

Attendance - 26 Members

Alexander Schubert	Justine Chew
Anne Aikman-Scalese (IPC)	Kathy Kleiman
Annebeth Lange	Katrin Ohlmer
Cheryl Langdon-Orr	Kavouss Arasteh
Chris Niemi	Kristine Dorrain (Amazon Registry)
Christopher Wilkinson	Martin Sutton
Donna Austin# Neustar	Maxim Alzoba
Flip Petillion	Phil Buckingham
Jamie Baxter dotgay (JGB)	Robin Gross
Jeff Neuman (Co-Chair) (Com Laude / Valideus)	Roger Carney
Jess Hooper	Sophie Hey
Jim Prendergast	Susan Payne
Juan Manuel Rojas	Vanda Scartezini

Apologies: Michael Flemming, Rubens Kuhl, Elsa Saade

Staff: Antonietta Mangiacotti, Emily Barabas, Julia Charvolen, Julie Hedlund, Steve Chan, Julie Bisland

Zoom Chat:

14:22:15 From Julie Bisland : Welcome to the New gTLD Subsequent Procedures Working Group call on Monday, 13 May 2019 at 20:00 UTC

14:27:44 From Julie Bisland : Agenda wiki page: https://community.icann.org/x/_xVIBg

14:51:56 From julie.hedlund to Julie Bisland (Privately) : Hi Julie — I'm in the room but will step away until we start :-)

14:52:02 From julie.hedlund to Julie Bisland (Privately) : Hope you can see the agenda!

14:52:43 From Julie Bisland to julie.hedlund (Privately) : Yes! Sorry! Can see it!

14:53:45 From julie.hedlund to Julie Bisland (Privately) : :-)

14:55:00 From Steve Chan to Julie Bisland (Privately) : is that christopher?

14:55:28 From Steve Chan to Julie Bisland (Privately) : or flip?

14:57:21 From Vanda Scartezini : hi everyone..

14:57:28 From Vanda Scartezini : vanda

14:59:24 From Maxim Alzoba : Hello All

14:59:38 From Maxim Alzoba : I see a carpet

14:59:42 From Maxim Alzoba : in video

14:59:59 From Annebeth Lange : Hi all

15:00:30 From Maxim Alzoba : not anymore

15:00:33 From Cheryl Langdon-Orr : few extras joiing now

15:00:59 From Vanda Scartezini : yeah Cheryl

15:01:10 From Vanda Scartezini : not in video

15:01:18 From Vanda Scartezini : yeah.. thanks

15:01:22 From Vanda Scartezini : made my day
15:01:23 From Cheryl Langdon-Orr : NP
15:02:59 From Anne Aikman-Scalese (IPC) : Could we have the link to the Google doc in chat please?
15:03:08 From Steve Chan : yes, here:
<https://docs.google.com/document/d/1R4zXTH3HlgfbqoxyqsSp19Bl6J96NNeV7oCgxsXKD-w/edit#>
15:05:37 From Maxim Alzoba : zoom scream
15:05:46 From Cheryl Langdon-Orr : :-)
15:09:38 From Alexander Schubert : Why should anybody believe that? last time we said 1 year!
15:10:24 From Kathy Kleiman : hand up
15:10:28 From Maxim Alzoba : is it safe to always say 1 year?
15:10:45 From Maxim Alzoba : I do not think it is a good idea :)
15:11:32 From Maxim Alzoba : Comment: applicants are non contracted parties , if not affiliated with registries or registrars
15:12:09 From Julie Bisland to Steve Chan (Privately) : I wasn't ignoring you, Steve! I was muting the offenders but forgot to reply to you. :(
15:12:16 From Kathy Kleiman : agreed - it did come from a number of groups.
15:12:30 From Kathy Kleiman : it's also consistent with the original rules...
15:12:43 From Kathy Kleiman : Tx!
15:12:48 From Steve Chan to Julie Bisland (Privately) : no worries!
15:13:18 From Julie Bisland to Steve Chan (Privately) : :)
15:13:28 From Kathy Kleiman : may need to come off mute, Christopher
15:13:38 From Maxim Alzoba : I do not hear Cristopher
15:13:52 From Maxim Alzoba : ?
15:13:53 From Kathy Kleiman : *6 to unmute phone
15:14:50 From Martin Sutton : Has anyone lost screen view?
15:14:53 From Maxim Alzoba : me
15:15:03 From Maxim Alzoba : I see white line across the screen
15:15:09 From Martin Sutton : same
15:15:14 From Steve Chan : sorry, one second. Zoom is not cooperating with me
15:15:37 From Maxim Alzoba : view is back
15:15:38 From Steve Chan : Fixed?
15:15:41 From Martin Sutton : phew
15:15:42 From Steve Chan : Thanks!
15:16:17 From Maxim Alzoba : I am for rounds
15:16:39 From Martin Sutton : I saw Staff circulated a Zoom webinar to help guide users - I think it's for next week and will be helpful.
15:17:00 From Maxim Alzoba : when GNSO council decides so
15:17:16 From Maxim Alzoba : if it is a matter of policy decision
15:17:17 From Cheryl Langdon-Orr : Indeed it was drafted that way
15:17:23 From Cheryl Langdon-Orr : at that stage

15:18:35 From Kathy Kleiman : Adding to Anne -- to the required reviews and the required comments/objections.

15:18:44 From Phil Buckingham : Sorry Christopher I have to disagree . We need to have parallel application tracks (.brand, geos , not for profit etc) , without priority.

15:18:48 From Kathy Kleiman : (also part of the Policy)

15:18:58 From Maxim Alzoba : reviews are per bylaws .. frequency is regulated there

15:19:53 From Maxim Alzoba : typically reviews are done in parallel with other activities (do not stop everything)

15:20:57 From Cheryl Langdon-Orr : and Specific Reviews like CCT-RTs are in themselves subject to ATRT review (which can recommend changes or dissolution of any Specific Review

15:21:50 From Donna Austin, Neustar : @Cheryl, how does that work?

15:21:57 From Jeff Neuman (Co-Chair)) : Right, the question still remains whether you need to stop everything to do reviews or whether reviews can be done in parallel with the results of the reviews being implemented when the next round begins

15:22:08 From Jeff Neuman (Co-Chair)) : That is something we need to discuss

15:22:38 From Susan Payne : agreed Maxim, we are permanently reviewing something

15:22:40 From Cheryl Langdon-Orr : @Donna it is the role of ATRT

15:22:56 From Cheryl Langdon-Orr : to review Reviews

15:23:06 From Maxim Alzoba : Note: ICANN's comments are not public comments (it is either ICANN staff, or management or the Board, but ICANN does not represent public)

15:23:30 From Anne Aikman-Scalese (IPC) : Reviews are required by the ByLaws. The ByLaws take precedent so it depends on the language of the ByLaw as to how that review affects subsequent procedures.

15:23:33 From Maxim Alzoba : it is done in parallel

15:23:40 From Donna Austin, Neustar : @Cheryl, I misread as the ATRT can recommend changes or dissolution to recommendations of any specific review.

15:24:10 From Maxim Alzoba : is it written anywhere?

15:24:18 From Martin Sutton : I agree with Maxim, the reviews can take place in parallel. These should be considered as opportunities for continual improvement

15:24:56 From Annebeth Lange : I agree with Maxim as well

15:25:11 From Maxim Alzoba : there is a process for that

15:25:23 From Martin Sutton : Depends what the output/recommendations are from each review

15:25:31 From Maxim Alzoba : described in GNSO op procedures

15:25:59 From Maxim Alzoba : what is intended is not equal to what is actual

15:27:28 From Phil Buckingham : Agreed Jeff. Say there is an issue re .brand that requires a review . imo The review must start after the .brand round is completed . We cannot change the "rules " mid round . That was the problem in 2012 round .

15:27:49 From Justine Chew : Ideally, CCT reviews should be incorporated "automatically" and done in parallel, also completed prior to opening of next round.

15:29:04 From Susan Payne : But a CCT would not develop new policy would it? Wouldn't it make recommendations which would then need to be developed in a PDP

15:29:37 From Cheryl Langdon-Orr : Reviews recommend correct @Susan

15:29:38 From Maxim Alzoba : it was in bylaws, sorry

15:29:44 From Maxim Alzoba : reviews

15:29:58 From Martin Sutton : Policy/material changes during the application process (and prior to next) should be minimised to maintain predictability

15:30:20 From Donna Austin, Neustar : In my mind this all becomes a timing issue. As a principle I would say that one work effort should not toll another unnecessarily. The CCT RT took at least 12 months longer than anticipated and similarly for this effort. The question for me is who decides if one effort will toll an effort.

15:31:09 From Maxim Alzoba : if the recommendations are adopted at all

15:31:09 From Christopher Wilkinson : @Martin, that only works if the PDP+WT5 agree strict and accepted rules. Not presently the case. CW

15:31:19 From Anne Aikman-Scalese (IPC) : @ Susan - yes it appears that some recommendations go back to PDP phase. If you look at the most recent final report - the Board kicked a lot back to us as the Sub Pro PDP. However, I do think the Board actually does have authority to independently adopt a CCT-RT review recommendation if it does not involve Consensus Policy that affects the RA or the RAA.

15:32:14 From Anne Aikman-Scalese (IPC) : Although the Board DOES have the authority to enact a Temp Spec.

15:33:08 From Martin Sutton : @CW understand that's your view but many different views within the group/community

15:33:13 From Maxim Alzoba : Temp spec lives for 12 months only

15:33:26 From Maxim Alzoba : to be precise 360 days

15:34:53 From Maxim Alzoba : the current PDP rules are not going to be the same forever (please check PDP3.0)

15:35:44 From Anne Aikman-Scalese (IPC) : We may have an Accountability issue here. The continuing reviews were part of the reassurances given in the IANA transition. So I am not sure what positions may be taken by various constituencies/stakeholders on whether or not subsequent rounds should proceed and not be held up by CCT-RT reviews. Seems like a good question to put out for public comment.

15:36:31 From Anne Aikman-Scalese (IPC) : No way can PDP policy result in reviews not taking place. ByLaws override that.

15:36:43 From Maxim Alzoba : CCRT is in section 4.6. (d) (bylaws)

15:37:05 From Susan Payne : Anne, there's not been any suggestion that the reviews not take place. we haven't even discussed that

15:38:06 From Anne Aikman-Scalese (IPC) : Jeff just said that we would state as policy that the rounds shouldn't stop reviews. I was just pointing out that we don't have any authority to treat that as a policy determination.

15:38:35 From Anne Aikman-Scalese (IPC) : AGree

15:38:42 From Maxim Alzoba : new

15:38:47 From Maxim Alzoba : hand

15:40:50 From Anne Aikman-Scalese (IPC) : IPC wanted to reserve on the question of FCFS

15:40:53 From Kathy Kleiman : new hand

15:41:03 From Cheryl Langdon-Orr : That is my recall on that @Jeff noting some notable objection to is from e.g. the ALAC

15:41:12 From Jim Prendergast : I would agree with the bullet

15:41:19 From Christopher Wilkinson : Support no FCFS - CW

15:42:03 From Justine Chew : "...application procedures, along with review, objections etc..."

15:44:40 From Anne Aikman-Scalese (IPC) : We can't say "ongoing rounds should not stop reviews" - we have no authority to say that. We can say we recommend that rounds continue unless and until new policy is developed - but ONLY if that is a consensus of the WG. It seems fairly important - and should be included in the limited number of questions for public comment. As Jamie has pointed out, it could be pretty confusing if you prepare and application and then policy changes.

15:45:03 From Steve Chan : @Anne, agree - we will revise.

15:45:56 From Anne Aikman-Scalese (IPC) : Thanks Steve.

15:46:22 From Martin Sutton : +1 Kristine

15:46:28 From Donna Austin, Neustar : Agree with Kristine. Rounds should not be 10 years apart.

15:46:30 From Maxim Alzoba : we should be careful :) 11 is not ten

15:46:37 From Maxim Alzoba : too

15:46:56 From Kristine Dorrain (Amazon Registry) : LOL Maxim

15:47:17 From Kristine Dorrain (Amazon Registry) : THanks Jeff.

15:47:46 From Kathy Kleiman : Nice phrasing, Jeff. Agreed!

15:47:47 From Anne Aikman-Scalese (IPC) : RE the policy goal, It's not just subject to being "operationally feasible". It should be "subject to any needed further policy development"

15:48:04 From Kathy Kleiman : I think your phrasing of a new bullet works well.

15:48:27 From Kristine Dorrain (Amazon Registry) : @Anne. tjat

15:48:45 From Kristine Dorrain (Amazon Registry) : @Anne, that really opens the door to another 10-12 years I think.

15:49:10 From Kathy Kleiman : Policy goal -- new bullet -- opportunity of the Community to react and respond (e.g, via comments and objections).

15:49:31 From Justine Chew : ALAC is conscious of the notion of "application" versus "assessment" -- less concerned about FCFS versus rounds for applications, more concerned that assessment has to be done in rounds, otherwise how do we establish contentions? Although ALAC is against immediate FCFS overall.

15:50:32 From Kristine Dorrain (Amazon Registry) : @Justine, that's right. It's tricky to discuss contention sets without at least "windows."

15:50:33 From Anne Aikman-Scalese (IPC) : @Kristine - good point but if the Board determines more policy work is required or if the GNSO itself so determines based on CCT-RT results, then there has to be a mechanism for a pause. It's a hard nut to crack.

15:50:38 From Donna Austin, Neustar : @Christopher, and we also have experience from the 2012 round that is important for making improvements. Whether we intend to reapply in future rounds is moot at this point.

15:50:47 From Kristine Dorrain (Amazon Registry) : +1 Donna.

15:51:51 From Martin Sutton : Agree Donna - a lot of experiences which can help to improve future process/policy

15:52:11 From Maxim Alzoba : @Ann, if the mechanism is not here, it does not exist and therefore not enforceable

15:52:23 From Phil Buckingham : So if there is no FCFS , which I agree with , would a round be completed before all applicants proceed together at once ?

15:52:55 From Maxim Alzoba : rules for the next round do not have to be the same as for the previous one

15:53:08 From Anne Aikman-Scalese (IPC) : I think the question is who has the authority to say "stop". Cause we don't know what "regular and recurring" really means.

15:53:39 From Maxim Alzoba : I believe that the reading is on GNSO Council (since it is a matter of policy)

15:54:30 From Maxim Alzoba : I would recommend to replace 2023 with 'a particular year'

15:54:31 From Anne Aikman-Scalese (IPC) : But we would essentially be saying that GNSO has to launch a PDP or EPDP to study the question and develop policy as to whether any upcoming round should stop or not.

15:54:59 From Maxim Alzoba : I think it is up to GNSO Council to decide the method

15:56:21 From Anne Aikman-Scalese (IPC) : if this is a policy recommendation, even the Board would not be able to stop regular and recurring rounds without a Temp Spec or a 2/3 majority vote. But maybe that is what we want to say - it is just that this is quite important and we probably need public comment.

15:56:38 From Kathy Kleiman : 50% of applications completed Initial Evaluation could mean that 100% still in contention or objection processes.

15:56:54 From Maxim Alzoba : there is a tendency of using examples later in the implementation phase

15:57:36 From Cheryl Langdon-Orr : fair point @Maxim

15:58:04 From Phil Buckingham : Good point Kathy .

15:58:08 From Justine Chew : But it's already in the Initial Report, isn't it? But we should correct that in the Final Report.

15:58:35 From Justine Chew : ie reference to "January 1, 2023...."

15:59:02 From Steve Chan : Indeed Justine, the text in bold is taken from the Initial Report

15:59:13 From Maxim Alzoba : if a certain % of applications denied we might never reach the threshold

15:59:59 From Justine Chew : That comes under Communications Plan @Kathy

15:59:59 From Maxim Alzoba : we need to use some other definition other than 'the applications'

16:00:05 From Jim Prendergast : I like % delgated because its definitive that they have cleared the round in which they applied and will not get hung up on anything else.

16:00:33 From Maxim Alzoba : example - 90% of applications denied, and 10% will never reach 50%

16:00:35 From Vanda Scartezini : yes Kathy, this is one thing we have talked some time ago and was missing and should be include

16:01:03 From Jim Prendergast : There were plenty of applications that ICANN evaluated that never made it beyond that

16:01:05 From Justine Chew : @Maxim, @Jim, maybe some % disposed off?

16:01:25 From Phil Buckingham : maybe have a "problem application channel / track

16:01:57 From Maxim Alzoba : there is no predictability in the 2012 round, so following it might lead to the same

16:02:09 From Jeff Neuman (Co-Chair)) : Most of the work is during the Objection / Comment Period. If that period has ended and Initial Evaluation has ended, then I am not sure I understand why to wait for delegation? Just a question for me to understand

16:02:32 From Maxim Alzoba : @Jeff , it depends on business plans e.t.c.

16:02:39 From Kathy Kleiman : Delegation means that we are through contention sets, objections and comments.

16:02:44 From Cheryl Langdon-Orr : This aspect needs *very cautions* drafting to ensure predictability and that if our Policy Goals are to be achieved

16:03:02 From Cheryl Langdon-Orr : should read *cautious*

16:03:05 From Kathy Kleiman : Initial evaluation can only be a fraction of the time required for handling contention or objection.

16:03:09 From Maxim Alzoba : objection, delegation is after execution of RA

16:03:20 From Kristine Dorrain (Amazon Registry) : Yeah, delegation is way too far out.

16:03:26 From Maxim Alzoba : and is a subject to business plans

16:03:26 From Kristine Dorrain (Amazon Registry) : signed RA maybe?

16:03:34 From Vanda Scartezini : delegation... we still have TLD not yet delegated

16:03:58 From Maxim Alzoba : some TLDs decided not to be delegated and to be terminated

16:04:01 From Donna Austin, Neustar : exactly Vanda

16:04:37 From Cheryl Langdon-Orr : thus my caution to draft with great *caution*

16:05:07 From Jeff Neuman (Co-Chair)) : For predictability purposes, using signed agreements or delegations, it is too difficult because that is not under the control of just one party

16:05:32 From Justine Chew : agreed, delegation is problematic

16:05:36 From Anne Aikman-Scalese (IPC) : QUESTION: How would the new appeal mechanisms affect the "end" of the Evaluation and Objection periods? QUESTION

16:06:26 From Jamie Baxter | dotgay : agree with Donna that anything beyond initial evaluation is going to lower predictability

16:06:26 From Maxim Alzoba : there is a moment of time, when ICANN says - it is ok to execute the RA, but the other party, for example might need a paper originals e.t.c.

16:09:13 From Maxim Alzoba : for clarity - in AGB it was called 'transition to delegation phase' page 212 of AGB 2012-06-04

16:09:17 From Katrin Ohlmer : some applicants were not in a hurry to proceed to delegation as they had "secured" their TLD fater passing initial evaluation - this might also happen in future rounds

16:09:27 From Katrin Ohlmer : fater = after

16:09:28 From Martin Sutton : If we can't apply a fixed period/start dates, I would expect the % passed Initial Evaluation to be a reasonable way forward. Given the earlier discussions, there could also be specific and major reasons to halt the process at times (although should be exceptional)

16:11:06 From Annebeth Lange : Agree with your reasoning here, Martin. Objective criteria is important. And if we do not want fixed periods or start dates, Initial Evaluation might be the best way.

16:11:10 From Maxim Alzoba : General availability is a ongoing phase of a TLD

16:11:31 From Martin Sutton : @Jim - not sure we are trying to define the "closure" of a round, just a point in time when the next can begin

16:12:08 From Phil Buckingham : another problem/ bottleneck is finding enough qualified evaluators !

16:12:55 From Maxim Alzoba : @Jim there is an icon for that

16:14:20 From Steve Chan : Jeff, hand up for me

16:14:36 From Justine Chew : Contention sets

16:15:27 From Maxim Alzoba : name collisions?

16:17:43 From Katrin Ohlmer : @Steve: makes sense

16:18:05 From Jeff Neuman (Co-Chair)) : @Steve - But how does that help for predictability?

16:18:22 From Jeff Neuman (Co-Chair)) : How is it predictable to know when staff is ready for more applications

16:18:40 From Maxim Alzoba : payments are on recovery basis (hiring may occur)

16:18:50 From Justine Chew : I thought staff have said they don't see an issue with resources?

16:19:06 From Jeff Neuman (Co-Chair)) : @Justine - correct

16:19:07 From Maxim Alzoba : @Justine, I heard the same

16:19:52 From Maxim Alzoba : not much money left - next round???

16:20:01 From Steve Chan : I can try and answer that

16:20:04 From Justine Chew : @maxim :)

16:20:11 From Maxim Alzoba : it is questionable approach

16:20:16 From Donna Austin, Neustar : I have the same concerns as Jeff

16:21:21 From Maxim Alzoba : I was under impression that ICANN staff is directed by the Board to perform such actions

16:21:22 From Anne Aikman-Scalese (IPC) : Agree with Steve we should ask them now.

16:21:32 From Justine Chew : ICANN Org comment summarized as "Support for a specific date or period of time" what does that mean?

16:21:46 From Donna Austin, Neustar : I'm not sure this should a factor in our discussions.

16:21:48 From Phil Buckingham : This is about the critical path analysis = limiting factot

16:22:55 From Christopher Wilkinson : Ask now. I have asked several times to know what resources are available for evaluation. Presumably the 2012 round yielded data as to how much \$\$+staff are necessary for evaluation etc.

16:23:21 From Anne Aikman-Scalese (IPC) : We need public comment on this issue - one of the limited issues on which we need further public comment.

16:23:50 From Jeff Neuman (Co-Chair)) : @Anne - lets worry about coming up with recommendations now and then we will figure out what needs public comment and when

16:24:45 From Jeff Neuman (Co-Chair) : And we did seek public comment on this issue already.....

16:25:21 From Anne Aikman-Scalese (IPC) : @Jeff - the process is so complex we need to flag issues that require public comment now. You can tell by the complexity of this discussion that this will require public comment.

16:26:23 From Maxim Alzoba : if we try to wait for the readiness of the parts of the community which might be not happy with the rounds at all - we are stuck

16:26:49 From Martin Sutton : Could we add caveats to the effect that if the #applicants exceeds xxx this may affect the next application window start date?

16:27:31 From Steve Chan : If you look at the Applicant Guidebook, page 50, you can see a chart that references the Transition to Delegation:
<https://newgtlds.icann.org/en/applicants/agb>

16:27:38 From Kathy Kleiman : +1 Maxim to your idea of execution of contracts -- beyond initial evaluation and prior to delegation. This may give us a midpoint.

16:27:58 From Steve Chan : I believe that is what Maxim may have mentioned here in the chat.

16:28:12 From Susan Payne : To go to what Kathy was saying - but don't non-applicant members of the community also benefit from greater up-front certainty of when a round is going to open, so that they can allocate resource appropriately? Much better for planning purposes, surely?

16:28:46 From Jim Prendergast : https://icann.zoom.us/recording/share/jJkqOiXMIpT-Fvd_iSX10H6lg3hfZT7ItWxFwhMwZ1KwlumekTziMw?startTime=1557287172000

16:28:58 From Jim Prendergast : recording

16:29:07 From Steve Chan : Haha

16:29:20 From Steve Chan : Session recordings here:
<https://www.icann.org/resources/pages/gdd-summit-session-recordings-2019-05-08-en>

16:29:51 From Cheryl Langdon-Orr : Important discussion and progress on a critical issue today Team, Thanks everyone... Lots more to do, so please continue on list(s)... Bye for now.

16:29:53 From Maxim Alzoba : good night

16:29:55 From Julie Bisland : Next Subpro WG call: Tuesday, 21 May 2019 at 03:00 UTC.

16:30:15 From Annebeth Lange : Thanks and goodbye.

16:30:23 From Katrin Ohlmer : thanks, Jeff

16:30:37 From Vanda Scartezini : nice week to you all