CHARTER QUESTION APPROACH

Stage 2 - Address any charter questions that have been identified requiring a response before commencing the next phase

2. As part of this framework, what will be the limitations of fund allocation, factoring in that the funds need to be used in line with ICANN's mission while at the same time recognising the diversity of communities that ICANN serves? This should include recommendations on how to assess whether the proposed use is aligned with ICANN's Mission. Furthermore consideration is expected to be given to what safeguards, if any, need to be in place.

Sub-question identified: This response to this question should not only address the limitations but also focus on the objective / scope of funding allocation.

#4. What aspects should be considered to define a timeframe, if any, for the funds allocation mechanism to operate as well as the disbursements of funds? E.g. The timeframe for the operation of this new mechanism may provide the opportunity for long term support, or for funding to be released in tranches linked to milestone achievements, single or multiple disbursements.

#7. Should ICANN oversee the solicitation and evaluation of proposals, or delegate to or coordinate with another entity, including, for example, a foundation created for this purpose?

Sub-question identified: Confusion over the use of ICANN - ICANN staff, ICANN community? CCWG will need to clarify what it understands ICANN to mean when responding to this question.

Stage 3 - Compile list of possible mechanisms that could be considered by CCWG

Detail main characteristics of each mechanism

Conduct strength/weakness assessment for each mechanism

Review from the perspective of legal, fiduciary and audit constraints

Consultation with identified experts to obtain input / briefing on different mechanisms and confirm whether list compiled is complete and accurate

#1. What framework (structure, process and/or partnership) should be designed and implemented to allow for the disbursement of new gTLD Auction Proceeds, taking into account the legal and fiduciary constraints outlined above as well as the existing memo on legal and fiduciary principles? As many details as possible should be provided, including any implementation guidance the CCWG may have in relation to the establishment of this framework as well as criteria for the selection / ranking of potential funding requests.

Sub-question identified: If the CCWG decided to go with, or start with an ICANN-internal structure, what would trigger the process that a separate entity is definitely needed for the management of the auction fund?
If ICANN chose to partner with other reputable orgs, what would be the evaluation criteria for ICANN to chose such partner? What does partner / partnering mean ? (a. Fund is still with ICANN but distributed to partner based on request or b. Fund is given to and managed by the partner).

Stage 4 - Determine which mechanism(s) demonstrates most potential to meet CCWG expectations as well as conform with legal & fiduciary constraints

Stage 5 - Answer charter questions (as organized per 1) for mechanism(s) that demonstrated the most potential

#3. What safeguards are to be put in place to ensure that the creation of the framework, as well as its execution and operation, respect the legal and fiduciary constraints that have been outlined in this memo?

Sub-question identified: Based on Q1 and Q3, what is the "iterative process" like?
What would be the "expert advise" (those who know non-profit rules in California working with those who's familiar with ICANN processes) to identify a proper mechanism that can reduce numbers of iterations.

#5. What conflict of interest provisions and procedures need to be put in place as part of this framework for fund allocations?

#11. Should a review mechanism be put in place to address possible adjustments to the framework following the completion of the CCWGs work and implementation of the framework should changes occur that affect the original recommendations (for example, changes to legal and fiduciary requirements and/or changes to ICANN's mission)?

Sub-question identified: What review mechanisms should be put in place / what are the criteria for any kind of review mechanism / what possible scenarios should trigger a review (for example, Time, $ dispersed and red flags from project reviews or audits)?

#8. What aspects should be considered to determine an appropriate level of overhead that supports the principles outlined in this charter?

Sub-question identified: Responses appear to deal both with overhead for framework / mechanism as well as project applications. Are both expected to be addressed in response to this question?

#9. What is the governance framework that should be followed to guide distribution of the proceeds? The issues addressed by a governance framework could include (but does not have to be limited to):

a. What are the specific measures of success that should be reported upon?

b. What are the criteria and mechanisms for measuring success and performance?

c. What level of evaluation and reporting should be implemented to keep the community informed about how the funds are ultimately used?

10. To what extent (and, if so, how) could ICANN, the Organization or a constituent part thereof, be the beneficiary of some of the auction funds?

Stage 6 - Following consensus on mechanism and responses to charter questions, meeting legal, fiduciary and audit constraints, publish Initial Report for public comment