

## Adobe Connect chat transcript for Thursday, 02 March 2017

Michelle DeSmyter:Dear All, Welcome to the New gTLD Auction Proceeds CCWG call on Thursday, 02 March 2017 at 15:00 UTC.

hadia Elminiawi:hello all

hadia Elminiawi:yes i can hear you

Marika Konings:@Daniel - there is no camera enabled in Adobe Connect (or at least we don't see you :-)

Marika Konings:Sorry, am not on audio yet - waiting for a dial out.

Michelle DeSmyter 3:k - thank you

Mathieu Weill:Video is possible in Adobe, but needs to be activated by host

Manal Ismail:hello everyone :) !!

Alberto Soto:Helo eeryone!

Daniel Dardailler:when connecting, it asks for permission to use both mike and cam

Marika Konings:I am here but not on audio yet

Julf Helsingius:bad feedback

Nadira ALARAJ:Hello All

Mathieu Weill:@Daniel : it's just in case, and probably linked to your browser parameters

Nadira ALARAJ:Yes we do Sam

Daniel Dardailler:thx matt

Ching Chiao:Hello everyone

Erika Mann:Hi, hi

Asha Hemrajani:Good evening from Singapore

Marika Konings:Yes

Sylvia:yes Sam, thanks

elliot noss:@julf the feedback is likely on your end. all good here

Julf Helsingius:@elliot it was a very short-lived feedback when jonathan or marika was speakeing

elliot noss:ack

Vanda Scartezini:hi sorry to be late

Jonathan Robinson:@Vanda. Welcome. Briefing from Sam Eisner underway. Slide 3

Vanda Scartezini:great . following

Vanda Scartezini:I am quite aware on California reuisites for exemptions

Dietmar Stefitz:Sorry for the delay ç

Vanda Scartezini:question not to interrupt - any not ofr ptofit organization even not from US shall fill the 501 as a support to ICANN's 501?

Marika Konings:<https://www.icann.org/resources/pages/governance/bylaws-en/#article1>[icann.org]

Erika Mann:Dietmar - Sam Eisner from legal is taking us through the legal and fiduciary implications to consider

Dietmar Stefitz:Thanks Erika

Vanda Scartezini:thank you!

Mathieu Weill:<QUESTION> Does the Charter rule out the option where CCWG would recommend a purpose for the proceeds AND an amendment to the Mission ? </QUESTION>

Erika Mann:The Drafting Team did not discuss this, not to my knowledge

elliot noss:changing ICANN's mission is a BIG lift

Sylvia:Lost Sam's

Marika Konings:5-6 months is probably even tight :-)

Mathieu Weill:i'm well aware of the challenge of changing a Fundamental Bylaw, but thanks Sam

Asha Hemrajani:@Mathieu that was out of the scope of the drafting team's mandate :-)

Erika Mann:I'm fine

Julf Helsingius:Audio is finer

Sylvia:Got it back

Mathieu Weill:Great

elliot noss:figuring out how we can best use funds in a way CONSISTENT with is a broader frame that, I think, allows us to not be limited to unique identifiers in our work

Glenn McKnight:Sound quality is fuzzy

judith hellerstein:for me Sam is coming in clearly  
judith hellerstein:it was just the person coming via phone was a bit fuzzy  
Alberto Soto:Sorry, I have serious problems with my internet access. The service is very choppy. I have to leave the call. regards  
hadia Elminiawi:@Glenn I can't hear anything  
Julf Helsingius:Does "private benefit concerns" cover sub-organisations or constituencies?  
judith hellerstein:@hadia.try restarting the adobe connect that helps  
Marc Gauw:There are 501-look-a-like organisations outside the US, like the 'ANBI'-status in Holland  
hadia Elminiawi:@judith I'll try again  
elliott noss:(who is speaking?)  
Julf Helsingius:Bad audio from speaker  
Daniel Dardailler:hard to understand..  
Wale Bakare:Hi all  
Vanda Scartezini: i could not follow this - difficult to hear  
Ching Chiao:i think it's best to have current speaker send in the question by email  
Asha Hemrajani:Very difficult to understand person who is speaking.  
Wauda Siganga:does the due diligence continue after the grant, is continuous monitoring/audit a requirement for 501(c)3?  
Vanda Scartezini:Wauda. as I made the question before, how to really demonstrate.. using 501 as support of ICANN's 501?  
Jonathan Robinson:@Sam. You effectively did it, but please do repeat the question in the case of poor / unclear audio.  
Julf Helsingius:I don't think that is in the scope of the group  
Dietmar Steffitz:My Question: Is it possible to establish new foundations which comply with ICANN's Mission, and care for the interest of various groups.This will give a good use for this funds and will work fruitfully for a long time .  
Sylvia:This group is not task with the design of the auction, but with the use of the funds collected through the auction  
Xavier Calvez:@Kavouss: it is not the nature of the funds that determine whether they are consistent with the mission, it is about how the funds obtained are used. Any nonprofit can generate funds in any legal means without putting at stake its status and mission, as long as the funds are used consistently with its mission.  
Vanda Scartezini:+ 1 XAVIER  
Sylvia:+1 Xavier.  
Carolina Caeiro:Hi all, apologies. I am joining late. Just coming out of another meeting  
Marc Gauw:The risk on 'private benefits' or 'outside mission' can be reduced by granting in arrear instead of in advance (on 'milestones')  
Vanda Scartezini:Carolina, Samantha is running us through 501 not for profit demands  
Carolina Caeiro:Thank you, Vanda. Will quickly browse through the meeting notes now  
Vanda Scartezini:yes Marc. normally the way we do around here. in statements X results  
Alan Greenberg:Perhaps best to complete presentation and then do more detailed questions.  
Sylvia:+1 Alan  
Vanda Scartezini:Yes, ALAN, reason why I did not put mine again  
Ching Chiao:i am sure there are many non-profit organizations that constantly using auction as fund-raising method to generate "operating" fund. Is it still an option for ICANN to do so ? (just for my curiosity)  
Dietmar Steffitz:Put my question on a easier term: Can ICANN give the funds to a new established Foundation/Trust ? Which works specially on the Mission of ICANN ?  
Julf Helsingius:Thanks!  
Erika Mann:That might create an anti-competitive action  
Vanda Scartezini:Dietmar - you mean new one or need to have been operating for longer?  
Jon Nevett:ICANN funded that in the past  
Jon Nevett:so it has to be in mission  
Asha Hemrajani:I think figuring out a mechanism on how to determine whether something is within the mission is in mandate of this CCWG

Mathieu Weill:+1 Asha  
Asha Hemrajani:@Nadira that is a good question, please see my comment above  
hadia Elminiawi:i still have a problem with my audio, i follow the transcript  
Dietmar Stefitz:Thanks  
Asha Hemrajani:Again, the method/mechanism for disbursement could be in the mandate of this CCWG  
elliott noss:can you hear me?  
Marika Konings:Elliot - have you contacted your microphone via Adobe Connect?  
Becky Burr:Asha/Mathieu - I assume you mean a mechanism for asking ICANN to rule on whether something is within ICANN's Mission  
Erika Mann:@Elliot!!!  
Ching Chiao:we can't hear you Elliot  
Marika Konings:You need to click the phone symbol at the top and connect your microphone  
Becky Burr:I believe that call would implicate fiduciary obligations  
Vanda Scartezini:yes Asha , I believe it is , we can not establish a process without go deeply to see how it will work  
Marika Konings:or alternatively dial in (or we can dial out to you)  
Becky Burr:but this group cannot have the final call on whether something is or is not within ICANN's Mission  
elliott noss:I will dial in. I am not muted  
hadia Elminiawi:@ marika for some reason it is not happening, I am trying to connect it, but it is not connected, in the beginning of the call before logging out it was connected  
Marika Konings:@Hadia - you may want to try logging out and logging back in?  
hadia Elminiawi:@marika ok  
Alan Greenberg:I'd really like to finish presentation...  
Vanda Scartezini:me too  
Asha Hemrajani:@Becky, not suggesting that the CCWG would have final say on what is or is not within our mission...rather figure out a way by which it can be determined whether or not something is within mission  
elliott noss:on audio now  
elliott noss:or on the call now  
Marc Gauw:Realise that if the granting 501 organisation is to 'instructive' to receiving 501-organisation, the receiving 501-organisation may run in trouble due to being considered as a 'service provider'  
Becky Burr:@Asha, ok, just want to make sure that point is clear to all  
Sylvia:Exactly, Elliot. That is my understanding around being used to support that is consistent with mission.  
Asha Hemrajani:@becky yes good to clarify that to all, that's why I wanted to mention it in response to Sam's comments. IMO this is probably one of the most critical areas the CCWG would need to work on.  
Asha Hemrajani:Jonathan, there is a lot of echo  
Vanda Scartezini:yes please  
Vanda Scartezini:let's finish the presentation..  
Sylvia:+1 Jonathan  
Erika Mann:Actually we had a discussion about the topic Elliot raises. At least we haven't established principles that would narrow the future allotment to a very narrow goal related to the mission  
Erika Mann:When I say 'we' I talk about the Drafting Team  
Marc Gauw:QUESTION: Artikel 1 refers to both 'Mission' and 'Core Values'. Do we have to meet Mission AND Core Values, or Mission OR Core Values ?  
elliott noss:@erika, it sounded like sam thinks we have narrowed in that way  
Daniel Dardailler:I understand the 501 constraint that you're exposing  
elliott noss:this is indeed an interesting challenge  
elliott noss:I am confident becky will figure it out! :-)  
Manal Ismail:Interesting point raised by Alan ..  
Erika Mann:@Elliot, we had a discussion about this topic in DT, it was not our goal to define this. CCWG will have to review this. But my sense is that ICANN's mission leaves sufficient Spielraum to define a funding area that is workable.  
Ching Chiao:got cut off -- dialing back

Alan Greenberg:I think that "aligned with" gives us more flexibility the "within mission"  
elliott noss:the phrase that worries me @erika is "stable operation of the Internet's unique identifier systems"  
Erika Mann:@Alan, yes, do agree  
elliott noss:the ICANN mission SHOULD be narrow. ours maybe not so much  
Alice Munyua:+1 Alan  
Manal Ismail:+1 Alan "aligned with' and 'not inconsistant with'  
Julf Helsingius:very loud  
Glenn McKnight:yes, back off the mic a bit, it's distorted  
Manal Ismail:yes, very loud ..  
Vanda Scartezini:@elliott. - if we stick with this sentence we will get support to techy groups only...  
Jonathan Robinson:@All. I have to step away at the top of the hour. Will hand the chair over to Ching at that point. Good questions and discussion. Look forward to continuing in approx 2 weeks time.  
Erika Mann:I see your point @Elliot but even the narrow mission ""stable operation of the Internet's unique identifier systems" needs an ecosystem to be systained. And I would think the CCWG would interprete this in a similar way.  
Vanda Scartezini:@Erika, yes if we read correctly the whole mission of ICANN what we shall do  
elliott noss:@vanda I think we are agreeing. I am calling out that phrase as potentially very narrowing  
Julf Helsingius:I agree with Erika "stable operation" gives a fair bit of leeway  
Vanda Scartezini:@ elliott. yes, just focus on open mind when reading mission.  
Daniel Dardailler:can someone explain in the mission the differences between (iii)((A) and (iv) ?  
Marc Gauw:@Julf: agree... even better "stable and secure operation"  
Daniel Dardailler:in (a)  
Alan Greenberg:I am not at all worried about the lobbying issue or using funds for personal benefit. That we can control. It is how to use the money to do things that we all agree are for the good of the Internet ecosystem and stay aligned with mission.  
Daniel Dardailler:(my question is unrelated to the auctions)  
Ching Chiao:hi i m back  
hadia Elminiawi:@Marc I believe both mission & core values  
Vanda Scartezini:+ 1 Alan. shall be the focus  
Julf Helsingius:Unfortunately some of us can't be in Copenhagen for the extra day :(  
Sylvia:Sam, what is left on the slides?  
Jonathan Robinson:@Julf. There is no exclusion. We will have full participation on Adobe. It is not classified as a Face to face meeting of the WG. It simply takes place conincident with the Copenhagen ICANN meeting.  
Manal Ismail:yes, pls appreciate sharing the slides ..  
Dietmar Stefitz:I think we will need some more time in Copenhaguen  
Vanda Scartezini:thank you Samantha. wonderful!  
Manal Ismail:Thanks Sam very helpful nd informative ..  
elliott noss:thanks sam  
Samantha Eisner:Dropping off now - talk to you in Copenhagen  
Xavier Calvez:Everyone: I am staying on the call if there is any other question for me or that I can convey to Sam.  
Marika Konings:@Julf - in addition to what Jonathan said, note that this meeting is scheduled to take place on Wednesday during the meeting.  
Sylvia:Thanks Xavier!  
Julf Helsingius:@Marika - great, I thoutgh it would be on Saturday  
Marika Konings:The chat transcript is kept and archived on the wiki space  
Dietmar Stefitz:Thanks Samantha  
Manal Ismail:Thanks Xavier ..  
Sylvia:+1 Erika  
Vanda Scartezini:good idea Erika  
Dietmar Stefitz:+1 Erika  
Manal Ismail:+1 Erika ..  
Nadira ALARAJ:+1 Erika

Alice Munyua: Thank you Sam  
Marc Gauw: Looks very nice Marika !  
Asha Hemrajani: Question for Marika: I may have missed this, but has there been a summary done for all the DoIs that have been collected so far  
Sylvia: DoI are publicly available, so I do not see the point of doing a summary. Why will a summary be needed?  
Sylvia: unless I am missing something  
Asha Hemrajani: A summary of who will be applying for the funds  
Asha Hemrajani: Might be easier if we would know who is planning to do so.  
hadia Elminiawi: @Aisha and why is this summary important?  
Asha Hemrajani: Exactly Alan  
Asha Hemrajani: +1 Alan  
Marika Konings: @Alan - how would you prefer us to do that? A separate list? Or marking them on the membership page?  
Asha Hemrajani: Thanks Alan.  
hadia Elminiawi: @asha & alan, I can not hear the voice i just read  
Sylvia: I do not think that is necessary. As this group is not doing decisions around funding allocations, having the DoI is enough.  
Asha Hemrajani: YEs it would need to be updated, but it should be easily viewable. A simple table would be sufficient. Just a simple list would do  
Asha Hemrajani: @sylvia, this is not extra information, just an extract of what is already available.  
Asha Hemrajani: Yes good idea Alan  
Vanda Scartezini: + 1 Alan  
Mathieu Weill: Is there really this question and only this question to be flagged ?  
Jennifer Chung: +1 Alan and this would be an easy update should DOI and intentions change  
Asha Hemrajani: @Mathieu good point, but this is something that would be critical  
Mathieu Weill: It may be quite a workload for staff, should we not ensure we clarify the request first ?  
Mathieu Weill: Can do on the list  
Sylvia: Why critical Asha?  
Sylvia: This group will not be making final fund allocations  
Asha Hemrajani: This is something the CCWG should be aware of.  
hadia Elminiawi: @Aisha I don't get the importance of the matter  
elliott noss: +1 in terms of wanting to know  
Vanda Scartezini: yes Asha, as in any conflict of interest it must be stated  
Mathieu Weill: Yes, but we should not single out categories of participants without appropriate care and thoughts  
Sylvia: I agree on wanting to know, but want to understand why Asha considers this critical.  
Mathieu Weill: I'm concerned we would only point certain categories of conflict  
Sylvia: +1 Matthieu  
elliott noss: @mathieu not sure I understand  
elliott noss: what additional categories?  
Vanda Scartezini: we are here in some way on behalf of a ICANN group and the group shall have future interest in participate on the dispute for those funds  
Asha Hemrajani: @sylvia this is the whole purpose of having everyone fill in the DoI in the first place. All I am suggesting is an easy way to see the individual responses at one go.  
Mathieu Weill: @Elliott : could be other questions that flag potential conflicts. I only want to review the whole DoI doc before we task staff to do a full review  
Sylvia: To check yes, but as the task of the group is not to allocate the funds or make final decision, I really want to understand what it is critical about it.  
Dietmar Steffitz: Sorry, what means gating question ?  
hadia Elminiawi: @Aisha I believe the main point is transparency  
elliott noss: @mathieu still not sure I understand what they may be, but I cannot disagree with what you wrote  
elliott noss: @vanda my mandate is not in any way connected with my SO

Asha Hemrajani:@Hadia yes the whole point of the DoI is transparency - this is about an easy way to see everyone's response. I support Alan's suggestion of an asterisk.

Vanda Scartezini:information may be not related to member itself but the organization inside ICANN, as ccNSO, ALAC, GNSO etc

elliott noss:if anyones is, that should be transparent

Erika Mann:Agree with Alan. We shouldn't rush it.

Sylvia:We are not there yet, Alan.

Vanda Scartezini:+ 1 Alan

Mathieu Weill:And our group's mandate does not include allocation of funds to anyone in particular

Erika Mann:Exactly Matthieu

Vanda Scartezini:matthieu, yes, but maybe discuss the opportunity in the future

Asha Hemrajani:Happy to discuss this at the next meeting as Ching suggested. The idea is not to ask for extra information.

Mathieu Weill:I'm confident we'll find a way, we're in line in principle, let's just take the time to design the flagging and it will be a useful exercise

Sylvia:Thanks Ching.

elliott noss:thanks all

Erika Mann:Thanks!

Vanda Scartezini:good meeting! see you all in Copenhagen.

Dietmar Stefitz:Thanks all, See you in Copenhagen

Asha Hemrajani:Thanks all

Vanda Scartezini:safe trip to all

Jennifer Chung:thanks all and safe travels

Sylvia:Thanks all

Manal Ismail:Thanks Ching, Marika and everyone ..

Marc Gauw:thank you all, and see you at Icann58 !

Julf Helsingius:Thanks! See you in Copenhagen!

Wale Bakare:Thanks, bye all

hadia Elminiawi:thanks all, see you soon

Nadira ALARAJ:Thank you Ching and all

Carolina Caeiro:Thanks everyone!

Manal Ismail:Bye ..

judith hellerstein:Bye all

Daniel Dardailler:bye