This document is intended to serve as a repository for CCWG members and participants input on the questions the CCWG is expected to address as outlined in its charter (see <https://community.icann.org/x/DJjDAw>). Although the initial focus of the CCWG is on developing a workplan, CCWG members and participants may already want to provide their input so it is readily available when deliberations commence. To add your input, please list your name in the left hand column and enter your response in the row next to it.

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| **Name** | **Charter Question 1. What framework (structure, process and/or partnership) should be designed and implemented to allow for the disbursement of new gTLD Auction Proceeds, taking into account the legal and fiduciary constraints outlined above as well as the existing memo on legal and fiduciary principles? As many details as possible should be provided, including any implementation guidance the CCWG may have in relation to the establishment of this framework as well as criteria for the selection / ranking of potential funding requests.**  |
| Daniel Dardailler  | As I mentioned on the call, I think we should separate the two issues at hand: - design a set of specific of funding guidelines/mission for a new "DNS granting agency". This should talk about scope, criteria of success for grantees, limitations, strategic plan, funding calls, etc. - implement this granting agency in a legal framework of some kindMost of my input will be on the first point, since I know little about granting agency legal setup (although I participated in the creation of the Web Foundation, a Swiss Foundation, and a couple of French assoc - one of which was for hosting the ICANN plenary in Paris a few years ago ;).So regarding this second point, and this question 1, on framework, I would recommend that if we want to minimize the time and the costs to implement a funding agency (not to mention the liability and the flexibility for future changes), let's try to do it first within ICANN, e.g. create an "Office of DNS Auction Grant", much like there is an "Office of the Ombudsman", which would have its own committee for funding review, staff mgnt, and report to the ICANN board.If this requires a change in the ICANN by-laws, then let's do that, it would still be simpler than creating an external entity or dealing with one over the years.If this is not possible for legal/tax reasons, then too bad.. |
| Dietmar Stefitz | I think this is a unique opportunity to create some for Generation lasting Foundations in various fields of Interest, whichare in the Spirit of Icann on it's own and a strong, neutral Internet Community, which should include all parties involved in the different fields.They can be formed as various Foundations/Trusts, which get equal parts of the auction funds, and future special proceeds. This foundations should be in neutral countries like Switzerland and have a council of experts in the assigned field. |
| Seun Ojedeji | I think dedicating a department just to manage the auction proceed seem like an overkill since this won't be a continuous event. A mechanism that allows staff (GSE dept for instance) to this as a project item and manage the funds based on the guidelines developed by this group should just do.  |
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| **Name** | **Charter Question 2. As part of this framework, what will be the limitations of fund allocation, factoring in that the funds need to be used in line with ICANN’s mission while at the same time recognising the diversity of communities that ICANN serves? This should include recommendations on how to assess whether the proposed use is aligned with ICANN’s Mission. Furthermore consideration is expected to be given to what safeguards, if any, need to be in place.**  |
| Daniel Dardailler | I think we should start by describing the various criteria we collectively have in mind as far as judging if a given project is worth the funding by this new DNS agency.I lined up a few of them in one of my past comment to the drafting team, here there are: - benefit for the Internet, its shared infrastructure, its users - level of support of ICANN's mission: improve the stability, security, and global interoperability of the Internet. - global benefits vs. local benefits (e.g. is this funding going to help all Internet users or just a limited population ?) - is it work for the Internet "common" (i.e. software or services usable by all free of charge - including not paying with your personal information or your personal time avoiding commercial ;) - is the beneficiary population served under-represented on the Internet - long terms benefits vs. short terms results (hence the importance of funding infrastructure oriented things) - scaling effects: a relatively small funding having rippling benefits on billions of users - which layer of the Internet does it cover ? - physical (e.g. optic cable, wifi, dsl, router), - middleware (ip, dns, http, html, etc - required much more details to analyse potential CoI), - application (search, social platform, content e.g. wikipedia) - difficulty to get funded by usual granters (such as gov, large foundations, which don't care about the Internet when it's not their enemy).Once we've live up enough criteria, we can catalog them, and start evaluating and prioritizing them wrt to the granting agency goals. |
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| **Name** | **Charter Question 3. What safeguards are to be put in place to ensure that the creation of the framework, as well as its execution and operation, respect the legal and fiduciary constraints that have been outlined in this memo[1]?****[1] See** [**Note to Auction Proceeds DT re. legal and fiduciary principles**](https://community.icann.org/download/attachments/58730906/May%202016%20-%20Note%20to%20Auction%20Proceeds%20Charter%20DT%20re%20legal%20and%20fiduciary%20principles-UPDATED.doc?version=1&modificationDate=1466697425839&api=v2) |
| Daniel Dardailler | I think we should start by studying those safeguards in the context of the granting agency being implemented within ICANN. |
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| **Name** | **Charter Question 4. What aspects should be considered to define a timeframe, if any, for the funds allocation mechanism to operate as well as the disbursements of funds? E.g. The timeframe for the operation of this new mechanism may provide the opportunity for long term support, or for funding to be released in tranches linked to milestone achievements, single or multiple disbursements.** |
| Daniel Dardailler | Regarding the timeline of this group, it could go very fast if we can pick the internal solution (e.g. a new ICANN Office).Regarding the funds, I am somewhat familiar with the European Commission Framework program, which disburse millions each year to the R&D community, and I would advocate their approach (for a given work program, which lasts a few years, and from a high altitude - I'm sure it's similar with DARPA): - come up with a strategic plan (what this group is going I think, i.e. the guidelines/mission I mentioned above, independent of the legal nature of the agency) - do several calls, e.g. every 6 months, each with with one or a few given focus (e.g. content oriented, dns middleware), USD20M each, so 3 to 5 years of activity altogether (unless more auctions are coming in). |
| Elliot Noss | One of the two most important things to me in this process is that we recognize that this is a singular opportunity both in scope and in nature. While there may be other opportunities for ICANN to actively dispense money (I personally think a lower budget and annual surplus should be the norm but…..), they are not currently part of the process and I have great fear of institutionalizing an “ICANN Charity”. We are looking at a singular event, which is auction excess in the first round of open applications ever.Any structure(s) we create should naturally sunset. This informs both the setup and the rules for disbursement and productively simplifies both. |
| Alan Greenberg | I tend to agree with you [Elliot Noss] with one caveat. There are a lot of unknowns regarding future gTLDs:- There \*may\* be another round or rounds;- There \*may\* be auctions- Any such auctions \*may\* have their proceeds designated for uses similar to in the first round.All of these would be the result of GNSO PDP(s) and Board action, and are out of scope for us, regardless of whether we think any or all of this would be good (and I am not advocating any of this here).If all of those were to come to be, then the process we are developing \*may\* be applicable (again, a decision WAY out of our scope). Nothing that we do should REQUIRE that we must start all over again and re-invent this in such a situation. |
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| **Name** | **Charter Question 5. What conflict of interest provisions and procedures need to be put in place as part of this framework for fund allocations?** |
| Daniel Dardailler | I don't foresee any issue whereby an individual (even representing an organization, like me) would raise a CoI in their participation and their advocating a funding priority vs. another, since the group works on consensus.If a group of participants manages to push a priority one way, and it happens that they all belong to the same "area" (hence the importance of describing the criteria delimiting the areas), then someone could raise a CoI for the group. |
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| **Name** | **Charter Question 6. Should any priority or preference be given to organizations from developing economies, projects implemented in such regions and/or under represented groups?** |
| Daniel Dardailler | I think it's an important criteria, but beyond the organizations location, we should look at the beneficiaries'. Global organizations typically have programs in dev countries and for minorities, and fund can be earmarked within them. |
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| **Name** | **Charter Question 7. Should ICANN oversee the solicitation and evaluation of proposals, or delegate to or coordinate with another entity, including, for example, a foundation created for this purpose?** |
| Daniel Dardailler | If that's what the board wants, then yes. Somehow, it will depend on the trust in and solidity of the strategic plan given to the grant agency, i.e. if the safeguards and criteria are good enough then ICANN may live with post-funding decision reporting only. In any case, I would start in the first couple of years with the board in the loop for all final funding decisions (every 6 months, no big overhead), once the granting agency has done its work and think the projects are OK (I think the board will also want to know which project have failed the evaluation threshold). |
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| **Name** | **Charter Question 8. What aspects should be considered to determine an appropriate level of overhead that supports the principles outlined in this charter?** |
| Daniel Dardailler | As small as possible. And not based on % commission of the grants disbursed but on the real work to be performed by the agency. If the ICANN internal option is taken, then IMO a few additional staff, 3 to 5 (fixed cost) would be needed. |
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| **Name** | **Charter Question 9. What is the governance framework that should be followed to guide distribution of the proceeds? The issues addressed by a governance framework could include (but does not have to be limited to):****a. What are the specific measures of success that should be reported upon?****b. What are the criteria and mechanisms for measuring success and performance?****c. What level of evaluation and reporting should be implemented to keep the community informed about how the funds are ultimately used?** |
| Daniel Dardailler | A reviewing committee with nominated positions (board, so/ac, vip) using the services of independent experts hired by the agency to evaluate the proposals (against the strategic objectives of each funding call). The evaluations should be as formal as possible, public, with grids of objective criteria, notes given over a numeric scale by the experts, with their rationales, etc. The agency would have to manage the formation and maintenance of the committee and the pool of experts used in each call (i.e. every 6 months, so a continuous activity)Note that I think this is part of the design phase, not the implementation phase (described in my answer to Q1 above). We should described how the committee and the expert system should be dealt with regardless of whether we need to create a separate agency or do it within ICANN. The case of partnering with an existing granting agency would limit us in that regard since they will want to use their existing committee and experts and what not. |
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| **Name** | **Charter Question 10. To what extent (and, if so, how) could ICANN, the Organization or a constituent part thereof, be the beneficiary of some of the auction funds?** |
| Daniel Dardailler | I thought it was an axiom of the auction benefit funds that none of it would go to the ICANN budget. So to me, neither ICANN nor its constituencies (inasmuch as they operate under the ICANN budget) should be allowed to apply for this funding. |
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| **Name** | **Charter Question 11. Should a review mechanism be put in place to address possible adjustments to the framework following the completion of the CCWGs work and implementation of the framework should changes occur that affect the original recommendations (for example, changes to legal and fiduciary requirements and/or changes to ICANN’s mission)?**  |
| Daniel Dardailler | Yes, and having the agency within ICANN, at arm's length, literally, is the easiest way to solve that issue. I've also replied to question 10 in light of the flexibility brought by having the agency as a new ICANN "body": if in the future ICANN (or its existing so/ac) is short of cash, then it will be easier to revise the funding agency strategic plan. |
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