Co-Chairs' Proposed Procedures for URS Policy and Operational Recommendations

22 August 2018

1. Review of proposals from URS Sub Teams:
    - The Working Group will first address proposals from the three URS Sub Teams, as extensive work has already been conducted by these teams, including data collection and review.
    - Staff will present the Sub Teams' proposals/recommendations starting from the Working Group meeting of 22 August 2018.
    - If members have questions or concerns they are strongly encouraged to first contact the Sub Teams for relevant information or responses, as appropriate.
    - **Please direct your query to ICANN staff who will forward it to the relevant Sub Teams' mailing lists.**
2. Logistical requirements for proposal submission from individual Working Group members:
    - After addressing all of the proposals from the Sub Teams, the Working Group will address proposals from individual Working Group members for policy or operational modifications.
    - Proposals must be submitted via the **online survey form** to ICANN Staff. If you have difficulty accessing the online survey, please contact ariel.liang@icann.org to request assistance. A .doc version will be provided upon request.
    - **Proposals submitted not using the required form will not be in order and will not be discussed.**
    - **One individual form must contain only one proposal for one recommendation**.
    - As soon as practical after receiving the submissions, staff will forward the proposals to the Working Group email list.
    - The proposed final date for submission of member proposals for operational and policy modifications is **COB on Friday, 31 August 2018**. **Any proposal received after that date will not be in order and will not be discussed.**
3. Content requirements for proposals:
    - Proposals must be succinct as well as substantially specific and not general in nature. For example:
        - A proposal to lower the URS burden of proof must state what the lower standard would be.
        - A proposal to establish a laches doctrine must state the time period and the trigger event that it runs from.
    - Proposals must be accompanied by a justification statement:

    - Must be no more than **250 words** in length for each of the relative sections on the required form.
    - This statement should state the operational or policy rationale for the proposal.
    - This statement should cite any evidence in support of it. Such evidence may be information developed by the Sub Teams or documented in other sources.
- Proposals must address the following questions; each answer can be no more than **250 words** in length:
    - Where and how has this issue been addressed (or not) by the Working Group or the Sub Teams to date?
    - Does the data collected and reviewed by the Sub Teams show a need to address this issue and develop recommendations accordingly?
    - If not already addressed above, on the basis of what information, gathered from what source or Sub Team, is this proposal based, if any? Please provide details.

4. Administrative review of proposals:
    - Co-Chairs and staff shall review proposals already received from Working Group members to identify those that do not meet the above criteria.
    - Proponents will be notified by staff and asked to revise them accordingly.
    - This ensures that all proposals to be considered by the Working Group are consistent in scope and format.
5. Meeting duration:
    - Depending on the number of proposals meeting the above-stated criteria that are received by the submission deadline, Working Group meeting duration may be increased from 90 minutes to 2 hours during this decisional period to ensure that sufficient time is made available for proposal discussion while adhering to the timeline.
    - Working Group members will be strongly urged by email to participate in these sessions or, if that is not feasible, to post their views to the Working Group email list.
6. Presentation of proposals:
    - Before the presentation:
        - Proponents will receive advance notice of the date on which their proposal is scheduled for presentation to ensure they will be available.
        - Proponents will be permitted to request an alternate date if they have a conflict.
        - If a proponent remains unavailable on any date up to the conclusion of the URS review (including engaging with other members via the mailing list if

attendance at any meeting is impossible), the proposal will not be included in the Initial Report.

- During the presentation:
    - To the maximum extent possible, presentations will be rotated to ensure that the same Working Group member is not making more than **two (2) proposals** per meeting.
    - When a proposal is up for discussion, its proponent will be accorded a maximum of **five (5) minutes** to orally present the proposal, rationale, and supporting evidence.
    - The floor will then be open to other Working Group members to comment on the proposal for a maximum of **two (2) minutes each**, with total discussion limited to **twenty (20) minutes**.
    - At the end of twenty (20) minutes, or when there are no more commenters in queue, the proponent will have **two (2) minutes** to respond and/or propose a modification of the proposal based upon the discussion.
- After the presentation:
    - Shortly following the conclusion of the call (i.e. as soon as attendance, chat, and link to mp3 recording are available), staff shall post to the email list the final text and rationale of considered proposals.
    - All Working Group members will be invited to comment on the proposals on the Working Group email list.
    - Co-Chairs have the discretion to move a proposal straight to the initial report without a poll if they deem it noncontroversial or having significant support based on the WG discussion.
    - If deemed appropriate by the Co-Chairs for additional discussion (e.g. due to lack of sufficient representation across the participating stakeholder groups at any one meeting, or doubt about whether a proposal has significant support), all Working Group members will be invited to indicate their opinions via an online poll, **no later than COB on the Tuesday following the call** when the poll will be closed. The poll choices shall be: 1) support, 2) oppose, and 3) defer to Phrase Two (for policy proposals only not operational fix); the poll will also provide space for additional comments on a proposal.
    - In advance of the next call, staff will publish the poll results for each proposal considered during the prior meeting, with a link to the poll to ensure full transparency.
    - Please note that use of these polls is intended to provide the Co-Chairs and Working Group with information in order to determine whether or not the sense of the Working Group is that a particular proposal is or is not supported by a diversity of participants.

7. Co-Chairs' review of proposals:
    - At the end of all URS proposal discussions, the Co-Chairs will promptly publish to the Working Group list their view as to which proposals should be included or referenced in the Initial Report. If there are multiple proposals on the same topic, the Co-Chairs may wait until all related-proposals are reviewed before making their suggestion(s).
    - Unless there is substantial opposition within the Working Group, Sub Team recommendations will be included in the Initial Report.
    - All proposals that the Co-Chairs designate as having received substantial support will be included for public comment, even if there is some opposition.
    - The Co-Chairs shall have the discretion to designate proposals that lack substantial support following Working Group discussion of the proposals.
    - Proposals that lack substantial support may be documented in the Initial Report if they are sufficiently specific and include a policy or operational rationale.
        - This is to ensure that a full record is publicly available of all the proposals received and considered by the Working Group without additional discussion by the Working Group.
    - The Co-Chairs may also designate certain proposals as requiring additional discussion by the Working Group prior to inclusion in the Initial Report.
    - Proposals that receive no substantial support and are not sufficiently specific with no or inadequate policy or operational rationale will not be included for public comment but may be referenced to show the full record of Working Group discussions.
        - Proponents of these proposals may request that their original (or subsequently modified versions following Working Group discussion) proposal be included in a Minority Views appendix to the Report, with the understanding that it will be made clear to the public that these are proposals that failed to gain any substantial support within the Working Group.
    - Working Group members shall have the opportunity to question the Co-Chairs' initial designations.
    - **Following due consideration of any objections, the Co-Chairs' determinations will be considered final for purposes of publication of the Initial Report.**
    - It is important to note that this process of preparing the Initial Report is not intended to replace or replicate the formal consensus call that typically takes place when a Working Group is preparing its Final Report.
8. Future application:
    - It will be understood and made clear that if these procedures prove successful they shall also be employed for decisions on proposals related to the TMCH and its related RPMs.