

Attendance - 17 Members

Alan Greenberg
Becky Burr (Board)
Ching Chiao
Daniel Dardailler
Erika Mann
Jonathan Frost
Judith Hellerstein
Marilyn Cade

MN Marques
Nadira Alaraj
Remmy Nweke
Robert Guerra
Rudi Daniel
Seun Ojedeji
Stephen Deerhake (.as)

On audio only: Adetola Sogbesan, Sebastien Bachollet, Xavier Calvez (ICANN staff)

Apologies: Sally Costerton, Maureen Hilyard, Alberto Soto, John Levine, Julf Helsingius, Maarten Botterman, Elliot Noss

Staff: Joke Braeken, Marika Konings, Benedetta Rossi, Emily Crane Pimentel, Lauren Allison, Samantha Eisner, Julie Bisland

AC Chat:

Julie Bisland:Welcome to the CCWG New gTLD Auction Proceeds call on Wednesday, 27 February 2019 at 14:00 UTC

Julie Bisland:Agenda wiki: <https://community.icann.org/x/PJgWBg>

Erika Mann:Okay, I'm here!

Joke Braeken:hello Erika

Julie Bisland:Hello Erika! Would you like to check your audio?

Erika Mann:Yes, please, Julie!

Julie Bisland:@Ching: the operator is dialing now

Erika Mann:I@Marilyn - 've seen you

Nadira Alaraj:i expected the cost benefit analysis to be done by this group

Marilyn Cade:Erika, posing a question as you posed it, is much much more neutral and does not prejudice the expertise of ICANN org on broader issues.

Rudi ganiel:good day all

remmy.nweke:Good day all

Marilyn Cade:Doing good sometimes takes small steps, in response to Ching's comment, as I heard it. Just giving \$ to 2-3 entities to be the distributors. I am not sure that fits with the puspose as we see it.

Marilyn Cade:Support to Alan's comment..

Ching Chiao:I do not disagree with Alan -- and hope this discussin would help us form a recommendation

Robert Guerra:there are differnet cost/benifits for the different options. in terms of setting up a foundation - there's not only a startup cost (legal, accounting processes) , an ongoign cost (administration and oversight), and close-down costs.that's a large admin cost that should, instead, be dedicated to actual projects

Becky Burr (Board):The risk level clearly needs to be assessed, but the outcome can't be determined in theory - it depends on what the projects contemplated are

Marilyn Cade:Thanks, Robert, I am very familiar with this. Is this the SSAC view that they oppose Option 3? Can you clarify that for us?

Alan Greenberg:My point is that if a mechanism is optimal for a certain pattern of donations which is very high risk, then the credibility of that mechanism is in question.

Becky Burr (Board):no disagreement Alan. But I can think of large projects that do not involve a lot of risk

remmy.nweke:@Robert, very correct. Plus 1 there

Alan Greenberg:@Becky, sure, but some would, and if we are limited the use of funds to only a small number of very large projects, I think this is a very different concept than what some of us imagined.

Becky Burr (Board):@Alan, is there an option in which the number of projects would be limited a priori?

Marilyn Cade:I did not support Robert, in fact, I disagree with him.

judith hellerstein:yes agree with erika

Marilyn Cade:Yes, Erika, seems good,

Nadira Alaraj:@Becky it was never discussed about the number of projects

judith hellerstein:Also this week ICANN Org turned on collaborative editing in confluence so if a google doc is not working we can move to the wiki

Robert Guerra:the current view of the SSAC is that - we see this process taking longer than we envisioned. There's a lot of prior art & experience in this area that could be more helpful than it seems to be. We are hoping for some of the pending issues to be resolved so that this program can be seen as successfull

remmy.nweke:Yes, lets explore it in the Google Doc as suggested by Erika,

Erika Mann:Remmy, noted, we will do a quick first draft and then, if possible, we can use a Google doc.

Becky Burr (Board):the Board must exercise ultimate fiduciary responsibility but has determined that it does not want to be involved in substantive evaluation of individual grant applications

Marilyn Cade:I am fine with your recommendation, Erika, as long as we also reference separately the Board's role.

Robert Guerra:Agree with Marilyn and Erika on a the impt. role of the board. Asking that as a separate or follow-up question - would help. Support

Becky Burr (Board):the Board's fiduciary role is established as a matter of law

Marilyn Cade:I never thought that the Board would engage in individual evaluations/but tht it would ultimately receive and review annual reports.

Ching Chiao:Erika -- i was going to make exactly same points you are raising . Board still has a role to evaluate if big grants are given out

Becky Burr (Board):correct. board has a role in all cases

judith hellerstein:I understand what becky is saying and am fine with it. Board does have some limited role to pay in approving the overall package

Alan Greenberg:@Judith, Board may wish to do that, but I suspect could also review after the fact. They already approved guidelines for making such allocations.

Robert Guerra:a grant awarding notification process - where the selected package of proposals, approved by a review/selection committee could be sent to the board and/or board and community for a review period. Their silence (say after 30 days) would imply consent, otherwise a defined process could be used for the selection committee to review and re-assess their decision. This is very similar to how many funders and regulatory agencies use in grant and decision making. We might want to ask, in our consultation, what models of - grant awarding notification and review - could be utilized given the framework (A,B,C,D) is utilized.

Robert Guerra:Other funding examples - include, funding made by - Ford Foundation, Open Society Foundation, and others. Both of which often participate in multi-donor pools.

Nadira Alaraj:yes with governmental bodies limits the funding to many restriction

Robert Guerra:The NetGain initiative - is one such example -

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.netgainpartnership.org_&d=DwlCaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&

r=QiF-

[05YzARosRvTYd84AB UYInlydmFcjNmBM5XgySw&m=Njue7wY9onOnYclBpAzBvMMcLnByDIO4S4pHtqavgA4&s=AfOpg6y0oyeDm6x08XRE-9SGq26LTH8pVcls0v7-kFs&e=](https://community.icann.org/x/CbDRAW)

remmy.nweke:@Robert, I think various IGOs have some focus in funding

Marika Konings:so charitable 'or equivalent' or something like that?

Marilyn Cade:We have had concerns expressed about the sanctions from not only the US as a model, but also other countries.

Ching Chiao:Echoing Alan

Marilyn Cade:We have referenced that it has to be an incorporated entity, not just an individual

Ching Chiao:Alan's point ... there are social / mission driven enterprises as well. should not limit to only charitable orgs

Jonathan Frost:+1 that projects should not be limited to Charitable organizations.

Samantha Eisner:There is broader discussion in the legal/fiduciary memo on the types of due diligence that can be done over an entity to make sure they are qualified to receive funds. I think that "charitable entity" might be some form of short hand here to reflect that need

remmy.nweke:Thanks @Marilyn This has been an over-occurring issue, because they end up aligning it to some legalise in US only, thus has limitations

Marilyn Cade:The term : charitable organizations should be broadly interpreted -- but the issue of legal entity is important to understand.

Alan Greenberg:More important, does an org need to be a legal entity to receive our funds, and I think that ny recipient needs to have a legal entity acting in its behalf.

Jonathan Frost:When we look to the type of limitations on types of projects, we should look to comments posted by the ICANN community.

Samantha Eisner:There are legal limitations on the types of entities to which that ICANN as a not-for-profit can give funds

remmy.nweke:@Alan, I think yes, it should be fundamental

remmy.nweke:for a legal entity option

Alan Greenberg:There may be some exclusions (such as terrorist orgs!) but the real question is whether an unincorporated assoc is ok, or does it need to be incorporated.

Erika Mann:Agree Alan

Marilyn Cade:Ching, to respond to your comment in the comment: Social, charitable entities/organizations may be wide ranging. It could be an organization creating IXPs in developing country; or engaged in technical issues advancing access so are not necessarily a 501(c)3 but have a purpose that is aligned with ICANN and ICANN's technical purposes

Marika Konings:Note that legal / fiduciary requirements info can be found here:

<https://community.icann.org/x/CbDRAW>

remmy.nweke:@Alan. Agreed

remmy.nweke:Thanks @Merika for the link.

Marilyn Cade:such as roll out of IPv6; or universal access, or advancing engagement and participation at ICANN and related meetings, but are not necessarily coming from a "charitable : organization. I would like to volunteer to offer at least one example for your consideration -- e.g. the national IGFs.

remmy.nweke:@Marilyn, there are other IG meetings not exclusively of national IGFs, that is organised by individual entities like Aficta

Marilyn Cade:Yes, indeed, Remmy. Some are sponsored by incorporated entities/others not. excellent examples. Also exist in Asia and elsewhere.

Marika Konings:correct, that is a separate sentence that goes below the bullets

Marika Konings:it may be worth reviewing her full comment on page 5

Marika Konings:she provides further detail there

Marika Konings:correct, Alan

Marika Konings:as a result of copy/paste it got lumped together

Marilyn Cade:Support to Alan's suggestions. But, as I review Anne's comments, it was asking always to be consistent with ICANN's Mission. which is different from the language here in the "suggestion from the commentor".

Marilyn Cade:We created examples, which I hope all who are new have reviewed? Is this a question about adding new ideas/examples, Jonathan?

Marilyn Cade:-) group consensus but advised by ICANN legal.

Marika Konings:@Marilyn - some of the comments provided refer to the examples. I believe these are captured in another part of the comment review.

judith hellerstein:yes

remmy.nweke:yes, we can hear you

Becky Burr (Board):I am

Daniel Dardailler:I think UA is definitively in scope, and the fact that there's currently an envelop to support it coming from the ICANN budget is just an artifact of timing, i.e. it was needed as a support action before the auctions funding are available

Daniel Dardailler:of course, the current support would have to stop, as I assume it's temporary

Ching Chiao:I can think of many UA-related projects can apply / receive fund

judith hellerstein:I think UA is also in scope, as it is meant to explain the problem

judith hellerstein:from what I understand UA's main issue is awareness and if we can increase awareness of UA it would go a long way to solving the problem

Ching Chiao:I'd agree if the current UA project continues to receive funding from existing ICANN budget, and then it can not apply from the auction fund

Jonathan Frost:I have no issue with postponing the discussion to Kobe

Daniel Dardailler:sure

remmy.nweke:@Judith, on point there

judith hellerstein:Hi ching, I think awareness in small non-profits and businesses about UA is something that is important

judith hellerstein:Yes we can postpone it

remmy.nweke:Sure @Erika

Marilyn Cade:Discussion on line. Even if ICANN continues work, that does not mean that the community may not apply for grants to do parallel or auxiliary work, but we cannot supplement ICANN.org budget, as I understand this.

judith hellerstein:i agree with marilyn on this

Alan Greenberg:We need to be VERY careful on this. Real option for excluding MANY good projects.

Daniel Dardailler:I think on this point, the important bit is whether or not there is a stable ICANN budget line for it, and we should consider specific ICANN projects with a defined duration as potential applicants

Marilyn Cade:I hope to keep the first time slot, can we have perhaps an extra 15-30 minutes? Do keep Monday. But Wed does not have sufficient attendance.

Daniel Dardailler:and of course all projects should be transparent on how they spent their grant, that is, double funding for the same work is a no no

Jonathan Frost:agree with both slots

Marilyn Cade:We don't have sufficient attendance at the second slot.

remmy.nweke:Lets try the two, so that when we have some immediate outstanding to be tackled in second slot

Nadira Alaraj:the first slot will suffice and continue with the online meetings

judith hellerstein:are these times local times

Jonathan Frost:It could make sense to send out the proposed slots to gauge conflicts.

Jonathan Frost:We have measured preference, but not conflicts.

remmy.nweke:Hope we have remote participation plan @Marika

Marilyn Cade:the Doodle was clear on the time availability for both slots.

Robert Guerra:thank you Marilyn and others for your comments today. I'll be reaching out to my SSAC colleagues on specific questions you asked.

Marika Konings:@Remmy - yes, remote participation will be available. Details should have already been circulated.

remmy.nweke:Thanks @Marika

judith hellerstein:the second slot is not good for people who are remote on the east coast in the US

Alan Greenberg:Need to go.

Alan Greenberg:Thanks all.

Rudi Daniel:thank you all

Ching Chiao:Thanks everyone

judith hellerstein:bye all

Joke Braeken:thank you all. bye

Jonathan Frost:Thanks all!

Erika Mann:Thanks everyone!

remmy.nweke:thanks and bye all