

Concern	Mitigation
<p>The SPIRT may develop policy and undermine Council remit.</p> <p>[SPIRT]</p>	<ul style="list-style-type: none"> <li>- The SPIRT has a representative membership structure to help keep it accountable.</li> <li>- The SPIRT's functions include issue triage and providing advice on non-minor operational issues. It is not a policy-making body and will not knowingly develop policy.</li> <li>- Council maintains a supervisory role over the SPIRT.</li> <li>- All recommendations are subject to the review and oversight of the GNSO Council, who maintains the discretion on whether or not to adopt the recommendations made to the Council.</li> </ul>
<p>The SPIRT could be subject to the influence of lobbying (e.g., targeting other applications, re-opening issues, invoking the Framework in the first place, other?).</p> <p>[SPIRT]</p>	<ul style="list-style-type: none"> <li>- Members will have diverse interests and backgrounds and complete statements of participation.</li> <li>- Decision-making procedures follow section 3.6 of the GNSO WG Guidelines on consensus-based decision-making.</li> <li>- All recommendations are subject to the review and oversight of the GNSO Council, who maintains the discretion on whether or not to adopt the recommendations made to the Council.</li> <li>- The SPIRT cannot refer itself work – it must be assigned by the GNSO Council, ICANN Board, or ICANN Org.</li> </ul>
<p>ICANN Org will be able to make certain decisions on its own without consulting with the community (i.e., bucket 1). This could include miscategorizing an issue (either purposely or as a matter of subjectivity).</p> <p>[Framework]</p>	<ul style="list-style-type: none"> <li>- The framework puts significant limitations on decisions that ICANN org will make without consultation with the SPIRT.</li> <li>- ICANN org will maintain a change log (that should include informing Council on a timely basis and allowing for subscriptions to learn of updates)</li> <li>- Council maintains a supervisory role over the SPIRT.</li> </ul> <p>The GNSO Council is able to provide comment on items identified by ICANN org in the change log.</p>
<p>It is unclear why the SPIRT is better positioned compared to others in determining what is policy versus implementation.</p> <p>[SPIRT]</p>	<ul style="list-style-type: none"> <li>- SPIRT will not be making any recommendations in a vacuum. It will work in collaboration with Council, Org, and Board as appropriate with Council playing a supervisory role.</li> <li>- It is expected that the SPIRT can work more efficiently than the Council alone because it and its membership are dedicated to this purpose.</li> <li>- As indicated in Implementation Guidance, the goal in implementation is to make the Framework and SPIRT as clear and simple as is feasible</li> </ul>

<p>Determining which "bucket" something is in will not always be clear.</p> <p>[Framework]</p>	<ul style="list-style-type: none"> <li>- SPIRT's role is advisory in nature and will not be making any recommendations in a vacuum. It will work in collaboration with Council, Org, and Board as appropriate with Council playing a supervisory role.</li> <li>- ICANN org will maintain a change log (that should include informing Council on a timely basis and allowing for subscriptions to learn of updates)</li> </ul>
<p>The Framework and SPIRT are too complicated and GAC Concern [it is not clear that they create value versus existing mechanisms for issue mitigation].</p> <p>[Framework and SPIRT]</p>	<ul style="list-style-type: none"> <li>- The Framework and the SPIRT are focused solely on mitigating issues related to the New gTLD Program, which should better ensure proper expertise, availability of resources, nimbleness and flexibility.</li> <li>- The working group has not come to an agreement on a simpler alternative that is fit for purpose.</li> <li>- During the course of implementation, thought should be given to whether educational or explanatory materials may be needed to promote better understanding of the mechanism and the SPIRT.</li> </ul>
<p>GAC Concern - The Framework and SPIRT may undermine existing roles and responsibilities afforded to the ICANN organizations under the ICANN Bylaws.</p> <p>[Framework and SPIRT]</p>	<ul style="list-style-type: none"> <li>- The SPIRT's functions include issue triage and providing advice on operational issues. It is not a policy-making body.</li> <li>- SPIRT members will have diverse interests and backgrounds and complete statements of participation. The SPIRT is intended to be open and encouraged to be representative.</li> <li>- ICANN org will maintain a change log (that should include informing Council on a timely basis and allowing for subscriptions to learn of updates)</li> <li>- The Framework does not impact or seek to limit any SO or AC's ability to carry out its role and responsibilities under the ICAN Bylaws.</li> </ul>