

Applicant Information

First Name: Jeff

Last Name: Neuman

Gender: Male

Country of Residence: United States

Stakeholder Group/Constituency Affiliation: IPC

Please describe your qualifications with respect to the following criteria:

- 1. Understanding of the specific and limited nature of the role and ability to perform liaison duties with the necessary restraint.**

The role of the Operational Design Phase is limited to performing an assessment of GNSO Council recommendation in order to provide the Board with relevant information to assist the ICANN Board in understanding the operational impact of the implementation of the recommendations. Although the ODP is not part of the implementation of the recommendations, the outcome will certainly lay the foundation for the implementation if the recommendations are ultimately approved by the Board.

Any questions that arise during the ODP that pertain to policy, substance, intent of the recommendations must be addressed to the GNSO Council as the manager of the PDP. The role of the ODP Liaison is limited to facilitating communication on these issues and serving as the primary contact between ICANN Org's PDP team and the GNSO Council on questions pertaining to the substance of intent of the GNSO Council recommendations. It is also important that the Liaison be able to "Provide relevant background information to ICANN org upon request, in consultation with the GNSO Council, as needed."

As discussed below, it is not only essential for the ODP Liaison to have a deep understanding of the subject matter and the ultimate recommendations, but also to have been a part of the each of the discussions that led to the recommendations. Finally, the ODP Liaison must be able to act in a neutral manner and not use this opportunity to promote any agenda or to re-litigate issues that were previously decided by the PDP (and approved by the Council).

Each of these areas are discussed below.

2. Previous involvement with SubPro PDP and in-depth knowledge of the subject matter.

From both a policy and operational perspective, I believe that I am uniquely qualified for this role. I have a demonstrated record of knowledge, expertise, neutrality, and a collaborative spirit.

From a Policy Perspective

- a) During the 2005-2011 Policy Process, I served in several PDPs related to the 2012 New gTLD Round, including
 - i. Member of the Feb 06 PDP Task Force on Contractual Conditions for Existing gTLDs
 - ii. Sole Registry Member of the 2009 Implementation Review Team on Intellectual Property Protections for New gTLDs
 - iii. Member of the Special Trademark Interests working group
 - iv. Member of the Vertical Integration Working Group
 - v. Member of gTLD Registries negotiating team on ICANN proposed amendments to the Registry Agreement (2013)

- b) 2014/2015 Discussion Group: I served as one of original members of the GNSO New gTLD Drafting Team in 2014/2015 and towards the end of the process became one of the co-chairs assisting Bret Fausett who asked for assistance.

- c) 2016 – 2021: Subsequent Procedures PDP: In 2016, at the first or second meeting of the Subsequent Procedures PDP, I became one of the co-chairs and was the only co-chair to be with the PDP Working Group from start to finish.
 - i. As one of the co-chairs of the PDP, I attended 203 out of the 213 total working group meetings (95.3%).¹ This does not include all of the Leadership team meetings, work track meetings, etc.

¹ See <https://community.icann.org/display/NGSPP/Attendance+Log+-+New+gTLD+Subsequent+Procedures+Working+Group>

- ii. As a co-chair of SubPro, I was responsible for briefing the Governmental Advisory Committee on the work of the PDP Working Group for 14 consecutive ICANN meetings starting at ICANN 56 in Helsinki (June 2016). I also served as a resource for the GAC small team working on New gTLD issues.
- iii. As a co-chair of SubPro, I was also asked to attend several ICANN Executive Team / Board Liaison meetings to discuss the activities of the Working Group to ensure that the ICANN Board and Org were being kept up to speed and to encourage their feedback into the process.
- iv. Although not always the case with PDP Chairs, I played an active role in the drafting of the recommendations and explanatory text of the SubPro PDP Working Group report and the modification of such recommendations based on feedback from the Working Group.

As a part of virtually every conversation on SubPro with the Working Group, ICANN Org, the ICANN Board liaisons, the GAC and the GNSO Council, I am familiar with all of the issues that arose before, during and after the PDP, how those issues were discussed (including the arguments raised by all of the different interests), and how those issues were resolved. In addition, I was able to present the views of the PDP Working Group to the GAC in an objective neutral manner, while at the same time receiving feedback from the GAC and bringing it back to the Working Group. Never once during those discussions did I give my own opinion on the substance of the recommendations – as that was not something that was relevant to the discussions or my role.

Therefore, if any issue were to arise during the Operational Design Phase, if the issue was addressed by the PDP Working Group I would be able to point the ODP Team to where those issues were discussed (in meetings, reports and/or discussions) and how those issues were resolved (if they were resolved).

With respect to the known issues that were not fully resolved, I would be able to direct the ODP Team to where those issues were discussed and why the issues remained unresolved so that the ODP is made aware of the discussions, arguments, positions on interested stakeholders. Etc. so that they are not starting at square one.

I believe one of the key roles of the ODP Liaisons is to ensure that issues which were addresses or resolved by the PDP Working Group should not be reopened or re-litigated

by the community or ICANN Org/Board for that matter absent extraordinary circumstances.

The SubPro PDP was unprecedented in terms of participation and public comment periods. Every part of the community was kept informed at all times of the activities of the PDP and invited to participate in the Working Group (including the GAC and ICANN Org) and consistently kept up to date. This was all done purposefully by the SubPro leadership team in an effort to prevent what happened before the 2012 round which resulted in the constant re-opening of issues that were thought closed by those that either did not or were not able to participate in the 2007/2008 GNSO Policy Process.

From an Operational Perspective

- i. I have participated in every round of New gTLDs that ICANN has had since its inception. This includes (a) applying for and serving as the Registry Operator for .biz in 2000/2001; (b) serving as the back-end operator for .travel (and later .tel) and helping .travel with the application process in 2005. And finally, while running the Neustar Registry Services business, I participated in the 2012 new gTLD round.
- ii. As part of the 2012 new gTLD round, I was primarily responsible for:
 - a. The complete application/delegation/operational processes for .nyc and .neustar.
 - b. The complete application/delegation/operational processes for as the Registry Services Provider for more than 350 applications in the 2012 round.
 - c. The provision of front-end registry services for dozens of new gTLDs, including open TLDs, restricted TLDs, community TLDs, and brand TLDs.
- iii. In each of these roles, I had to become intimately familiar with the policies and procedures contained in the Applicant Guidebook as well as each of the Advisories and posts in ICANN's knowledge bank

In sum, my experience both within the PDP process as well as my role in serving as an applicant, a registry operator, a registrar and a back-end service provider in each of the ICANN rounds of new gTLDs since 2000 makes me uniquely qualified for the role.

3. Demonstrated ability to act in a neutral manner, especially when there are divergent views within the GNSO.

As Co-chair of the Subsequent Procedures PDP, along with my other co-chairs, we created a new model of enhanced collaboration with the GAC, ICANN Org and the ICANN Board that had never been seen in prior PDPs. In fact many of our practices which we experimented with have now become the model for future PDPs and/or adopted formally in PDP 3.0.

We were the first GNSO PDP to get active participation and comments from the GAC, ICANN Org and even the ICANN Board. We had an unprecedented number of public comments periods, Advisory Committee presentations, and meetings with ICANN Org and ICANN Board Liaisons to ensure active participation not just from the GNSO, but from the entire ICANN community.

Although not everyone got what they ideally wanted at the end of the day, the final report does represent a compromise that we believe the entire community could live with. And, as the leadership has been told over and over, everyone that participated felt like they were being heard and considered.

Given the 40+ topics addressed by the SubPro Working Group, there were many of them that initially had divergent views not just within the GNSO, but in the entire ICANN community. As co-chair, I believe I was able to ensure that each of the divergent views were not only heard, but also considered. When one view of an issue would dominate a conversation during a Working Group call, I made sure to raise the issues from the other side to ensure that those positions were considered and addressed. Though admittedly, some may have interpreted that as “taking a side”, at the end of the day it was all done to comprehensively address all viewpoints.

The biggest testament to my neutrality is that there are a number of recommendations in the Final Report that I personally may not have agreed with, but I have never made that known to anyone within the Working Group. Members of the Working Group would actually be surprised with my personal views because at the end of the day I never brought them into the discussions. That was not my role as the co-chair and would not be my role as the ODP Liaison.

I think it is important to state that the ability to be neutral in the context of the ODP Liaison is a little bit different than the neutrality of being a co-chair of a PDP. Yes, it is important to ensure that where there are divergent views, the GNSO Liaison to the ODP should not advocate for one side or the other. However, the GNSO Liaison must faithfully advocate for the GNSO when there is a Consensus Recommendation approved

by the GNSO Council. Thus, if the GNSO Liaison to the ODP sees determines that the ODP (Or any implementation team) may not be acting in accordance with the Consensus Recommendations, it is incumbent upon the Liaison to (a) inform the ODP Team of such inconsistency, and (b) if such actions continue, to report that to the GNSO Council for its guidance.

In this regard, neutrality does not equate inactivity; but rather ensuring that the GNSO Recommendations are adhered to without imposing my own personal positions on any particular recommendation.

In addition, any applicant for the Liaison to the ODP must be able to demonstrate not only that they understand the recommendations, but more importantly, be able to explain in a neutral manner, how we got to those recommendations. Attending 203 of the 213 official Working Group Meetings, not to mention each of the work tracks dozens of meetings, all of the discussions with the GAC, and the briefings with ICANN staff and the ICANN Board Liaisons again demonstrates not only my knowledge, but how I have been able to participate in the process in a neutral objective manner.

4. Familiarity with both the dynamics and the operations of the GNSO Council.

I am very familiar with the dynamics and operations of the GNSO Council. I previously served a few terms as a GNSO Council and spent 2 years as the GNSO Council Vice Chair from the contracted parties. I have assisted in many organizational procedural processes including the development of the Policy Development Process v. 2.0, and the original Policy Development Process Manual (2008-2011). Before that in 2003-2005 served as an advisor to the Evolution and Reform Committee responsible for the formation of the Generic Names Supporting Organization (and transition from the Domain Name Supporting Organization).

At the ICANN annual meeting in 2020, I was appointed by the GNSO Council to serve as the GNSO Liaison to the GAC². In that role, I am constantly reminded of the dynamics of the GNSO and its leadership team. Although the dynamics of the GNSO Council and leadership teams change every year, the core principles of the GNSO Council, the Policy Development Process, and the GNSO community remain fairly constant.

In my role as the Liaison to the GAC, I have attended all of the GNSO Council meetings as well as each of the open meetings of the GAC. My primary goal in serving as this

² Please see discussion at the end on perceived conflict.

liaison is to improve the collaboration between the GNSO community and the GAC. As such, it is my job to keep not only keep the GAC informed about the activities of the GNSO and the GNSO informed about the activities of the GAC.

Although the position of GNSO Liaison to the GAC is being discussed currently by the GNSO, it is my understanding that the GAC leadership team has expressed its satisfaction with the job I have been doing over the past year and has relayed its opinion to the GNSO Council leadership team that my work has in fact increased collaboration between the two groups and has been viewed as extremely positive. One GAC member commented that in their view that there has been more collaboration with the GNSO than ever before and I have played a substantial role in that both through SubPro and my role as Liaison.

5. Availability to devote the necessary time to this effort, including attending meetings with the ODP team upon request and providing regular updates to the Council.

I believe that given the specific and limited nature of the role of the ODP Liaison, I will have enough availability and time to serve. I am self-employed (see below) and therefore do not need to seek any approval to volunteer my time towards this effort.

Additional Information:

6. Please list any current volunteer commitments you currently have with ICANN or expect to undertake with ICANN in the next 12 months, if applicable:

As stated above, I currently serve as the GNSO Liaison to the GAC. Although I believe that I can perform both the Liaison to the GAC role and the ODP Liaison role at the same time, I have asked the GNSO Council Chair whether serving as the Liaison to the GAC (or any Liaison on the Council for that matter (eg., ALAC or ccNSO Liaison)) would be viewed as a conflict.

If it is viewed as a conflict by the GNSO Council (which I do not believe should be the case), meaning that I could not serve in both roles at the same time, I have let GNSO Council Chair know that my preference would be to serve as the Liaison to the ODP, and step down from my GNSO Liaison to the GAC role.

I therefore ask that the Standing Selection Committee not consider my concurrent role as GNSO Liaison to the GAC as a conflict or to question my time and/or commitment to

the ODP Liaison role. I have never backed out any commitments that I have made, and once I take a position, I see it through to the end. The GNSO Council Chair has informed me he would let me know whether the Council views the two roles as a conflict prior to the SSC's consideration of my candidacy so that this does not become an issue for the SSC to consider.

Regardless of a conflict or not, or what happens with the GNSO Liaison to the GAC role, I am firmly committed to serve as the ODP Liaison if selected.

7. Do you have any type of material interest in the New gTLD Program and/or the outcomes of the SubPro ODP? If yes, please explain.

I believe this is a critical question and probably should be one of the first questions asked.

In July 2020 I formed my own legal and policy firm called JJN Solutions, LLC and am free to take (or not take) any clients I choose. Currently, although I represent some contracted parties in legal and policy matters, I do not represent any registry operators, back-end registries or registrars in matters involving the next round of new gTLDs.

Although some of my clients may likely be interested in participating in the next round of new gTLDs (if there is a next round), I do not represent any of those clients for that purpose and I have no insight into their views on the new gTLD program (unless they have made their views publicly known).

Therefore, I can conclusively state that I have no material interest in the New gTLD Program and/or the outcomes of the SubPro ODP other than having devoted the past 5 or 6 years to the work of SubPro and wanting to see all of the hard work of the PDP Working Group and the community progress.

Please feel free to contact me with any questions.