Tracking #	Topic	Meeting Date	Action Item	Status

Email-02-12-A	Community Applications	02 December	https://mm.icann.org/pipermail/gnso-newgtld-wg/2020-December/003631.html
			
			Raised by Justine and affirmed by Jeff:
			
			[1] At page 160, Implementation Guideline 34.3 re: Criterion 1-A Delineation.
			Although the text draws attention to the need for a non-exhaustive list to include elements applicable to communities that are not economic in nature, it does not explicit touch on 5 other points that I believe the WG discussed, which are:
			
			  * Communities that are not economic in nature may not have clear and straight-forward membership definition and this should to not disadvantage such communities in terms of scoring as compared to economic communities with clear and straight-forward membership, that both types of communities should be able to score equally well
			Jeff: Yes, we covered this and will incorporate.
			
			  * The extremity between "clear and straight-forward membership" scoring high and "vague, dispersed or unbound definition" scoring zero be mediated through an acknowledgment that a grouping without a clear and straight-forward membership but could still be found to be reasonably delineated may still receive a low score instead of zero.
			  * I also recall that the term "membership" in reference to non-economic communities was problematic
			Jeff: I think we can find some wording on these concepts that may work.
			
			[2] At page 160, Implementation Guidance 34.4 re: the "Organized" element in Criterion 1-A Delineation
			While the redress for term "mainly" as being permissibly applied to more than one entity appears, redress for the term "administer" does not. I recall having discussed adding the "advocate" verb because an applicant may not fit the role of administrator for a community. I suggest that the reference to "administer" be augmented to "administer or advocate for". Perhaps an alternative might be "represent" instead of "administer" as used in Implementation Guidance 34.8.
			
			Jeff: I think this makes sense.
				See edits on 161, 162, 166

Email-02-12-B	Community Applications	02 December	https://mm.icann.org/pipermail/gnso-newgtld-wg/2020-December/003637.html Edit suggested by Jeff: According to the Applicant Guidebook, in order succeed in a Community Priority Evaluation, Criterion 1-A stated that a Community application should have the requisite "awareness and recognition" among its members ("Delineation"). The Working Group recommends that this criterion must take into consideration the views of that community-related experts, especially in cases where recognition of the community is not measurable (eg., where such recognition is prevented by national law).	See edits on 161 and 165
Email-03-12-A	String Similarity - 4th topical email	03 December	https://mm.icann.org/pipermail/gnso-newgtld-wg/2020-December/003641.html Recommendation 24.3 calls for an evaluation of the "intended use" of an applied-for string to determine whether terms that appear to be the singular/plural of each other will be allowed to co-exist (our paraphrasing). Leadership asked if there were strong preferences to change the existing recs.	No new edits

Email-04-12-A	Application Fees - 5th topical email	04 December	https://mm.icann.org/pipermail/gnso-newgtld-wg/2020-December/003642.html
			
			Proposed Implementation Guidance, with edits from Donna:
			
			  * Although ICANN must operate the new gTLD Program on a Cost Recovery basis (subject to any floors as set forth in this report) ICANN org may set aside a certain small percentage of excess fees (to the extent there are excess fees) to apply towards covering the costs of maintaining the capability to spin up future subsequent rounds of new gTLDs with minimum delay and to ensure that the new gTLD Program is able to continue into the future. For example, retaining staff with program expertise and maintaining requisite systems. Any excess fees set aside by ICANN for this purpose must be explicitly recorded and justified.
			  * In addition, with the remainder of any excess fees, ICANN may establish a schedule for the disbursement of refunds upon the achievement of specified milestones. For illustrative purposes only, such a schedule could establish that once 50% of the applications have been fully processed (eg., delegated, withdrawn, or not approved), ICANN would issue a payment of 25% of the excess fees back to the applicants.
			  * ICANN should further explore these with the Implementation Review Team and ensure that the resulting implementation is clearly documented in the Applicant Guidebook.
				See edits on page 64 and 67

Email-04-12-B	Base Registry Agreement - 6th topical email	04 December	https://mm.icann.org/pipermail/gnso-newgtld-wg/2020-December/003643.html
			
			1. Confirm our support for the recommendation of adding a contractual provision stating that the registry operator will not engage in fraudulent or deceptive practices.
			  2. In the event that ICANN receives an order from a court that a Registry has engaged in fraudulent or deceptive practices, ICANN may issue a notice of breach for such practices and allow the registry to cure such breach in accordance with the Registry Agreement.
			  3. In the event that there is a credible allegation by any third party of fraudulent or deceptive practices, other than as set forth in (b) above, ICANN may, at its discretion, either commence Dispute Resolution actions under the Registry Agreement (Currently Article 5 of the Registry Agreement), or appoint a Panel under the PICDRP. For the purposes of a credible claim of fraudulent or deceptive practices the Reporter (as defined by the PICDRP) must only specifically state the grounds of the alleged non-compliance, but not that it personally has been harmed as a result of the Registry Operator's act or omission.
				See edit on page 181.

Email-04-12-C	GAC Early Warning / GAC Consensus Advice - 7th topical email	04 December	https://mm.icann.org/pipermail/gnso-newgtld-wg/2020-December/003644.html Keep 30.4 as is, but changing 30.3 to "As stated in the ICANN Bylaws, GAC Consensus Advice must include a clearly articulated rationale. The Working Group recommends that GAC Consensus Advice be limited to the scope set out in the applicable Bylaws provisions and elaborate on any "interaction between ICANN's policies and various laws and international agreements or where they may affect public policy issues."	See edit on page 137
Email-04-12-D	Community Applications - 8th topical email	04 December	https://mm.icann.org/pipermail/gnso-newgtld-wg/2020-December/003645.html "The Working Group recommends that the process to develop evaluation and selection criteria for the Community Priority Evaluation Provider (CPE Provider) must include mechanisms to ensure appropriate feedback from the ICANN community. In addition, any terms included in the contract between ICANN Org and the CPE Provider regarding the CPE process must be subject to public comment."	See edits on page 163 and 167

Email-07-12-A	IDNs - 9th topical email	07 December	https://mm.icann.org/pipermail/gnso-newgtld-wg/2020-December/003655.html 1. Leaving the language in the report as is with respect to the recommendation. Rationale: Although the Study Group recommended that the label should not ""proceed through evaluation"", it did not offer any thoughts as to whether the other uniquely GNSO new gTLD processes should apply. It did not discuss contention sets, public comments, objections, etc. This is most likely because the group with comprised of ccNSO members (as well as GNSO) and the aforementioned processes are uniquely for new gTLDs and not for the ccTLD Fast Track. 2. Include a warning for applicants that apply for scripts that have not been integrated into the RZ-LGR (one will be included in the next draft) that states that there is a chance that the application may not ever pass evaluation and that the applicant may be responsible for the costs of additional evaluations of that string. This is mentioned in the Study Group Report as ""Option B"".	No new edits. This edit was integrated into Implementation Guidance 25.3 the 7 Dec redline based on a previous action item.
07-12-1	Terms and Conditions	07 December	Row 13 – RySG and Row 14 – The Galway Strategy Group re: Reference other relevant recs in this section ACTION ITEM: Check to make sure that mentions of changes to Terms and Conditions in other sections are cross-referenced in Section 18.	See edits on page 83
07-12-3	Metrics and Monitoring	07 December	Row 13 – RySG re: Suggested metrics ACTION ITEM: Add the metrics suggested.	See edits on page 33
07-12-4	Metrics and Monitoring	07 December	Row 16 – ALAC ACTION ITEM: Include ALAC suggested metrics on EBERO.	See edits on page 34
07-12-5	Metrics and Monitoring	07 December	Row 18 – ARTICLE 19 re: Metrics and monitoring should be in line with data protection rules and privacy rights. Leadership Comments: I think we can add a general disclaimer that this be adhered to. ACTION ITEM: Add a general disclaimer that metrics and monitoring should be in line with data protection rules and privacy rights.	See edits on page 35
10-12-1	Reserved Names	10 December	Row 16 – IAB re: SAC113 ACTION ITEM: Add reference to status of SAC113	See edits on page 94
10-12-2	TLD Types	10 December	Row 17 – ICANN Org 2. Note the change of language between IDN Variant and Variant TLD. Agree we should change the term when applying at the TLD level. ACTION ITEM: Note the use of terms and make sure they are consistent.	See edit on page 24, 113-115