. And I'm assuming this document itself is going to be reviewed in a working session with the Council so that the Council's on board with how we are going to approach this as a small team.

And in that regard, I think that what you described about our working relationship with Council is not actually what the words of the last bullet point under assumptions really says. I think you were saying that no, the working relationship with Council is very close and they'll be aware of what we're sending out and blah blah blah, but the word before appears in the last bullet point under the assumptions, before consideration by Council. Again, I don't think that's the right way to go even in terms of the potential risks that this group would be creating by doing so. So, I think that Council should be seeing whatever it is that we want to be putting out there and that they should see that beforehand.

Separately, I appreciate what Marika has clarified with respect to the work plan. And I wasn't actually questioning why we haven't put out indications per se. I'm just actually commenting that this framing exercise that you have talked about that would be providing background when the invitations are issued isn't again really described in this document. And I think that that framing exercise that you talk about, it would be extremely helpful when we bring this before Council to indicate that step in the process that you and Marika have so kindly described. Thank you.

PAUL MCGRADY: Thanks, Anne. A couple of things there. One, in terms of this document, I don't know is something that will be the primary focus of our conversation with the Council about where we are. On this, this is more of an internal working document. The Council's aware of this and if they have concerns, they can certainly find a way to raise them. I also think that you're reading that last bullet under the assumptions where it says that they're submitted to Council for consideration. I think that is the ultimate consideration. It really should say vote. Because all along the way up until this point, we're going to be keeping the Council informed as we go, as we have been every single month.

I really would like to dispel any incorrect belief that anybody in this room has based upon this conversation that this small team has not been keeping the Council informed as we go. We have been keeping them very informed as we go. And so, I just would like to dispel any concern that anybody may have based upon this conversation that that's not the case. All right. We are now a bit past halfway through our time, so if we can change direction. Marika, if you can show us, tell us the future, Marika, or at least one possible iteration in the future. Thank you.

MARIKA KONINGS: So, this is Marika. So, this is really just a draft document that we worked on trying to think ahead. The next step is ready to pull together a work plan and basically work back from that date of the June meeting at the latest to have this to the Board for them to be able to make a decision.

And of course, then it would go to implementation and the work that needs to take place there.

So, again underpinning this work plan is of course the conversation we just had to kind of I think general support to proceed along those lines. I know, sorry, there's no link. This just a word document because I haven't put it up yet, but obviously we can share this with the group after this meeting. And again, we're looking obviously for input on this.

So, a couple of assumptions that we made in developing the work plan. It's very much based on the assumption that the Board liaisons will continue to active participation in the conversations and also will make very clear to the small team whether or not the proposed modifications are likely to gain the support of the Board because obviously that's the objective of this work. The timeline would foresee that there is active engagement from the small team both on meetings, but also in between meetings. So, if there's any word smithing or suggestions, have conversations on list, don't wait for meetings to focus on the conversations.

There's also an assumption that if it becomes clear that it's very unlikely that the path the small team is taking or any of the suggestions that are being made are going to get the support of the Board, that the small team is able to let it go, or at least not focus more attention that topic. If it becomes clear that there is no path of mutual agreement on it and instead start maybe focusing on other recommendations. Maybe there's an opportunity to come back to it, but at least not let that hold up looking at the other recommendations that need to be addressed.

Again, a commitment to the overall timeline that would allow a consideration by the Board. The absolute latest by ICANN80, ideally way before that. If at some point, it seems that more time is needed for conversations, that might then require additional meetings to increase frequency, but at least kind of the end goal is agreed or committed to. And to the point that Jeff was making on public comment, what we're kind of foreseeing instead of the traditional public comment form which again I don't think we would see any options there to go for less than 40 days plus, then the time it would take for the small team to look at the input provided.

And it's very difficult often through public comments to get very targeted input to maybe consider a different approach which what we've suggested here could like. And again, our time and currently looks that we would get modifications in place by ICANN79. So, we would then do a prep week webinar in which the group would run through the proposed modifications, so everyone is informed on what is being proposed.

And that would then be followed by a community session at ICANN79 where everyone that was on that prep week webinar or would listen to the recording is invited to come and share their feedback and come with specific ideas or suggestions or questions that they may have so that after ICANN79 the small team+ would be able to go back and say okay, let's look at all the feedback we got. What changes, if any, do we need to make and be able to then take that forward and be able indeed to make sure that you've had the opportunity for the community to provide input.

So, then we listed the different topics that are outstanding. We have already assumed for 32, because I think the Board has flagged that they're planning to not adopt that. That would become part of the list. And then again this purely at this stage are kind of thinking on what might make sense with regards to ordering. And this also I think where Anne will see the work on the background information. So, the idea would be that we are agreeing here on the proposed approach and then the next steps that would lead to this work plan. Based course on today's conversation, we may need to make updates or may just put this out for you to review. So, of course you have a chance then to provide comments or further thinking into this.

Our next meeting would be on 6th of November. So, the idea would be that by then we're able to put our stamp on this work plan and say this along the lines that we're planning to work. And then that point we would also ask the small team to raise your hands who would be willing to work on specific modifications for each of the items that are on the list. So, then there's a period from like almost two weeks, a little bit less in which the small team volunteers would, and of course staff support there is to help you, would work on proposed modifications of the recommendations. I think we could even consider there be helpful as well already at that point to also engage with the Board liaisons and get their initial indications of whether the line of thinking is in the right direction.

That would also be the same time frame during which we would reach out to the different groups to ask them to identify the SMEs and be able to share the work plan so they could see indeed order of topics. And we would ask them obvious to indicate if those SMEs would be only focused or only willing to participate on certain topics or whether they're in it for the whole ride. That would also allow the time frame during which staff support team then would develop those targeted background brief.

And I think as Paul already described those, it will be very much like this your original recommendation, this the Board's concern. That this is some of the observations that the small team has already made, and here is the draft language, the draft modifications that are the starting point for your conversation. And the document could even be set up as a Google doc so that those are already wanting to start working on that could start providing input. And again, the idea would be to make that very targeted and really ask questions like if you don't believe these modifications are fit for purpose. Why not? What would be better to address the Board concerns? Please provide specific feedback again to really make sure that the conversations are very focused and targeted.

Then by the 20th of November, we hope that all the small team and volunteers would be able to confirm the proposed modifications. That would be the starting point. By that time, we would also give a heads up to Council on the work that the small team has undertaken. Of course, before that, we would already share with them the work plan. I think that would happen by the 6th of November time frame assuming the group is able to finalize that. Then basically by the 27th of November, we would start with the small team+.

The idea at the moment is to do consideration of the modifications sequentially because I think we're concerned if we start doing that in parallel, we may be spreading the volunteers too thin. So, it might make sense to just do it sequentially. And again, if certain numbers are not interested to talk about certain topics, obviously, they don't need to show up. So, the idea is very much that we would have one call to introduce the proposed modification, have a conversation around it and then basically at the next meeting, have a second reading of the topic and basically finalize and close off the proposed modification.

We've suggested here starting with 9.2, which seems to be at this stage pretty straightforward or I think there's potential path already identified. So, we're hoping that over two meetings that that would be covered. Then we also, we will go to 22.7, again the same concept. 24.3, I think there we have foreseen that might require some more conversation. So, again we've tried to make a little bit of an assessment of how much our little conversation we anticipate, but obviously that's I think as well where we're really looking for input from the group on whether that is realistic or whether you think more time might be needed.

So, moving to 24.3 then 17.2. Again, we've also foreseen some additional time there. I know there has been some conversations as well whether that might need to follow a different approach or maybe additional time. Again, I think we can build that in or schedule additional meetings. I think that's kind of there is flexibility obviously in this plan.

And then last, but not least I think then we have the package of 18, topic 18 and 32, which seem to be somewhat related. So, I think the thinking is that those might need to be tackled together. So, basically all that work would then lead us to, and I said for that one we've carved out quite some time, to ICANN79 almost. So, we're assuming at this stage that the prep week might take place in the week of 19th February. So, that will be then the opportunity to brief the community on the proposed changes. The session at that meeting would then be indeed the opportunity to have the conversation and obtain the input.

Then we've foreseen I think like three meetings during which the small team+ would review the community feedback and make any modifications you think are necessary to address the community input and then basically by the week of 1st of April based on the schedule, you would be in a position then to submit those modifications to the GNSO Council for its consideration. That might allow consideration and adoption in the April meeting, obviously if there's more time for consideration needed, that might move to the main meeting. And then after the adoption, it would go to the Board, which would put the Board in the position in the May-June time frame to consider those recommendations.

So, that's again at a very high level where from the staff side we see the sequencing and the time that may needs to be spent. Again, the objective is by having a very focused conference on the modification, we hopefully reduce the need for lengthy conversations. But of course, if you believe the estimation of the time needed is not sufficient, it's too much. Again, I think that is something we can adjust as needed. Again, this initial draft to get the conversation started, but we hope at least this helpful on seeing it all mapped out and as well the end goal of where we need to go and what may need to happen within that period.

PAUL MCGRADY: Thanks, Marika. One question about the-- Because I know that public comment issue is on our minds and there's been a suggestion in the chat that it could be less than 40 days. I'm a little concerned that's a double-edged sword because we might have folks that say that it was not an effective tool because it was less than 40 days and they're used to 40 days.

When we talk about the giving feedback at ICANN79, could we do a session that was essentially open mic? Like we do a prep week event, we publish a bunch of information and then we get a nice big room and we have people come to the microphones and have them tell us what they think as a means to sort of streamline that input. And we would just gather it. We wouldn't debate. We would just take the input in the way that we would public comments and then chew it up ourselves and figure it out. Is that something we could do?

MARIKA KONINGS: Yeah. Thanks, Paul. This is Marika. So, yeah definitely. I think you can structure that meeting as you want. I think the only thing you may want to think about if you want to make it a GNSO session, it will become part of the GNSO schedule, but if you want to elevate that to-- I think that the plenary has been used before. It may be something that you want to take to the planning committee which I think consists of the SO/AC chairs and put that in as a proposal and saying we want to run this session. The objective is really to get communitywide input.

So, we would like to make this a non-conflicted session or at least communicate this very early on so all the groups are aware. If they don't care about this, they can of course go and do something else, but everyone should be put on notice that if they want to participate in this, this will be the session at this time.

PAUL MCGRADY: Thanks, Marika. So, we need to decide pretty quickly what we're going to do so that we can get it on the calendar if we're going to do something a little more streamlined. All right. I see Jeff and Anne.

JEFF NEUMAN: Thanks. Jeff Neuman. So, if we could structure the meeting any way we want, please have drinks that are served. No, but definitely it should be a plenary that goes in as a request so that there are groups aren't supposed to schedule anything that conflict with plenaries. And so, I think that's the best way to go I think back to wherever we are in the world in 2016 and we did the geo session, that was non-conflicted and that ultimately led to Work Track 5. So, I certainly recommend that.

On the assumptions, I have two questions. One's on the assumptions and that's totally agree that if we can't come to something pretty quickly we need to move on, but we also need to think about what happens to those. Because I can think of one or two outstanding issues that I'm not sure we may just argue for what we had in there and why that's important and take it back to the Board. I'm not sure necessarily. I don't know. There may not be modifications.

You either have a right to sue or not right to sue. I don't know if that's the one, but I could foresee certain things where the Board is just going to be like no, I don't like it and we're going to be like, but we need it. So, we just need to think. I agree, we need to move on from that and not spend many sessions on it, but we do need a solution of what do we do with those that are left on the on the floor. We can't just have it in limbo.

And then the second thing is if you go to the schedule, can you go to the first? Yeah. I think we need to start immediately on the applicant support, whatever that modification thing is framework because that's going to take the longest amount of time to both get the right people in the call for expressions and just in discussions. And I fear that if we don't do that until what was it February or something that was in there for applicant support. I fear that's not enough time. So, I would absolutely.

Because I actually think that some of these can be modified fairly quickly that we may not need as much time as what this is, but applicant supports one of those where I think we all know that's going to need a little bit more time I think. So, if we can get the call for the volunteers and if we can get all of that done and then start that one as number one in at least December 4th, if not earlier to get people thinking about it and then hit the new year running or even before, because that's going to take up a lot of time. Yeah. Those are my two comments. Thanks.

PAUL MCGRADY: Thanks, Jeff. So, on comment number one, I mean these are on the cutting floor unless we pick them up. So, they're not in limbo, they're dead, unless we make them undead. I am not opposed for optics to add a semicolon "and we really mean it" to the end of each of the recommendations and send them back to the Board so they can kill them the second time and be really, really on the record as having killed something with community once. That doesn't bother me. But I don't think we have to do anything if we choose not to keep fighting. Yeah, Jeff.

JEFF NEUMAN: Yeah. I think but the "we" there is the Council not the small team, right? So, there are processes and procedures in place for the Council to have formal meetings and discussions. And in theory, there's accountability mechanisms if it's that important. And I think for me personally, if we don't get one of a couple of things, there's going to be a real problem. And that might be subject to accountability mechanisms. So, just think about that.

PAUL MCGRADY: Yeah. Thanks, Jeff. Yeah, I agree. It's we the Council, not we the small team. Again, we're just the people who volunteered to do the work. We're not the thing itself. And in terms of sending the recommendation back up again might kind of half joking some may call it. That resets the clock on some of those accountability mechanisms which are ticking away now. And so, I get your point procedurally. It could end up being important.

As for the order where we take this. I'm agnostic about that because we only have a certain amount of time no matter what. If folks feel strongly that we need to start with applicant support, we'll have Steve and Marika react to that. There may be some staffing or strategic reason to do it in the order that it's in here now. I expect that the order that it's in here now is because there was some low-hanging fruit that would be nice to get on its way to the Board so they can go ahead and have those adopted while they're waiting for us to do applicant support as opposed to holding it all up, but I'll let Steve and Marika respond to that.

I see Steve's hands up. So, Steve, you're a couple people down the line. So, we'll have him do that. We have nine minutes left. So, we have Anne, Jim, Steve, Susan, Stephanie and then we at least want to give some folks in the room a chance to raise their hand if they want to. Anybody want to be in the queue? No. Okay. So, with nine minutes left and four people, that means everybody gets two minutes. So, please govern yourselves. Anne?

ANNE AIKMAN-SCALESE: I hope to take less than two minutes, Paul. Thank you. And thank you so much to you and to Steph for preparing the schedule which for whatever reason I hadn't seen before. It's really helpful and the specific schedule really helps alleviate some of the concerns that I had expressed earlier. I hope that we'll review the schedule with the full Council when you brief them in the working session because it says so much in so little space and is very concise.

Second comment though is that I agree with Jeff regarding the framing of applicant support issues, that they will take longer and it will take longer also for certain entities to designate their small team+ leads. And so, if we could do the applicant support work moving and get up to the top and get out those invitations sooner, I think that would be the way to go. Thanks.

PAUL MCGRADY: Thanks, Anne. Jim?

JIM PRENDERGAST: Thanks. Jim Prendergast. Not a member of the small team, but a frequent observer. So, stalker. So, I love this document as somebody plans. Jeff, I think what we could do or potentially explores that feedback session at 79. I think you need to add a written feedback element to that. And don't call it a public comment period. Call it a written feedback period so it doesn't trigger all the rules around it. Have it start as soon as prep week is over, or the presentation is over and have it run to the end of 79. And then that gives you time to synthesize a lot of that stuff.

One thing I don't know if you've done yet, but you may want to also reach out to Lars and his team and see how this sync in with the IRT. Have you already done--? Okay. But it works with them, and it shouldn't slow down the IRT, knock on wood. Okay. Great. And then I too like the "and we really mean it", but the question I have is how many times will we say we really mean it till something is done? So, how many iterations would we go through on a topic that the Board does not approve? Do we go back again? Do we tweak? Do we go back again? Any thoughts on that?

PAUL MCGRADY: So, I'm going to hop in here. I've been accused of jumping the queue and I'm just going to do it.

JIM PRENDERGAST: Nobody is questioning you, it's fine.

PAUL MCGRADY: So, I think the way that I read it is that we get one shot at supplemental recommendations, and we can do Section 16 until the cows come home. Okay. But I do view those as sequential and so it sounds like we're going to try supplemental recommendations and see how far we get. It doesn't preclude us from keeping ongoing. It'll just be under different mechanism. But again, it just depends on at some point if the Board is just unwilling, it's just unwilling and we'll have to deal with reality, but let's not give up hope yet. Thanks. All right. Next up we have Steve.

STEVE CHAN: Thanks, Paul. This Steve. So, two quick points. One is Jim just mentioned that consultation period. So, that's maybe a good reminder of why it might not make sense to actually split the recommendations up into bits and pieces. If you're trying to seek that feedback, you kind of want to do it all at once and then send all of the packages to get it to the Board so they can react all at once. So, that's just a maybe a quick procedural point on timing.

The other point I wanted to just raise is maybe a different way to think about recommendation 17.2 on ICANN support. So, Paul, you sort of alluded to it, how the recommendation could be structured. So, right now it includes two problematic parts that specifically talk about writing fees and attorney fees and potentially the recommendation could strip those specific things out and be more general and aspirational which is what it would remain after that. And you talked about the polls that have already come in. Those are prescriptive and detailed, and you could maybe construe them as implementation guidance. And so, if you look at it from that frame, it might actually mean that you can actually tackle the work faster. And by Jeff's suggestion, you could actually pull it forward because you're changing the structure of how the recommendation is framed.

I don't know if that makes sense, but the other piece I would mention is that our Org colleagues are working on its alluded to in one of the Board statements that they're also looking at ways in which to provide guidance and ideas to 17.2. So, there's probably some opportunity for the small team, the small team+ in order to get synergies on ideas for 17.2. Thanks.

PAUL MCGRADY: Thanks, Steve. We have Stephanie as our last intervention.

STEPHANIE PERRIN: Stephanie Perrin for the record. I'll try to be quick. I'm just a little worried that while I understand the concept of moving the difficult thing forward, that might slow us down in pumping out the easier things. So, to me that means we're going to be working simultaneously on two clumps of material. And I would still caution against cutting any corners in terms of getting Council imprimatur signature buy-in whatever.

Providing an update to Council just doesn't make me happy. I want them to own it and them to put it out because I'm worried about procedurally what it means when an increasingly diverse small team that's moving further and away from Council loses control of something that already, let's remember we're dealing with the things that the Board didn't like. So, we're already dealing with controversial matters. I think cutting corners might be a mistake. Thanks.

PAUL MCGRADY: Thanks, Stephanie. And yeah, just again to reiterate the comment I've been trying to give in people in the room. Council will be kept up to date. They will be decisional as they always have been through this. We're not going to cut any corners on that. So, I have two minutes left and because Jeff is my very good best friend from years and years gone by at ICANN, he would like to say one more thing. So, we're going to do that and then we're going to be done. Go ahead, Jeff.

JEFF NEUMAN: Yeah. I think we may have on-- Sorry. Jeff Newman. On the moving the difficult thing up, I actually think that the difficult part is not where the small team, this small team will do. It's what the small team+. In fact, I think really just eliminating the second part of that sentence is all we need to do. Right now, 17.2 says the working group recommends expanding the scope of financial support provided to applicant support program beneficiaries beyond the application fee.

That's where I would stop it and eliminate "to also cover such fees as", and it goes on to examples. You just cut that out and that's the modification. And now you go to a group to figure out the rest of it which is what our work really the bulk of it is. I think that's it. That is a solution, to move pretty quickly to get on to the difficult okay, what does that mean? Which is what the proposals address.

JIM PRENDERGAST: Thanks, Jeff. And I think to a certain extent then we're clearly an implementation guidance which is okay as opposed to baking into policy the specific ideas. But we are out of time. This has been a good robust conversation. Thank you to the big crowd who showed up. It's happy to see that others besides our little quirky group have an interest in this. Thank you for coming. You were very welcome here. And we're done, right? So, see you-- Oh, one more thing from Marika. Go ahead. Close us down.

MARIKA KONINGS: Yeah, thanks. Just very quickly. So, we'll put this document up as a Google doc so you can all have a look at it, comment on it and then by the 6th of November next meeting and we hope then that this can be finalized. Because otherwise we impact of course the rest of the timeline.

PAUL MCGRADY: Thanks, everybody. Have a good day.

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