At-Large Policy Advice Development

Case Study: GNSO New gTLD Subsequent Procedures PDP

ICANN 65 POLICY FORUM
MARRAKECH
24–27 June 2019

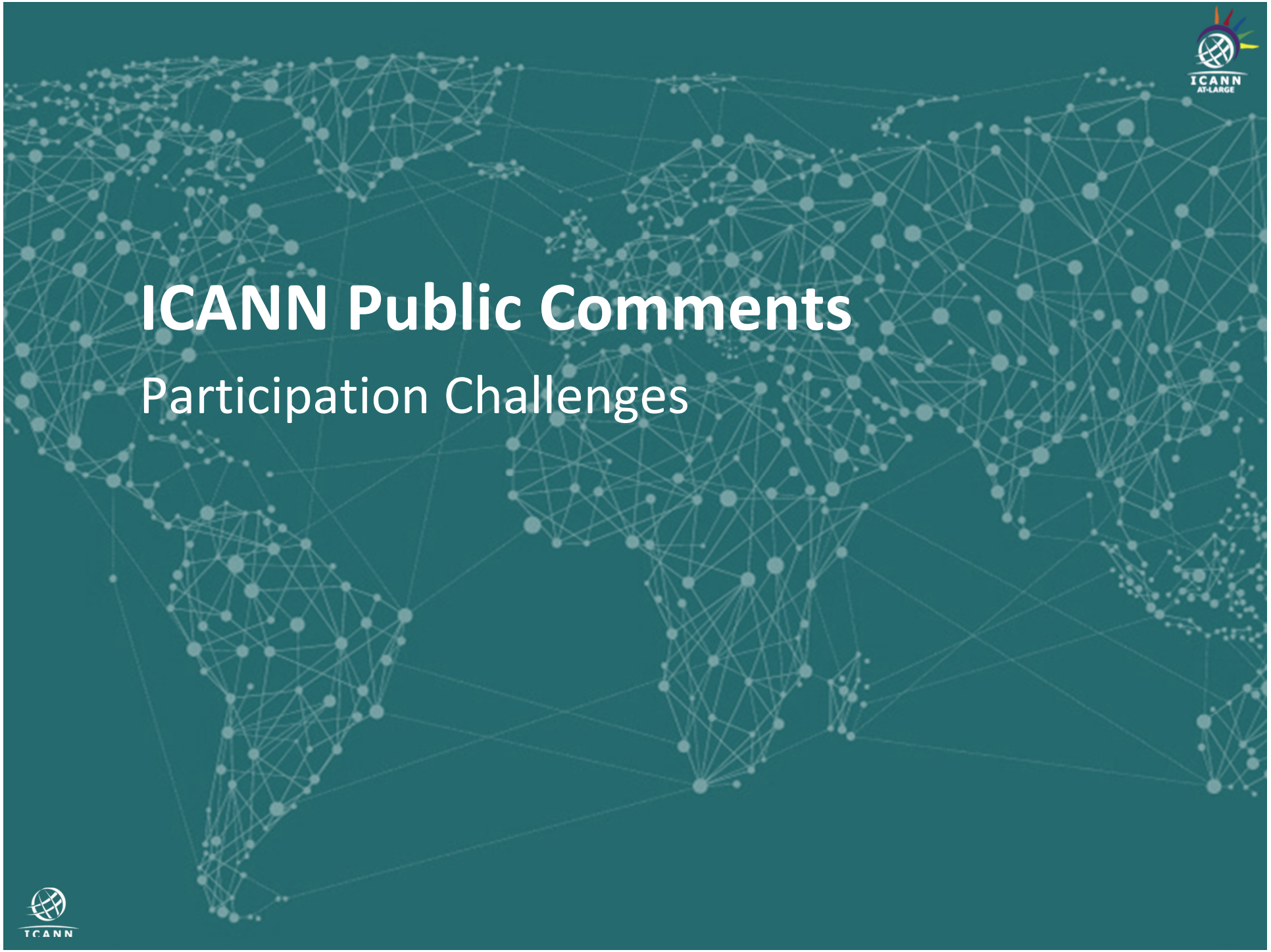
Justine Chew
Asian, Australian and Pacific Islands
Regional At-Large Organization (APRALO)

25 June 2019

Agenda

- **Introduction**
  - ICANN Public Comment
    - Participation Challenges
  - ALAC Policy Advice Development Process
    - Approach & Mechanics

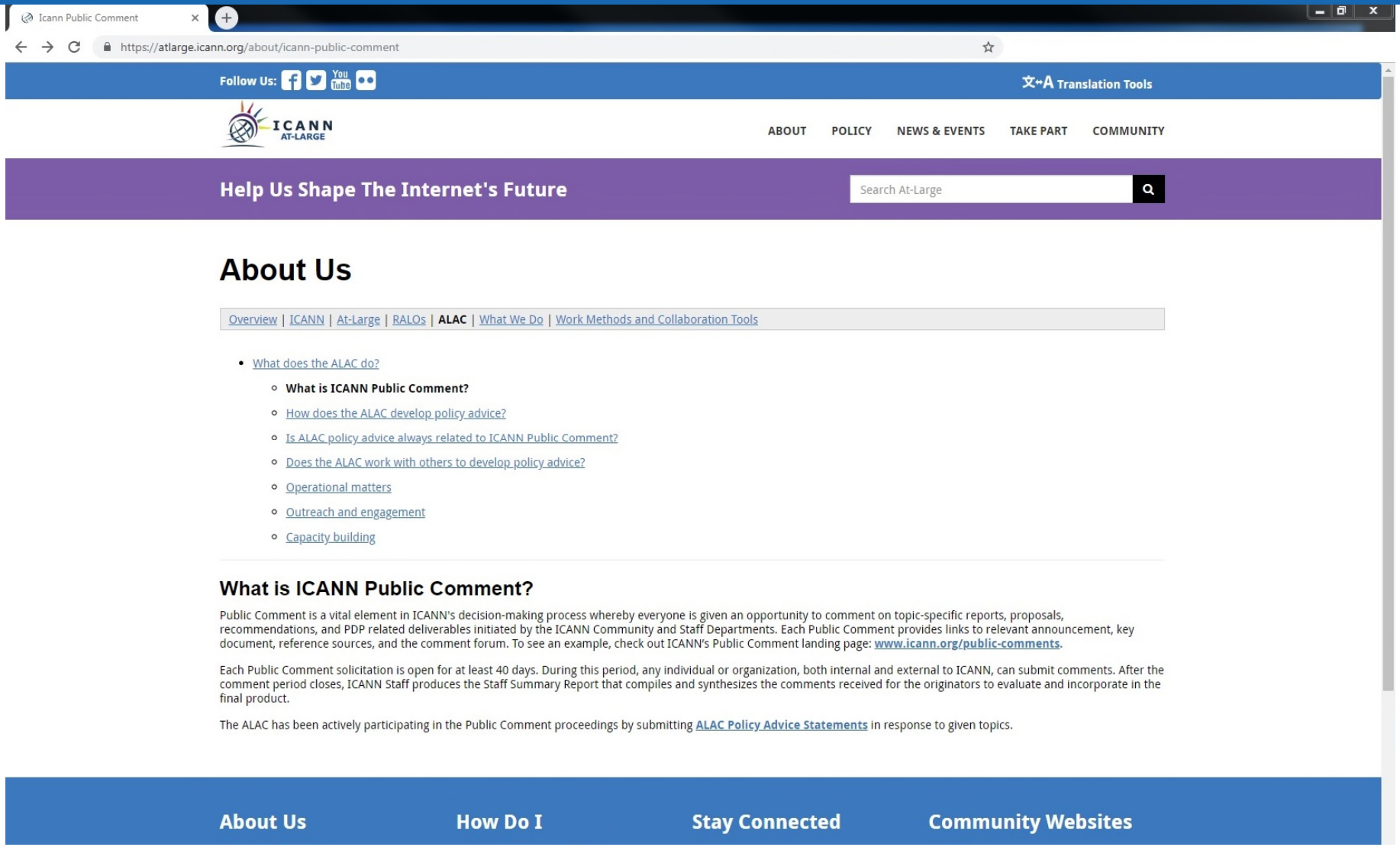
- **Case Study: New gTLD Subsequent Procedures PDP WG**
  - About ***Subsequent Procedures***
  - 3 ALAC Policy Advice submitted, generated through the ***At-Large Consolidated Policy Working Group*** (CPWG)
    - #1 <= collaboration of small teams, section leaders, several principal penholders
    - #2 <= single penholder
    - #3 <= collaboration of 3 penholders



ICANN Public Comments

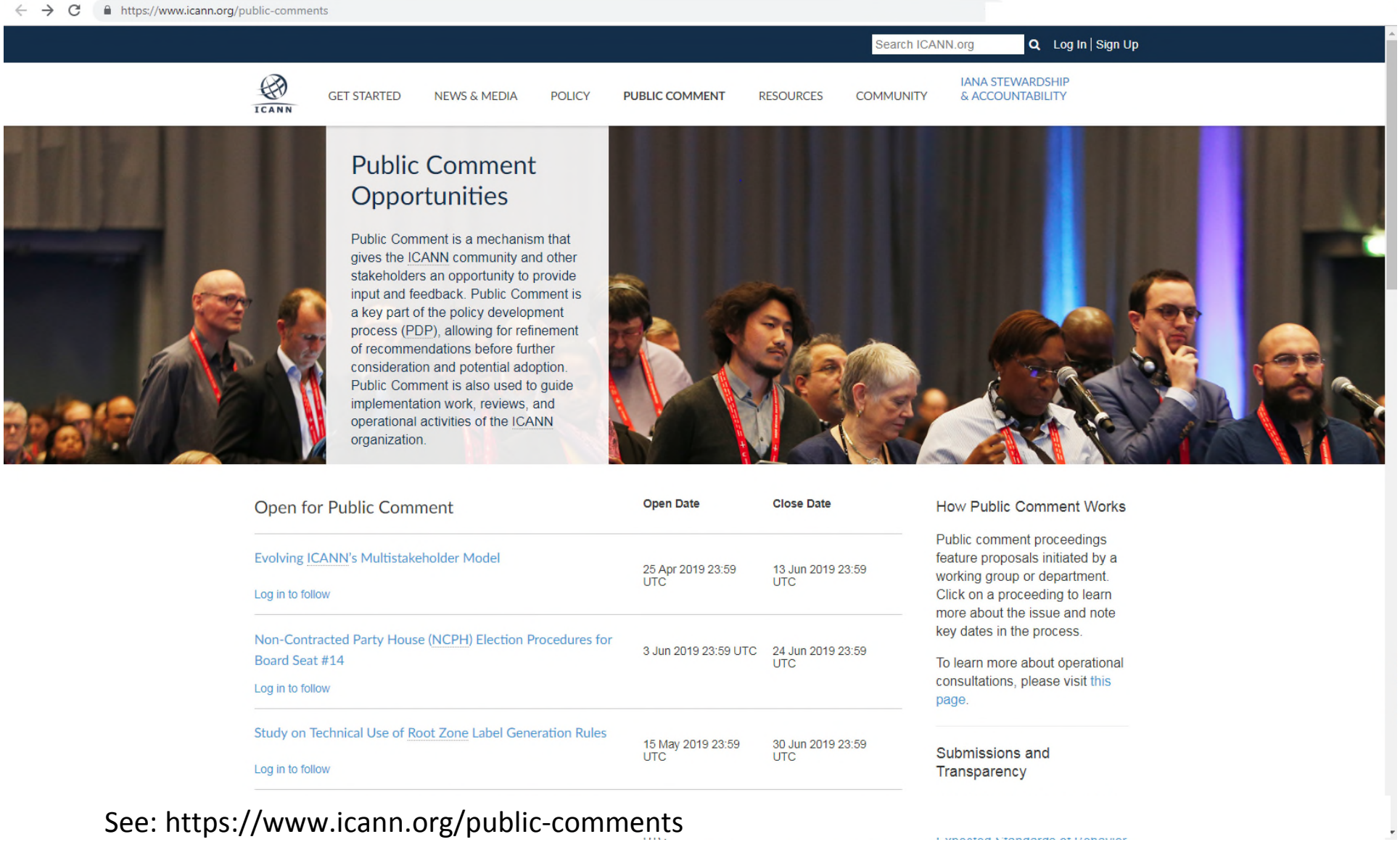
Participation Challenges

What is ICANN Public Comment?



See: https://atlarge.icann.org/about/icann-public-comment

ICANN Public Comment Opportunities



See: https://www.icann.org/public-comments

ICANN Public Comment: Participation Challenges

- **Newcomers**
  - Where to start? Interest, passion, knowledge.
  - Join a Working Group and catch-up.
    - At-Large Working Groups
    - GNSO Policy Development Process (PDP) Working Groups
    - Cross-Community Working Groups (CCWGs)
    - etc
  - Read, read, and read. And listen in.
  - Mentor?

- **Regular Participants**
  - Volunteerism, time commitments, burnout
  - More hands on deck, focus groups, sharing workload
  - Leading discussions, building consensus
  - ***At-Large Consolidated Policy Working Group*** (CPWG)


ICANN
AT-LARGE
ALAC Policy Advice Development
An Introduction
ICANN

Advisory Committees' Advice Development

Multistakeholder Advice Development

The Policy Development Support Team facilitates bottom-up, consensus-driven processes for advice on global gTLD, ccTLD, and IP address policies.

At-Large Advisory Committee (ALAC)

ALAC voices interests of Internet end users and advises ICANN Board on policies within ICANN's mission and scope.

ALAC Advice Development Process

1. **IDENTIFY THE ISSUE**
   - Any community member can bring up emerging issues to ALAC.
2. **SCOPE THE ISSUE**
   - ALAC discusses its relevance to end users and decides if it needs to respond.
   - ALAC determines if issue is in scope.
3. **DEVELOP ADVICE**
   - ALAC appoints At-Large community member to lead small team to write draft statement and begin consultation.
   - Anyone may contribute to draft statement.
4. **RATIFY ADVICE**
   - ALAC reviews and calls for consensus or votes on final statement.
   - If ratified, ALAC sends advice to ICANN Board, ICANN org, SOs/ACs, or other ICANN community members for consideration.

Learn more about the ALAC
alac.icann.org

Governmental Advisory Committee (GAC)

GAC advises ICANN Board on public policy issues, particularly in areas where ICANN policies intersect with national laws and international agreements.

GAC Advice Development Process

1. **IDENTIFY THE ISSUE**
   - Any GAC member or observer may raise issues for discussion.
   - ICANN Board may also seek GAC advice.
2. **COLLECT MEMBER VIEWS**
   - GAC chair solicits input from GAC members, observers, or working groups.
3. **ACHIEVE CONSENSUS**
   - GAC chair summarizes comments with aim of reaching GAC consensus.
4. **DRAFT ADVICE**
   - GAC members, observers, or working groups contribute to draft advice.
   - GAC reviews advice.
5. **ISSUE ADVICE**
   - If consensus is reached, GAC chair issues communiqué or other formal written statement to ICANN Board.

Learn more about the GAC
gac.icann.org

Root Server System Advisory Committee (RSSAC)

RSSAC advises ICANN Board and community on matters relating to the operation, administration, security, and integrity of the Internet's Root Server System.

RSSAC Advice Development Process

1. **IDENTIFY THE ISSUE**
   - Any RSSAC or RSSAC Caucus member may propose work item, including requests from ICANN Board, then submits statement of work for RSSAC to consider.
2. **SCOPE THE ISSUE**
   - RSSAC reviews statement of work.
   - If approved, RSSAC creates a work party of either RSSAC or RSSAC Caucus members.
3. **DEVELOP ADVICE**
   - Work party writes draft document, which its leader sends for review until no further comments are received.
   - If RSSAC Caucus has not been involved, RSSAC work party leader may send draft document for its review.
4. **RATIFY ADVICE**
   - Work party submits draft document to RSSAC.
   - RSSAC votes on draft document.
5. **PREVIEW RECOMMENDATIONS**
   - RSSAC may share content with those it might affect.
   - RSSAC may also post approved document for Public Comment.
6. **PUBLISH ADVICE**
   - RSSAC publishes approved document.
   - RSSAC tracks and reviews effects of its recommendations.

Learn more about the RSSAC
rssac.icann.org

Security and Stability Advisory Committee (SSAC)

SSAC advises ICANN Board and community on issues relating to the security and integrity of the Internet's naming and address allocation systems.

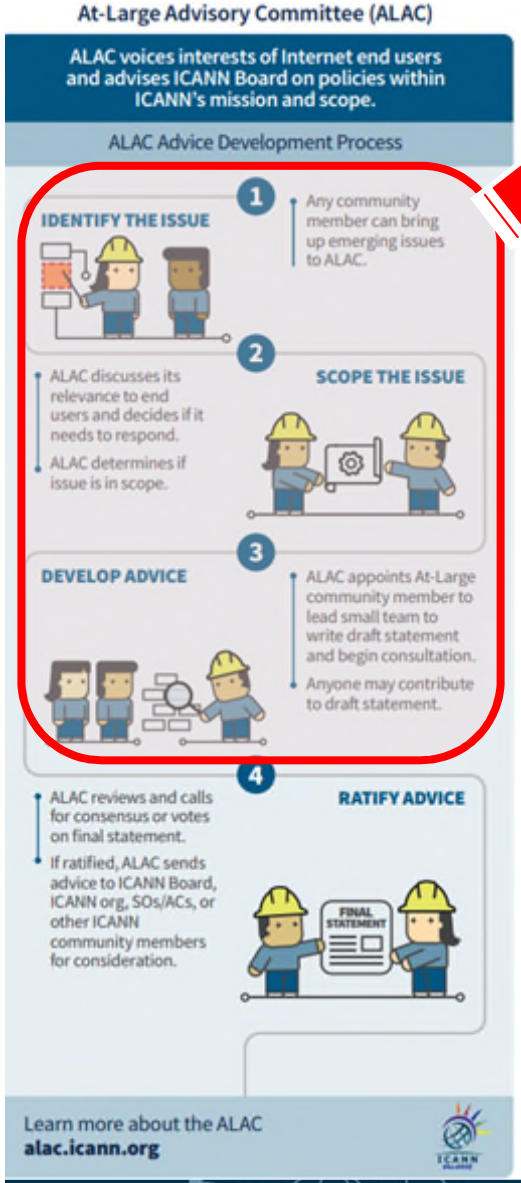
SSAC Advice Development Process

1. **IDENTIFY THE ISSUE**
   - SSAC members, ICANN Board, SOs/ACs, or ICANN org may request SSAC to review issue.
2. **STUDY THE ISSUE**
   - If SSAC agrees to review issue, work party begins draft document.
3. **PRELIMINARY REVIEW**
   - Work party may share draft document with those it might affect.
   - Work party sends revisions to SSAC.
   - SSAC may post draft document for Public Comment.
4. **PREVIEW RECOMMENDATIONS**
   - SSAC reaches consensus on final document.
   - SSAC chair may share final document with relevant parties in ICANN community or ICANN legal.
5. **PUBLISH ADVICE**
   - SSAC publishes approved document.
   - SSAC tracks and reviews effects of its recommendations.

Learn more about the SSAC
ssac.icann.org

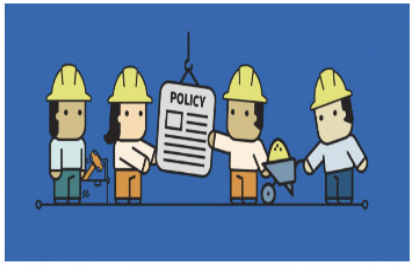
SO/AC Supporting Organizations/Advisory Committees

ALAC Policy Advice Development Process Approach



Consolidated Policy Working Group (CPWG)

Crea dogdu, last modified by Claudia Ruiz about 8 hours ago



- Description
- Contact
- Members
- Meetings
- Resources
- Documents
- Monthly Reports

Description

The Consolidated Policy Working Group (CPWG) was formed in December 2017, as a union of three At-Large Working Groups: At-Large Registration Issues Working Group, At-Large New gTLDs Working Group and At-Large ICANN Evolution Working Group.

The WG is Co-chaired by Jonathan Zuck and Olivier Crépin-Leblond. **New people are welcome to join any of the component groups and they will then become a member of the CPWG automatically. But they cannot join the CPWG itself directly.** The focus of the Consolidated Policy Working Group (CPWG) is directed towards policy comments and advice within At-Large, best practices for identifying Internet end user issues in the policy development process at ICANN, and engaging the At-Large community further on policy comments and advice.

See: https://atlarge.icann.org/working_groups/consolidated-policy-working-group-cpwg

ALAC Policy Advice Development Process Approach

ALAC policy advice development process

See: https://atlarge.icann.org/about/alac-advice-development-process

ALAC Policy Advice Development Process Approach

ALAC policy advice development process

Necessity for ALAC Policy Advice

- **Does a topic or areas impact the interests of the Internet End-User*?**

  - If yes:
    - How are those interests impacted, either positively or negatively?
    - What policy inputs can we offer that will strengthen the positive impact and/or prevent or lessen the negative impact?
    - Does the gravity of the impact require us to advocate our position beyond merely submitting a statement via the Public Comment process?
  - If no, then we decline to submit a statement.

* Internet End-Users includes the casual registrant

Mechanics of ALAC Policy Advice

- **Who volunteers as Penholder(s)?**

  - Works best if penholder(s) are At-Large Community member(s) who:

"Read, read, read"

  - ❖ Have relevant knowledge/expertise/experience
  - ❖ Are active members of relevant Working Group
  - ❖ Read associated input materials, supporting documents, relevant past statements, etc
  - ❖ **Understand the issues as they relate to End-Users**
  - ❖ Are strong communicators
  - ❖ Often but not always drawn from amongst ALAC Members, ALAC Appointees or At-Large leaders
  - ❖ Can act singularly and/or in small team

  - Why? Because of what penholders are expected to do, which in turn is dependent on workload.

Mechanics of ALAC Policy Advice

- **What do Penholders do?**

➢ Prior to drafting any statement:

"Identify" ❖ **Identify the issues as they relate to End-Users**

"Scope" ❖ Preferably, present background to identified issues as contained in input materials etc

❖ Where possible, present arguments/points raised /identified by other parts of the ICANN Community on those issues at relevant fora

❖ Solicit inputs from At-Large members – wiki workspace, mailing list, weekly calls, Googledocs etc

"Develop" ❖ From inputs received, develop proposed positions to issues

❖ Present proposed positions and re-solicit further inputs or where possible, **establish consensus**

➢ (Ideally) then only start to draft a statement

Mechanics of ALAC Policy Advice

- **What else do Penholders do?**

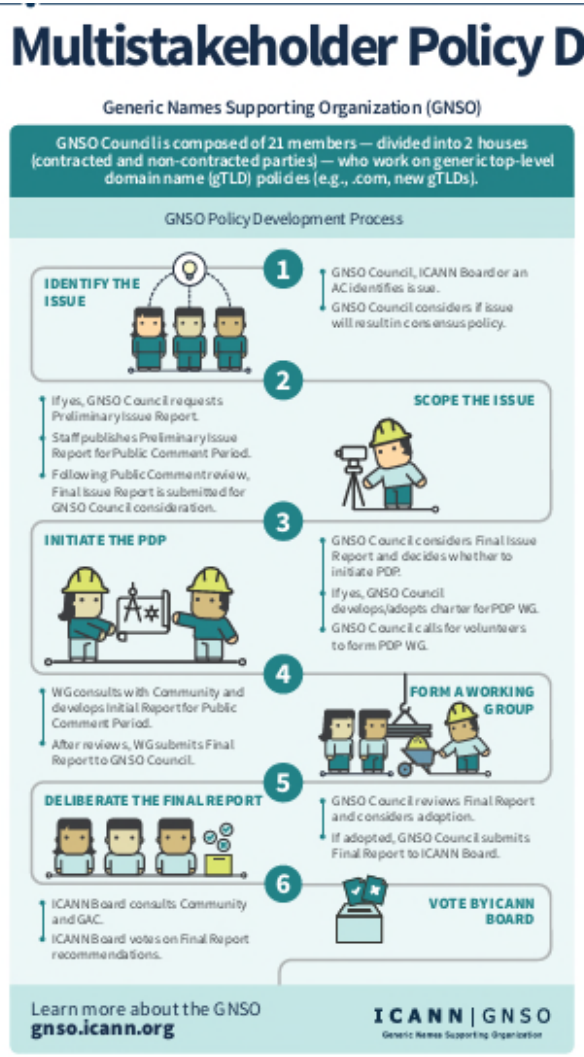
  - Once draft statement is published:
    - Call for comments - solicit further inputs or where feasible, attempt to again **establish consensus** for positions which did not enjoy consensus before
    - At-Large members to respond
    - Incorporation of further inputs, where feasible or relevant
    - As many rounds as needed within time limits / Public Comment deadline

  - And finalize statement which then goes to ALAC for ratification prior to submission
    - In some cases, finalized statement is submitted first then re-submitted with ALAC ratification endorsement

Case Study

ALAC's New gTLD Subsequent Procedures Policy Advice/Statements 2018-2019

What is New gTLD SubPro? An Overview



New Generic Top Level Domain Subsequent Procedures

- **For next round of New gTLD applications (if any)**
  - *Distinct from 2012 round*

- **New gTLD Subsequent Procedures PDP WG**
  - *Policy Development Process (PDP) purview of GNSO Council*
  - *PDP initiated in Dec 2015, chartered in Jan 2016*
  - *WG started work in Feb 2016, considering changes as necessary to existing policy recommendations and implementation guidance*
  - *WG tackled > 40 separate topics via Plenary, Work Tracks 1-4, Work Track 5 on Geographic Names at the Top Level*
  - *Between Nov 2018 – Mar 2019, undertook high level checks, clarification of public comments received*
  - ***Now reviewing merits of public comments for reporting***
  - ***WG work expected to go on until Q4 2019 – Final Report***

SubPro PDP WG: Inputs, Organisation & Deliverables

Inputs

- *Preliminary Issue Report*
- *Constituency Comment 1 (CC1)*
- *Constituency Comment 2 (CC2)*
- *Final Issue Report*
- *GNSO New gTLD Policy 2007, past decisions, documents*
- *GAC Principles*
- *2012 Applicant Guidebook*
- *Base Registry Agreement*
- *Competition, Consumer Trust & Consumer Choice Review*
- *Public Comments to Initial Report & Supplemental Reports*
- *etc*

Organisation

- **Plenary**
- **WT1: Overall Process/Support/ Outreach**
- **WT2: Legal/Regulatory**
- **WT3: String Contention/ Objections & Disputes**
- **WT4: Internationalized Domain Names / Technical & Operations**
- **WT5: Geographic Names at the TLD**

(see next 2 slides for work distribution)

Deliverables

- ***Initial Report** of the New gTLD SubPro PDP (Overarching Issues & Work Tracks 1-4) Jul 2018*
- ***Supplemental Report** to the Initial Report of the New gTLD SubPro PDP (Overarching Issues & Work Tracks 1-4) Nov 2018*
- ***Supplemental Report** to the Initial Report of the New gTLD SubPro PDP (Work Track 5) on Geonames as TLD, Dec 2018*

PUBLIC COMMENT

- *Final Report Q4 2019*

SubPro: Distribution of Topics (High Level)

Plenary

- *Subsequent Procedures*
- *Predictability*
- *Community Engagement*
- *Application Assessed in Rounds*
- *Different TLD Types*
- *Application Submission Limits*
- *Auctions as Mechanism of Last Resort*
- *Private resolution of contention sets*
- *Application Comment*
- *Change Requests to Applications*
- *Registrar Support for New gTLDs*

WT1: Overall Process/Support/ Outreach

- *Competition, Consumer Trust & Consumer Choice*
- *Applicant Guidebook*
- *Clarity of Application Process*
- *Accreditation Programs*
- *Systems*
- *Application Fees*
- *Communications*
- *Application Queuing*
- *Application Submission Period*
- *Applicant Support*
- *Variable Fees*

WT2: Legal/Regulatory

- *Reserved Names*
- *Base Registry Agreement*
- *Registrant Protections*
- *Contractual Compliance*
- *Registrar Non-Discrimination +*
- *TLD Rollout*
- *2nd Level Rights Protection Mechanisms*
- *Global Public Interest*
- *IGO/INGO Protections*
- *Closed Generics*

WT3: String Contention/ Objections & Disputes

- *Applicant Freedom of Expression*
- *String Similarity*
- *Objections*
- *Accountability Mechanisms*
- *Community Applications*

WT4: Internationalized Domain Names / Technical & Operations

- *Internationalized Domain Names & Universal Acceptance*
- *Security and Stability*
- *Applicant Reviews: Technical/ Operational & Financial*
- *Names Collisions*

SubPro: Distribution of Topics (High Level)

WT5: Geographic Names as Top Level Domains

Dedicated to areas to do with geographic names at the top level

- *Two-character letter-letter ASCII strings as country codes*
- *ISO 3166-1 Alpha-3 codes as country and territory names*
- *Long-form name in ISO 3166-1 standard*
- *Short-form name in ISO 3166-1 standard*
- *Short- or long-form name association with a code designated as "exceptionally reserved" by ISO 3166 Maintenance Agency*
- *Separable component of a country name designated on the "Separable Country Names List"*
- *Permutations, transpositions of reserved strings*
- *Name by which a country is commonly known, per intergovernmental or treaty org*
- *Capital city names*
- *Non-capital city names*
- *Sub-national places in ISO 3166-2 standard*
- *UNESCO region / "Composition of macro geographical (continental) regions, geographic sub-regions , and selected economic and other groupings" list*
- *Definition of "Geographic Names"*
- *Principles and Basis guiding "Geographic Names"*
- *Preventative vs Curative Measures*
- *Translations of "Geographic Name" strings*
- *Non-Applicant Guidebook Terms*

ALAC's New gTLD SubPro Policy Advice/Statements

Call for Public Comments

Initial Report *of the New gTLD SubPro PDP (Overarching Issues & Work Tracks 1-4), Jul 2018*	***Supplemental Report*** *to the Initial Report of the New gTLD SubPro PDP (Overarching Issues & Work Tracks 1-4), Nov 2018*	***Supplemental Report*** *to the Initial Report of the New gTLD SubPro PDP (Work Track 5) on Geonames at the TL, Dec 2018*
• Culmination of WG discussions on over ~36 topics • Preliminary recommendations, questions	• WG addresses additional 5 topics • Preliminary recommendations, options, questions	• Culmination of WT5 discussions • Preliminary recommendations, questions, proposals

Our Responses

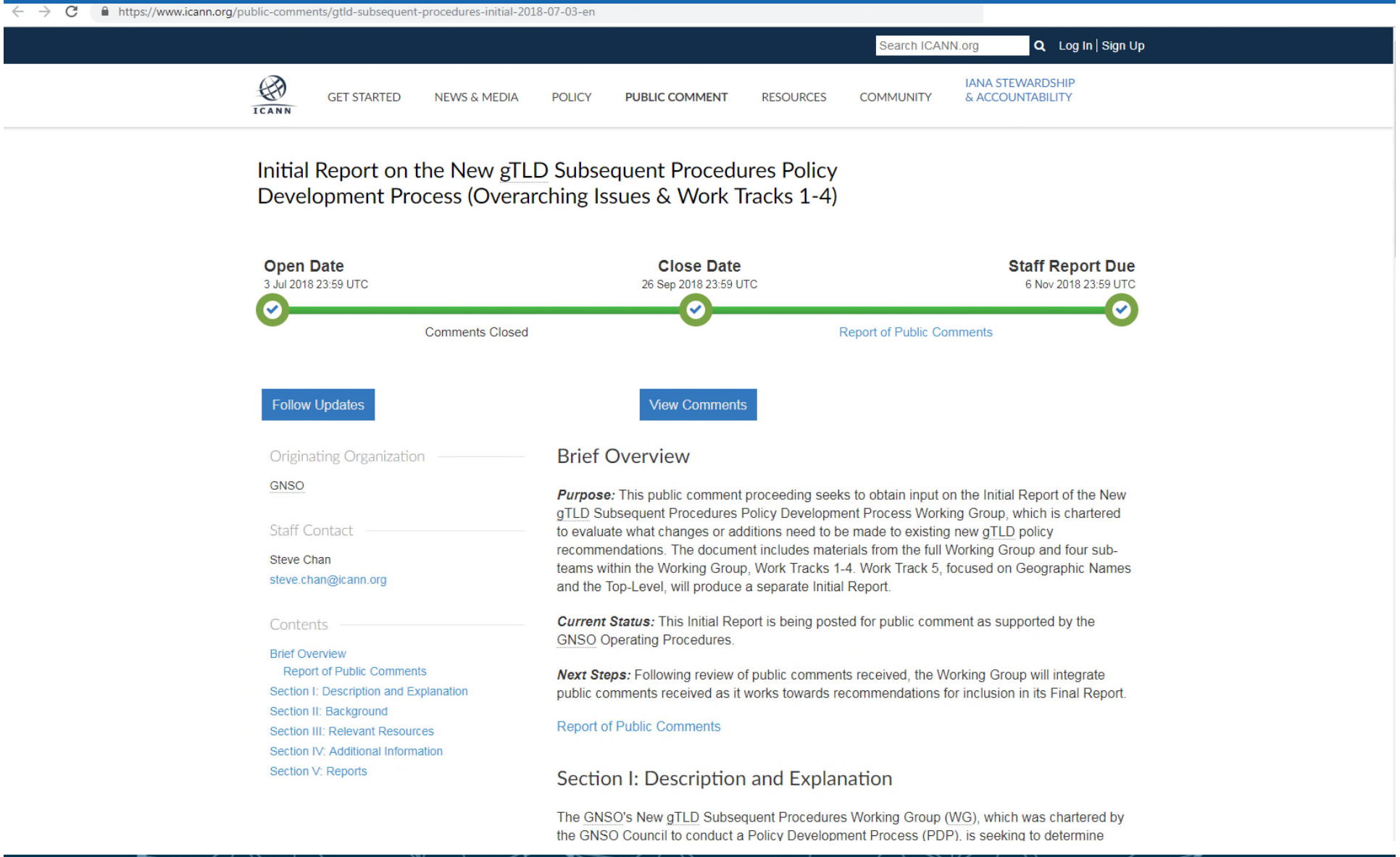
1. ALAC Statement AL-ALAC-ST-0926-02-01-EN Sep 2018
   - ➢ **Collaboration of small teams, section leaders, several principal penholders**
2. ALAC Statement AL-ALAC-ST-0918-03-01-EN Dec 2018
   - ➢ **Single penholder**
3. ALAC Statement AL-ALAC-ST-0119-02-01-EN Jan 2019
   - ➢ **Collaboration of 3 penholders**

Case Study 1

Approach & Mechanics for

Initial Report of the New gTLD SubPro PDP (Overarching Issues & Work Tracks 1-4), Jul 2018

SubPro Initial Report Call for Public Comments



SubPro Initial Report CPWG Wiki Page

https://community.icann.org/pages/viewpage.action?pageId=88573813

Dashboard / At-Large Policy Advice Development Page / 2018 ALAC Policy Comments & Advice

At-Large Workspace: Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)

Created by Evin Erdogdu, last modified by Satish Babu on Feb 2

Public Comment Close	Statement Name
26 September 2018	Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)

Hide the information below, please click he

See: Final Draft Google Doc (view-only link)

Please note deadline for submission of commer

Brief Overview

Purpose: This public comment proceeding seeks t additions need to be made to existing new gTLD p focused on Geographic Names and the Top-Level,

Current Status: This Initial Report is being posted

Next Steps: Following review of public comments

Section I: Description and Explanatic

The GNSO's New gTLD Subsequent Procedures Wo be made to the existing *Introduction of New Gener* adopted by the GNSOCouncil and ICANN Board ha for subsequent rounds of the New gTLD Program u responsible for considering the subjects within its materials from the full Working Group and Work Tr

1 Wiki page is set up for Public Comment

Section I: Description and Explanation

The GNSO's New gTLD Subsequent Procedures Working Group (WG), which was chartered by the GNSO Council to conduct a Policy Development Process (PDP), is seeking to determine what, if any, changes may need to be made to the existing *Introduction of New Generic Top-Level Domains* policy recommendations from 8 August 2007 as well as the final Applicant Guidebook dated June 2012. As the original policy recommendations as adopted by the GNSOCouncil and ICANN Board have "been designed to produce systemized and ongoing mechanisms for applicants to propose new top-level domains", those policy recommendations remain in place for subsequent rounds of the New gTLD Program unless the GNSO Council would decide to modify those policy recommendations via a policy development process. The PDP WG created 5 Work Tracks that are responsible for considering the subjects within its charter. The PDP Working Group sought community input through two community comment periods. The Working Group has produced its Initial Report, which includes material from the full Working Group and Work Tracks 1-4. Work Track 5, focused on Geographic Names at the Top-Level, was established later than the other Work Tracks and will produce a separate Initial Report.

The objective of this Initial Report is to document the Working Group's deliberations on charter issues and preliminary recommendations, potential options for recommendations, as well as specific questions for which the Working Group is seeking input. Given the large number of issues, and the thousands of hours spent on addressing the 2012 New gTLD Program and improvements that can be made to the program moving forward, unlike other Initial Reports, this one does not contain a "Statement of level of consensus for the recommendations presented in the Initial Report." The Co-Chairs not only believed that it was premature to measure the level of consensus of the Working Group members of dozens of recommendations contained within the Initial Report, but that doing so could have the unintended consequence of locking Working Group members into positions of support or opposition prior to soliciting public comment from the community on those recommendations. To form such definitive positions at this early of a stage could have the adverse effect of being less open to modifications to those positions as a result of community input.

In addition, though many of the preliminary recommendations were generally agreed to by members that participated in the different Work Tracks, support has not been assessed amongst the members of the overall Working Group. The Overall Working Group has not sought to form definitive positions on each of these issues at this stage. Therefore, any language in this report that suggests that the Working Group or any of its Work Tracks is making a recommendation should be read as merely a rough assessment by the Working Group co-chairs or Work Track leads.

After a comprehensive review of public comments received on this report, the Working Group will deliberate further on the preliminary recommendations contained within the Initial Report. It is possible that as a result of the deliberations, there may be supplemental reports released by the Working Group seeking additional public comments. Once all of that is completed, the Co-Chairs will conduct any formal consensus call(s) at the plenary level, on all recommendations before the Working Group issues its Final Report.

Section II: Background

In June of 2014, the GNSO Council created the New gTLD Subsequent Procedures Discussion Group, which was focused on reflecting upon the experiences gained from the 2012 New gTLDround and identifying a recommended set of subjects that should be further analyzed in an Issue Report. At the ICANN53 meeting, the GNSO Council approved a motion to request that an Issue Report be drafted by ICANN staff, basing the report on the set of deliverables developed by the Discussion Group, to further analyze issues identified and help determine if changes or adjustments are needed for subsequent new gTLD procedures. The Final Issue Report [PDF, 1.38 MB] was submitted to the GNSO Council for its consideration on 4 December 2015 and a PDP on New gTLD Subsequent Procedures was initiated on 17 December 2015. The PDP WGhas been meeting on a regular basis since February 2016.

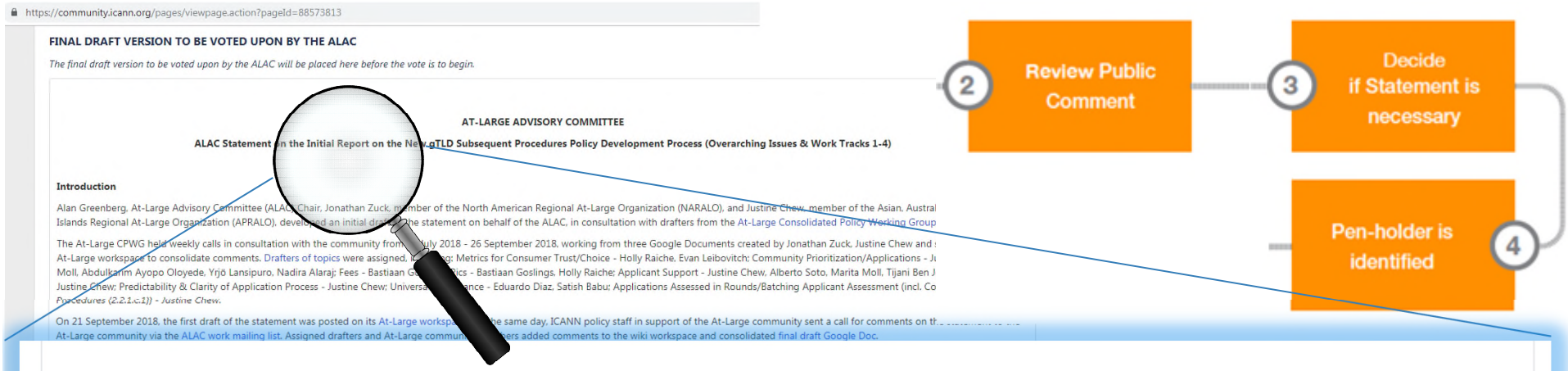
Section III: Relevant Resources

- Working Group Initial Report [PDF, 2.78 MB]
- Annex C – Table of Preliminary Recommendations, Options and Questions for Community Input [PDF, 1 MB]

Section IV: Additional Information

- Working Group Charter [PDF, 196 KB]
- Working Group Wiki
- Project Page

SubPro Initial Report CPWG Wiki Page



AT-LARGE ADVISORY COMMITTEE

ALAC Statement on the Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)

Introduction

Alan Greenberg, At-Large Advisory Committee (ALAC) Chair, Jonathan Zuck, member of the North American Regional At-Large Organization (NARALO), and Justine Chew, member of the Asian, Australasian and Pacific Islands Regional At-Large Organization (APRALO), developed an initial draft of the statement on behalf of the ALAC, in consultation with drafters from the At-Large Consolidated Policy Working Group (CPWG).

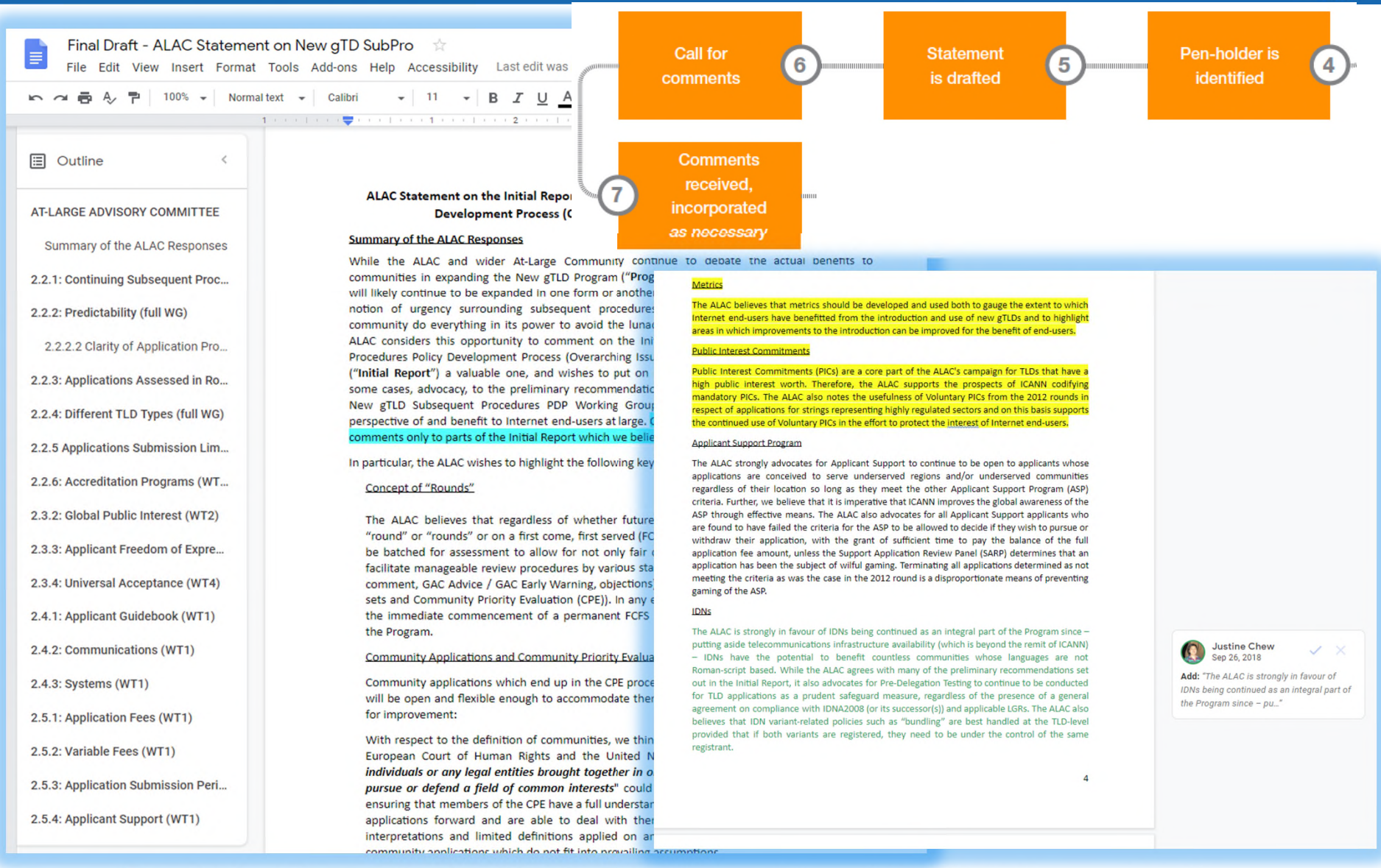
The At-Large CPWG held weekly calls in consultation with the community from 18 July 2018 - 26 September 2018, working from three Google Documents created by Jonathan Zuck, Justine Chew and staff, as well as the At-Large workspace to consolidate comments. Drafters of topics were assigned, including: Metrics for Consumer Trust/Choice - Holly Raiche, Evan Leibovitch; Community Prioritization/Applications - Justine Chew, Marita Moll, Abdulkarim Ayopo Oloyede, Yrjö Lansipuro, Nadira Alaraj; Fees - Bastiaan Goslings; Pics - Bastiaan Goslings, Holly Raiche; Applicant Support - Justine Chew, Alberto Soto, Marita Moll, Tijani Ben Jemaa; Objections - Justine Chew; Predictability & Clarity of Application Process - Justine Chew; Universal Acceptance - Eduardo Diaz, Satish Babu; Applications Assessed in Rounds/Batching Applicant Assessment (incl. Continuing Subsequent Procedures (2.2.1.c.1)) - Justine Chew.

On 21 September 2018, the first draft of the statement was posted on its At-Large workspace. On the same day, ICANN policy staff in support of the At-Large community sent a call for comments on the statement to the At-Large community via the ALAC work mailing list. Assigned drafters and At-Large community members added comments to the wiki workspace and consolidated final draft Google Doc.

On 26 September 2018, the CPWG met to finalize the ALAC statement draft. On the same day, the ALAC Chair submitted comment, and requested that Staff open an ALAC ratification vote.

In the interest of time, the ALAC Chair requested that the statement be transmitted to the ICANN public comment process, copying the ICANN staff member responsible for this topic, with a note that the statement is pending ALAC ratification.

SubPro Initial Report CPWG Googledoc



ALAC Ratified Statement on SubPro Initial Report

ALAC Statement

Initial Report on the New gTLD Subsequent Procedur Development Process (Overarching Issues & Work Tr

8 ALAC Ratification

9 Submission to Public Comment and designated Staff member

Topic(s):

Penholder(s):
(NARALO) Jonathan Zuck
(APRALO) Justine Chew

Publish Date:
3 Oct 2018

Status

1. Develop First Draft	2. Open for Comment	3. Finalize Final Draft	4. ALAC Vote	5. Submission
Ended: 27 Aug 2018	Ended: 30 Aug 2018	Ended: 26 Sep 2018	Ended: 2 Oct 2018	Submitted: 3 Oct 2018

Submitted a Statement

Submission due: 3 Oct 2018 23:59 UTC

Background

Purpose: This public comment proceeding seeks to obtain input on the Initial Report of the New gTLD Subsequent Procedures Policy Development Process Working Group, which is chartered to evaluate what changes or additions need to be made to existing new gTLD policy recommendations. The document includes materials from the full Working Group and four sub-teams within the Working Group, Work Tracks 1-4. Work Track 5, focused on Geographic Names and the Top-Level, will produce a separate Initial Report. Current Status: This Initial Report is being posted for public comment as supported by the GNSO Operating Procedures. Next Steps: Following review of public comments received, the Working Group will integrate...
See public comment in icann.org

ALAC Statement

English 680 KB Download

Activity

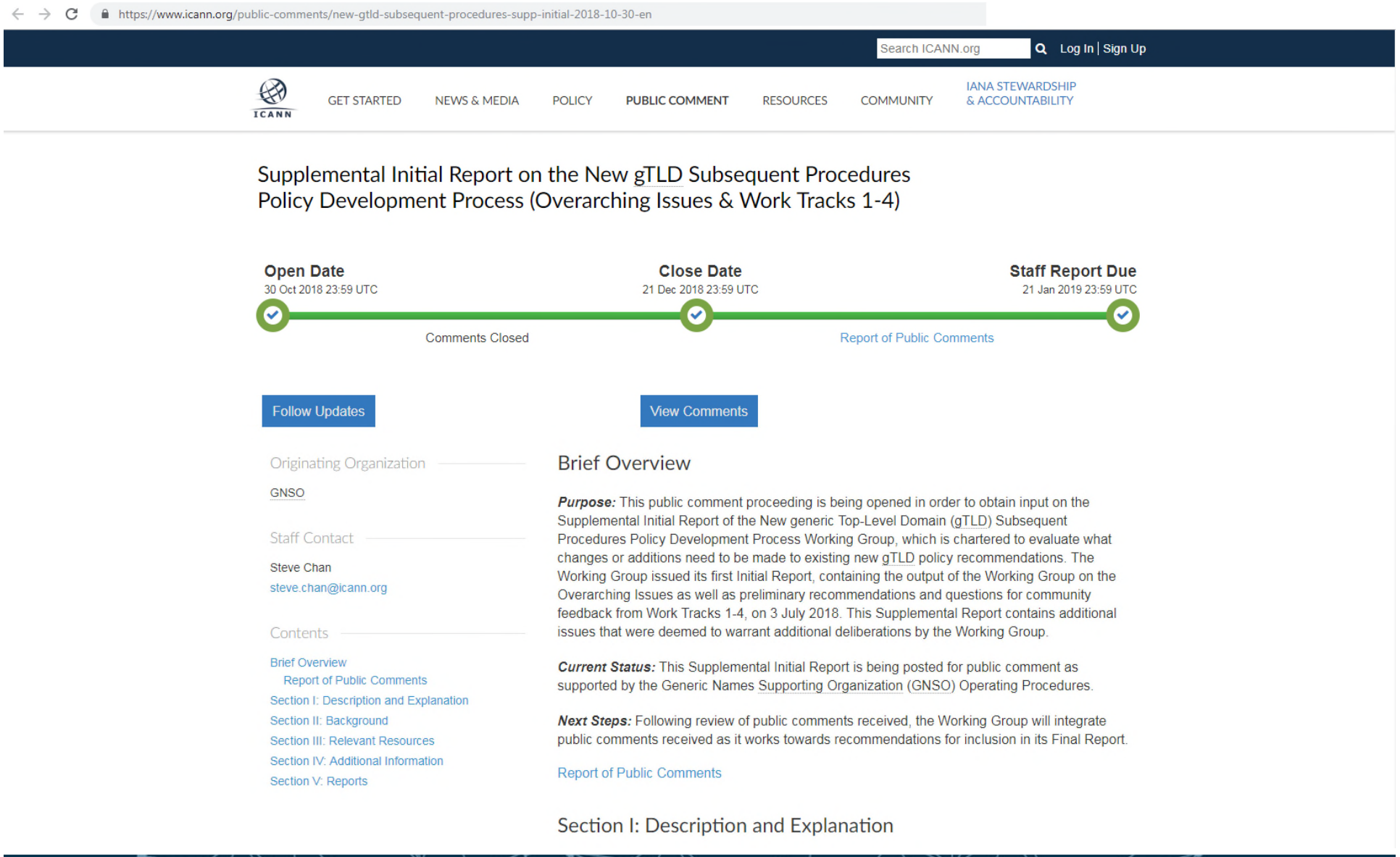
9 Jul 2018 Wiki workspace created
27 Aug 2018 First draft posted in the wiki workspace
27 Aug 2018 Community started commenting on the first draft
26 Sep 2018 Final draft posted in the wiki workspace

Case Study 2

Approach & Mechanics for

Supplemental Initial Report of the New gTLD SubPro PDP (Overarching Issues & Work Tracks 1-4), Nov 2018

SubPro Supp. Initial Report Call for Public Comments



SubPro Supplemental Initial Report CPWG Wiki Page

Dashboard / At-Large Policy Advice Development Page / 2018 ALAC Policy Comments & Advice

1 Wiki page is set up for Public Comment

At-Large Workspace: Supplemental Initial Report on the New gTLD Subsequent Procedures P Development Process (Overarching Issues & Work Tracks 1-4)

Created by Evin Erdogdu, last modified on Jan 09, 2019

Public Comment Close	Statement Name	Status	Assignee(s)	Call for Comments Open	Call for Comments Close	Vote Open	Vote Close	Date of Submission	Staff Contact and Email	Statement Number
21 December 2018	Supplemental Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)	ADOPTED 14Y, 0N, 0A	@ Justine Chew	09 December 2018	20 December 2018	03 January 2019	07 January 2019	21 December 2018	Steve Chan steve.chan@icann.org	**AL-ALAC-ST-1218-06-02-EN**

Hide the information below, please click here

Brief Overview

Purpose: This public comment proceeding is being opened in order to obtain input on the Supplemental Initial Report of the New generic Top-Level Domain (gTLD) Subsequent Procedures Policy Development Process Working Group, which is chartered to evaluate what changes or additions need to be made to existing new gTLD policy recommendations. The Working Group issued its first Initial Report, containing the output of the Working Group on the Overarching Issues as well as preliminary recommendations and questions for community feedback from Work Tracks 1-4, on 3 July 2018. This Supplemental Report contains additional issues that were deemed to warrant additional deliberations by the Working Group.

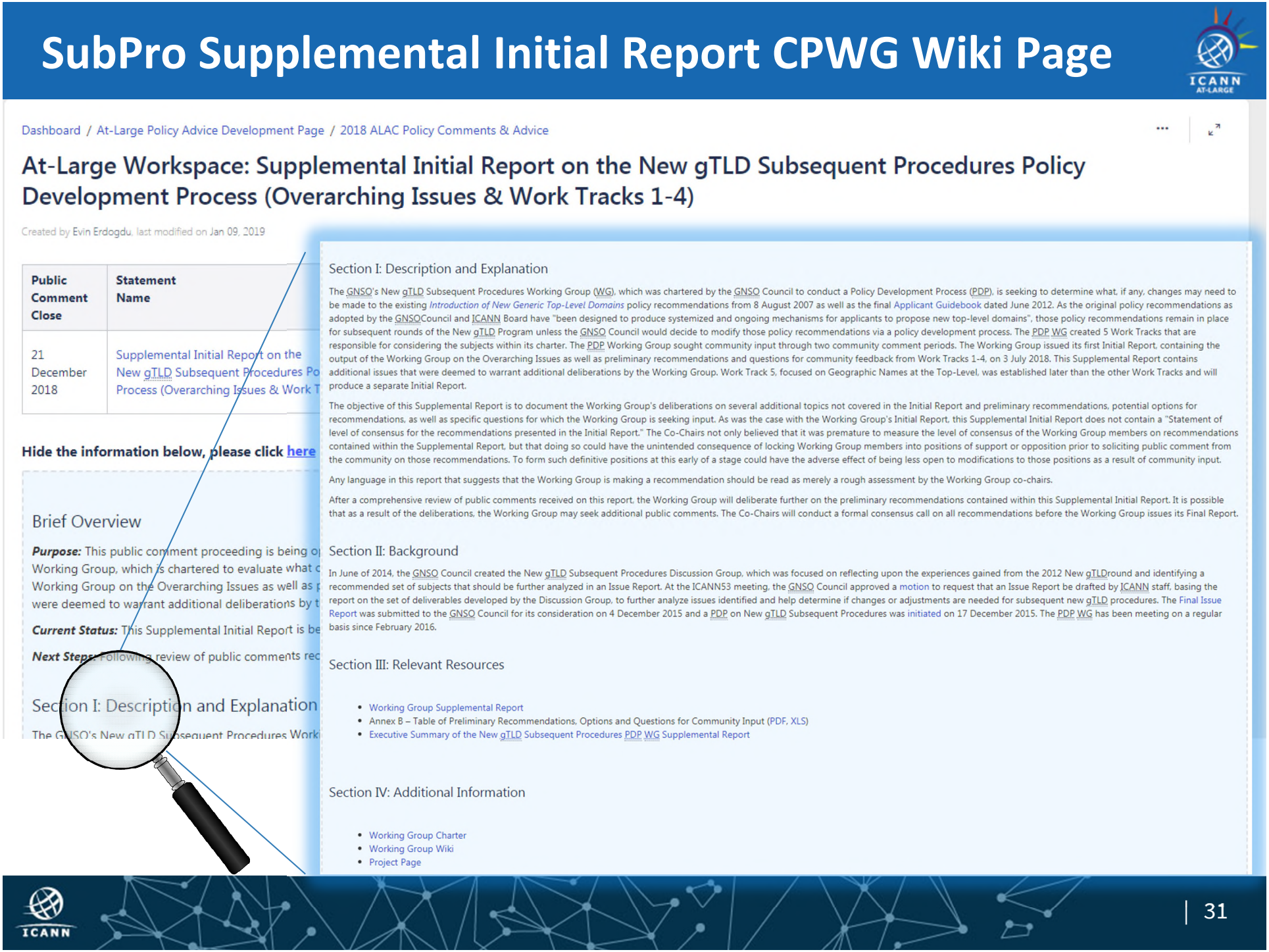
Current Status: This Supplemental Initial Report is being posted for public comment as supported by the Generic Names Supporting Organization (GNSO) Operating Procedures.

Next Steps: Following review of public comments received, the Working Group will integrate public comments received as it works towards recommendations for inclusion in its Final Report.

Section I: Description and Explanation

The GNSO's New gTLD Subsequent Procedures Working Group (WG), which was chartered by the GNSO Council to conduct a Policy Development Process (PDP), is seeking to determine what, if any, changes may need to

SubPro Supplemental Initial Report CPWG Wiki Page



Dashboard / At-Large Policy Advice Development Page / 2018 ALAC Policy Comments & Advice

At-Large Workspace: Supplemental Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)

Created by Evin Erdogdu, last modified on Jan 09, 2019

Public Comment Close	Statement Name
21 December 2018	Supplemental Initial Report on the New gTLD Subsequent Procedures Po Process (Overarching Issues & Work T

Hide the information below, please click here

Brief Overview

Purpose: This public comment proceeding is being o Working Group, which is chartered to evaluate what c Working Group on the Overarching Issues as well as p were deemed to warrant additional deliberations by t

Current Status: This Supplemental Initial Report is be

Next Steps: Following review of public comments rec

Section I: Description and Explanation

The GNSO's New gTLD Subsequent Procedures Work

Section I: Description and Explanation

The GNSO's New gTLD Subsequent Procedures Working Group (WG), which was chartered by the GNSO Council to conduct a Policy Development Process (PDP), is seeking to determine what, if any, changes may need to be made to the existing *Introduction of New Generic Top-Level Domains* policy recommendations from 8 August 2007 as well as the final Applicant Guidebook dated June 2012. As the original policy recommendations as adopted by the GNSOCouncil and ICANN Board have "been designed to produce systemized and ongoing mechanisms for applicants to propose new top-level domains", those policy recommendations remain in place for subsequent rounds of the New gTLD Program unless the GNSO Council would decide to modify those policy recommendations via a policy development process. The PDP WG created 5 Work Tracks that are responsible for considering the subjects within its charter. The PDP Working Group sought community input through two community comment periods. The Working Group issued its first Initial Report, containing the output of the Working Group on the Overarching Issues as well as preliminary recommendations and questions for community feedback from Work Tracks 1-4, on 3 July 2018. This Supplemental Report contains additional issues that were deemed to warrant additional deliberations by the Working Group. Work Track 5, focused on Geographic Names at the Top-Level, was established later than the other Work Tracks and will produce a separate Initial Report.

The objective of this Supplemental Report is to document the Working Group's deliberations on several additional topics not covered in the Initial Report and preliminary recommendations, potential options for recommendations, as well as specific questions for which the Working Group is seeking input. As was the case with the Working Group's Initial Report, this Supplemental Initial Report does not contain a "Statement of level of consensus for the recommendations presented in the Initial Report." The Co-Chairs not only believed that it was premature to measure the level of consensus of the Working Group members on recommendations contained within the Supplemental Report, but that doing so could have the unintended consequence of locking Working Group members into positions of support or opposition prior to soliciting public comment from the community on those recommendations. To form such definitive positions at this early of a stage could have the adverse effect of being less open to modifications to those positions as a result of community input.

Any language in this report that suggests that the Working Group is making a recommendation should be read as merely a rough assessment by the Working Group co-chairs.

After a comprehensive review of public comments received on this report, the Working Group will deliberate further on the preliminary recommendations contained within this Supplemental Initial Report. It is possible that as a result of the deliberations, the Working Group may seek additional public comments. The Co-Chairs will conduct a formal consensus call on all recommendations before the Working Group issues its Final Report.

Section II: Background

In June of 2014, the GNSO Council created the New gTLD Subsequent Procedures Discussion Group, which was focused on reflecting upon the experiences gained from the 2012 New gTLDround and identifying a recommended set of subjects that should be further analyzed in an Issue Report. At the ICANN53 meeting, the GNSO Council approved a motion to request that an Issue Report be drafted by ICANN staff, basing the report on the set of deliverables developed by the Discussion Group, to further analyze issues identified and help determine if changes or adjustments are needed for subsequent new gTLD procedures. The Final Issue Report was submitted to the GNSO Council for its consideration on 4 December 2015 and a PDP on New gTLD Subsequent Procedures was initiated on 17 December 2015. The PDP WG has been meeting on a regular basis since February 2016.

Section III: Relevant Resources

- Working Group Supplemental Report
- Annex B – Table of Preliminary Recommendations, Options and Questions for Community Input (PDF, XLS)
- Executive Summary of the New gTLD Subsequent Procedures PDP WG Supplemental Report

Section IV: Additional Information

- Working Group Charter
- Working Group Wiki
- Project Page

SubPro Supplemental Initial Report CPWG Wiki Page

7 COMMENTS

Justine Chew

19 Dec Update (for CPWG 19 Dec call)

An (earlier) statement dated 12.12.2018 had been settled for consideration/vote of the ALAC. Following the extension of deadline ALAC decided to reopen the 12.12.2018 statement for comments.

Subsequently, during the CPWG call of 12.12.2018, some members urged for a reconsideration of the ALAC position on Topic 2.1 by CPWG Co-Chair Olivier Crepin-Leblond. The following (abbreviated) slide deck (v3) attempts to (1) capture the essence of tho positions. Please note that the slide deck may be subject to further change.

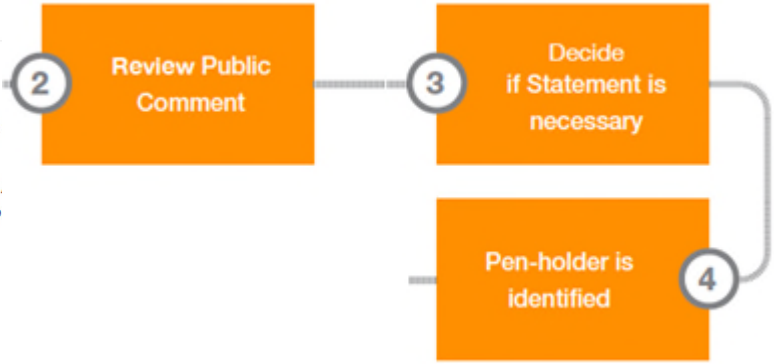
I would also like to draw attention to the ICANN Board's comments to the Supplemental Report, as circulated by the SubPro WG Co-Chair.

4 Dec Update

Little feedback was received post my 7.11.2018 call for inputs made to CPWG email list. Have proceeded to draft proposed positions / responses to the SubPro WG's preliminary recommendations, options and questions for the 5 additional topics.

Here is the updated slide deck (v2) containing said proposed positions / responses. Please see slides 6, 7, 10, 11, 14, 17, 18, 19, 22 and 23 to focus on these and note that the preliminary recommendations, options and questions are my abbreviated interpretations. For the full text of the report etc please see Section III above.

1st presentation



SubPro Supplemental Initial Report CPWG Wiki Page

7 COMMENTS

Justine Chew

19 Dec Update (for CPWG 19 Dec call)

An (earlier) statement dated 12.12.2018 had been settled for consideration/vote of the ALAC. Following the extension of deadline for submitting a comment to this Supplemental Report (r ALAC decided to reopen the 12.12.2018 statement for comments.

Subsequently, during the CPWG call of 12.12.2018, some members urged for a reconsideration of the ALAC position on Topic 2.1 Auctions: Mechanism of Last Resort. Discussions ensued i by CPWG Co-Chair Olivier Crepin-Leblond. The following (abbreviated) slide deck (v3) attempts to (1) capture the essence of those discussions and (2) reconfirm the responses to the oth positions. Please note that the slide deck may be subject to further change.

I would also like to draw attention to the ICANN Board's comments to the Supplemental

4 Dec Update

Little feedback was received post my 7.11.2018 call for inputs made to CPWG email list. H questions for the 5 additional topics.

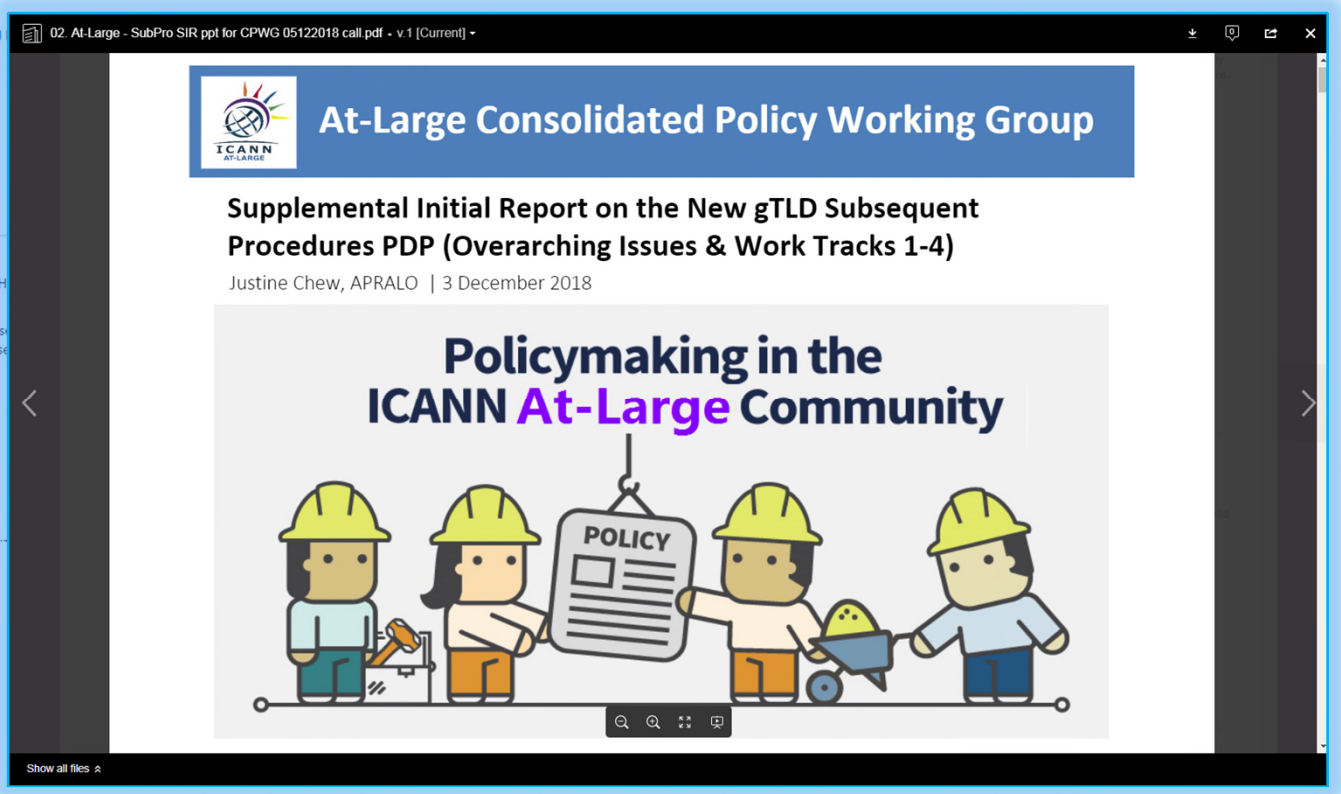
Here is the updated slide deck (v2) containing said proposed positions / responses. Pleas and questions are my abbreviated interpretations. For the full text of the report etc please

As before, please provide inputs to the proposed positions / responses for the 5 topics

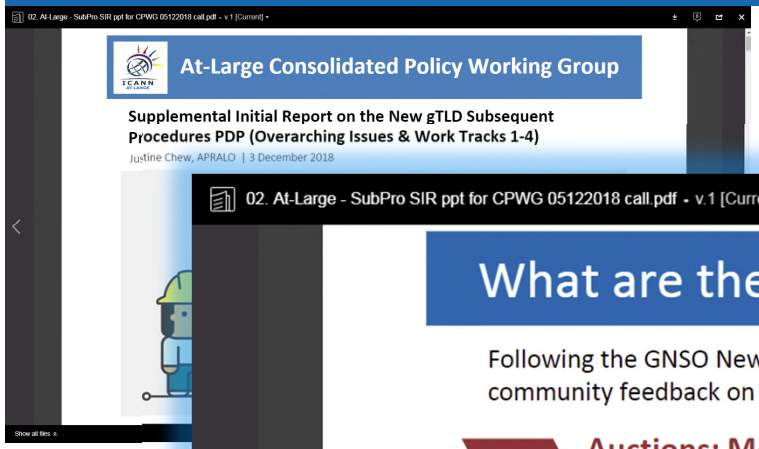
2 Review Public Comment

3 Decide if Statement is necessary

4 Pen-holder is identified



SubPro Supplemental Initial Report CPWG Presentation



02. At-Large - SubPro SIR ppt for CPWG 05122018 call.pdf - v.1 [Current]

What are the applicable Key Policy Issues?

Following the GNSO New gTLD SubPro WG's earlier Initial Report, this Supplementary Report seeks community feedback on preliminary recommendations, options & questions on 5 additional topics:

2.1 Auctions: Mechanism of Last Resort

- Continued use of auctions to resolve string contentions
- Consideration for Applicant Support and community applicants
- Alternatives?
- *Link to Auction Proceeds CCWG Report*

2.2 Private Resolution of Contention Sets (incl. Private Auctions)

- For 2012 round, various means, incl. private auctions was common
- Concern about use of private auctions etc in future rounds, gaming
- Distinguish & allow other private resolution mechanisms? How?
- *Link to SubPro Initial Report s.1.4 & s.2.7.4*
- *Link to Auction Proceeds CCWG Report*

2.3 Role of Application Comment

- Cutoff for CPE was far later than for non-CPE applications (post IE, EE, Objections)
- Concern that responses to negatively perceived CQs might impact scoring
- Time limit to respond to comments prior to evaluations?

2.4 Change Requests

- Allowable application changes to resolve contention limited to JVs or closely related string
- Implementation Guidance for consideration & re-evaluation
- *Link to SubPro Initial Report s.1.4*

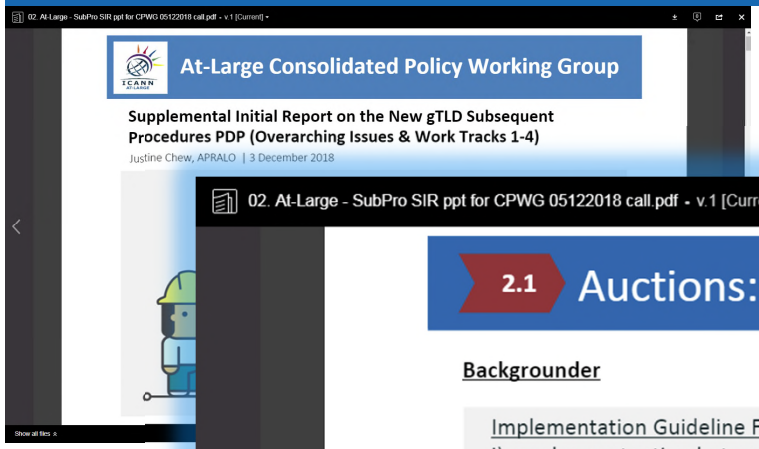
2.5 Registrar Support for New gTLDs

- Exceptions to vertical integration
- *Link to SubPro Initial Report s. 2.10.2*

| 3

Show all files

SubPro Supplemental Initial Report CPWG Presentation



02. At-Large - SubPro SIR ppt for CPWG 05122018 call.pdf - v.1 [Current]

2.1 Auctions: Mechanism of Last Resort

Backgrounder

Implementation Guideline F: If there is contention for strings, applicants may:
i) resolve contention between them within a pre-established timeframe
Ii) if there is no mutual agreement, a claim to support a community by one party will be a reason to award priority to that application. If there is no such claim, and no mutual agreement a process will be put in place to enable efficient resolution of contention, and;
Iii) the ICANN Board may be used to make a final decision, using advice from staff and expert panels.

- Implementation Guideline F spoke to alternatives to auctions of last resort, not reference auctions specifically.
- Along with 1st draft AGB, ICANN published an Explanatory Memo examining different mechanisms of last resort that could be used: https://archive.icann.org/en/topics/new-gtlds/string-contention-22oct08-en.pdf
- That said, greater reliance paid to voluntary resolution of contention prior to forced ICANN auction based on New gTLD Auction Rules – although hindered by several obstacles: link to s.2.4 Change Requests ---

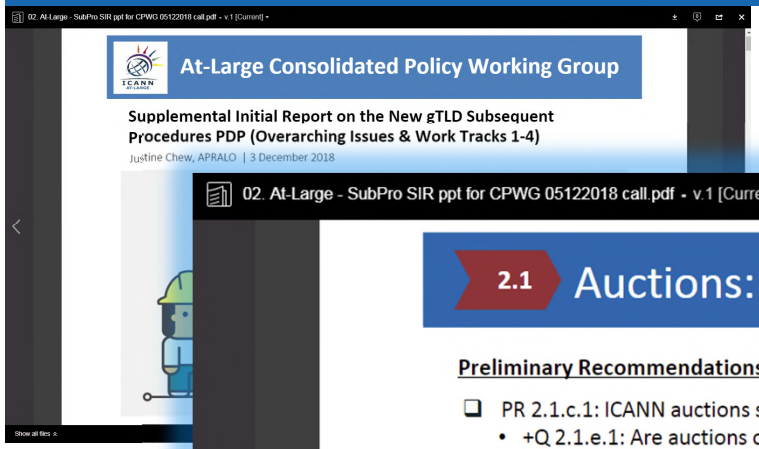
  For 2012 round:-
  - > 90% of contention sets resolved without forced auction
  - 10 ICANN auctions completed with net proceeds of > USD233 mil: link to CCWG on New gTLD Auction Proceeds *

** Cross-check with Auction Proceeds CCWG Report recommendations*

| 4

Show all files

SubPro Supplemental Initial Report CPWG Presentation



02. At-Large - SubPro SIR ppt for CPWG 05122018 call.pdf - v.1 [Current]

2.1 Auctions: Mechanism of Last Resort

Preliminary Recommendations, Options & Questions

- PR 2.1.c.1: ICANN auctions should remain.
  - +Q 2.1.e.1: Are auctions of last resort inherently unfair and should be modified, restricted or modified?
  - +Q 2.1.e.2: Should other aspects (eg non-financial) be introduced to make auctions of last resort more "fair"?
  - +Q 2.1.e.3: What other measures to consider to enhance "fairness"?
  - +Q 2.1.e.4: Should auctions be eliminated, replaced with a comparative evaluation process? Such as RFP process, random draw.
  - +Q 2.1.e.5: Do auctions of last resort allow deep-pocketed applicant to secure all strings within a market? Is this a concern? Should limit be placed on number of auctions per applicant? Is this anti-competitive? Difficult to enforce?

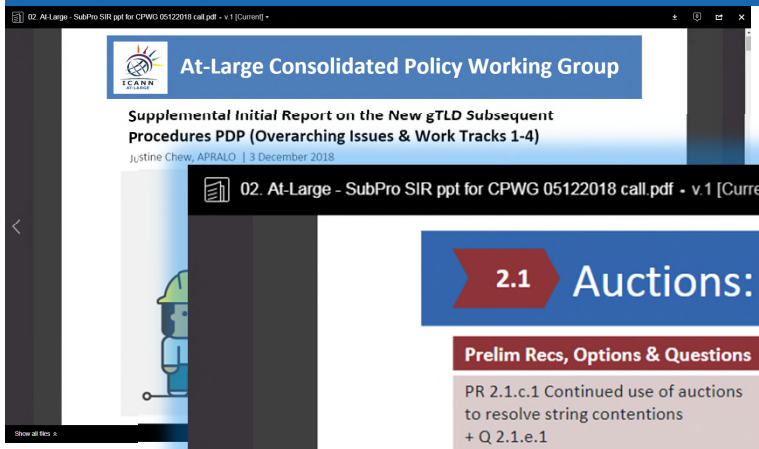
- PR 2.1.c.2: Additional options for voluntary contention resolution, being:
  - Option 2.1.d.1: Different Type of Auctions: Vickrey auction
    - Could eliminate contentions sets at beginning
    - Concern over value place on a string
    - Still favor deep pockets – impact on ASP and community applicants
    - Concern over ICANN securing highly proprietary info
  - Option 2.1.d.2: Alternatives to Auction:

2.1.d.2.1 Request for Proposals	2.1.d.2.2 Random Draw	2.1.d.2.3 System of Graduated Fees
• Third-party evaluators • Criteria around diversity eg priority to first applicants, community applicants, minority-supported applicants	• Simple, effective, fair, eliminate comparative evaluations? • Lottery, require proper licensing	• Established for each additional application submitted by an applicant • Possibly limits number of applications going to auction • Would this favor larger entities?

| 5

Show all files

SubPro Supplemental Initial Report CPWG Presentation



02. At-Large - SubPro SIR ppt for CPWG 05122018 call.pdf - v.1 [Current]

2.1 Auctions: Mechanism of Last Resort

Prelim Recs, Options & Questions	Proposed Position/Response
PR 2.1.c.1 Continued use of auctions to resolve string contentions + Q 2.1.e.1	**Do not object but not preferred** - Auctions by its very nature will favour applicants with more resources - But unless better mechanism of last resort found, 'ICANN-approved' auctions may have to be retained - More/continued effort on facilitating voluntary resolution to minimize use of auctions - 'ICANN-approved' auctions do generate funds which can be used potentially for end-users' benefit - *Link to Auction Proceeds CCWG Report*
PR 2.1.c.2 Additional options for voluntary contention set resolution	**Support in principle** - Allow Change Requests of certain nature - Link to response on 2.4 Change Requests
Alternatives?	
O 2.1.d.1 Different Auction types - Vickrey Auction	**Advocate** need for due consideration for Applicant Support and community applicants - Auctions by its very nature will favour applicants with more resources - No different with Vickrey auction as still premised on second highest bid - 'Best' applicant may not necessarily be one with most resources
• O 2.1.d.2.1: RFP	**Support in principle**, subject to implementation framework - Allows for diversity criteria and priority to select best applicant, other than using 'highest bid' via auction; beneficial for ASP and community applicants - But concern on evaluator(s) – skills, transparency, conflict of interest issues
• O 2.1.d.2.2: Random Draw	**Possible to consider but RFP may be better alternative** - More equitable, no element of 'highest bid' but also disregard diversity (if applicable) - Concern over licensing issues - *Note from Christopher Wilkinson: random draw was proposed by pre-ICANN International Ad hoc Committee (IAHC) and roundly rejected at that time*
• O.2.1.d.2.3: Graduated Fees	**Against** - Decreasing graduated fees only benefits applicants with multiple applications; increasing graduated fees (i.e. higher fee for 2nd application *asf*) might work but would probably not be well accepted either - Should not have 'discount if buy in bulk' approach, consider impact on warehousing/parking/scalping

See slides 4-5 for backgrounder

| 6

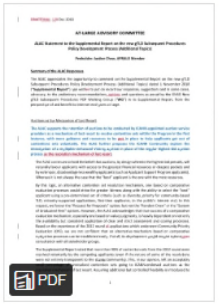
Show all files

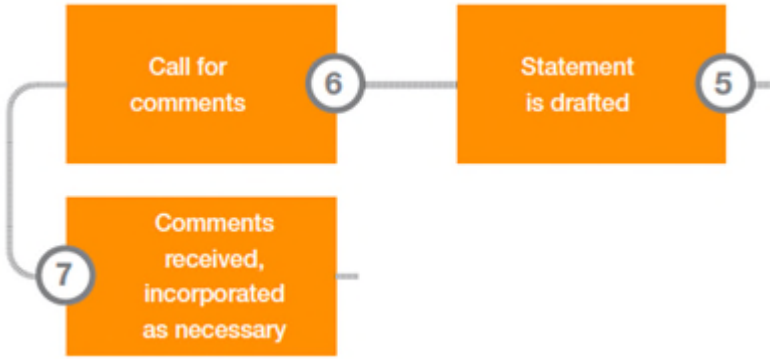
SubPro Supplemental Initial Report CPWG Googledoc

DRAFT SUBMITTED FOR DISCUSSION

The first draft submitted will be placed here before the call for comments begins. The Draft should be preceded by the name of the person submitting the draft and the date/time. If, during the discussion, the draft is revised, the older version(S) should be left in place and the new version along with a header line identifying the drafter and date/time should be placed above the older version(s), separated by a Horizontal Rule (available + Insert More Content control).

Revised Draft dated 12 December 2018





Draft dated 9 December 2018

To comment on googledoc copy, **please click here**.

1st draft of statement

2018policyclose

7 COMMENTS

Justine Chew

19 Dec Update (for CPWG 19 Dec call)

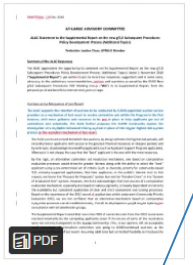
An (earlier) statement dated 12.12.2018 had been settled for consideration/vote of the ALAC. Following the extension of deadline for submitting a comment to this Supplemental Report (now set to 21 Dec), the

SubPro Supplemental Initial Report CPWG Googledoc

DRAFT SUBMITTED FOR DISCUSSION

The first draft submitted will be placed here before the call for comments begins. The Draft should be preceded by the name of the person submitting the draft and the date/time. If, during the discussion, the draft is revised, the older version(S) should be left in place and the new version along with a header line identifying the drafter and date/time should be placed above the older version(s), separated by a Horizontal Rule (available + Insert More Content control).

Revised Draft dated 12 December 2018



Draft dated 9 December 2018

To comment on googledoc copy, **please click h**

7 COMMENTS

Justine Chew

19 Dec Update (for CPWG 19 Dec call)

An (earlier) statement dated 12.12.2018 ha

ALAC Draft: Supplemental Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)

File Edit View Insert Format Tools Add-ons Help Accessibility Last edit was on December 20, 2018

100% Normal text Calibri 14

Outline

- Summary of the ALAC Responses
- 2.1: Auctions: Mechanism of Last ...
  - PR 2.1.c.1: Many in the Working ...
  - PR 2.1.c.2: However, the Workin...
  - Option 2.1.d.1: Different Types o...
  - Option 2.1.d.2.1: Request for Pro...
  - Option 2.1.d.2.2: Random Draw.
  - Option 2.1.d.2.3: System of Grad...
  - Q 2.1.e.1: The preliminary recom...
  - Q 2.1.e.2: Should other aspects (...
  - Q 2.1.e.3: What, if any, other me...
  - Q 2.1.e.4: Some participants in t...
  - Q 2.1.e.5: Some participants not...
- 2.2: Private Resolution of Contenti...
  - Option 2.2.d.1: A number of Wor...
  - Option 2.2.d.2: Several Working ...
  - Option 2.2.d.3: A third option a ...
  - Q 2.2.e.1: Do you believe private ...
  - Q 2.2.e.2: Do you believe that iss...

DRAFT: 12 Dec 2018, updated 19 Dec 2018 where yellow highlights mark significant amendments to 12 Dec copy

AT-LARGE ADVISORY COMMITTEE

ALAC Statement to the Supplemental Report on the new gTLD Subsequent Procedures Policy Development Process (Additional Topics)

~~**Penholder: Justine Chew, APRALO Member**~~

Summary of the ALAC Responses

The ALAC appreciates the opportunity to comment on the Supplemental Report on the new gTLD Subsequent Procedures Policy Development Process (Additional Topics) dated 1 November 2018 ("**Supplemental Report**"). We wish to put on record our responses, suggestions and in some cases, advocacy, to the preliminary recommendations, options and questions as posed by the GNSO New gTLD Subsequent Procedures PDP Working Group ("**WG**") in its Supplemental Report, from the perspective of and benefit to Internet end-users at large.

Auctions as the Mechanism of Last Resort

The ALAC strongly opposes the retention of the regular highest-bid auction process which was used in the 2012 round ("regular auctions") as the mechanism of last resort for resolution of contention sets within the Program. Instead, we propose that the ICANN Community explore the introduction of a multiplier-enhanced Vickrey auction (as described in our response to Option 2.1.d.1) in place of regular auctions while strongly advocating for more guidance and resources to be put in place to help applicants get out of contention sets voluntarily, thereby avoiding going through to auctions to resolve their contention sets. Further, all such modified Vickrey auctions should be conducted by ICANN-appointed auction service providers.

~~The ALAC supports the retention of auctions to be conducted by ICANN-appointed auction service providers as a mechanism of last resort to resolve contention sets within the Program in the first instance, with more guidance and resources to be put in place to help applicants get out of contentions sets voluntarily. The ALAC further proposes the ICANN Community explore the introduction of a multiplier-enhanced Vickrey auction in place of the regular highest-bid auction process as the resolution mechanism of last resort.~~

The ALAC continues to hold the belief that auctions, by design wherein the highest bid prevails, will naturally favour applicants with access to the greatest financial resources or deepest pockets and by extension, disadvantage less wealthy applicants (such as Applicant Support Program applicants). Whereas it is not always the case that the "best" applicant is the one with the most resources. For this reason, we strongly oppose the continued use of regular auctions as the mechanism of last resort for resolution of contention sets.

By this logic, an alternative contention set resolution mechanism, one based on comparative evaluation processes would strive for greater fairness along with the ability to select the "best"

Justine Chew
3:41 AM Dec 20
Delete: *"Penholder: Justine Chew, APRALO Member"*

Justine Chew
3:41 AM Dec 20
Penholder and CPWG participant names can be added to preamble.

Justine Chew
9:17 AM Dec 19
Format: strikethrough

Justine Chew
Dec 10, 2018
Add: *"put"*

Justine Chew
Dec 10, 2018
Add: *"as the resolution mechanism of last*

SubPro Supp. Initial Report 2nd CPWG Presentation

7 COMMENTS

Justine Chew

19 Dec Update (for CPWG 19 Dec call)

An (earlier) statement dated 12.12.2018 had been settled for co…on of deadline for submitting a comment to this Supplemental Report (now set to 21 Dec), the ALAC decided to reopen the 12.12.2018 statement for comment

Subsequently, during the CPWG call of 12.12.2018, some members urged for a reconsideration of the ALAC position on Topic 2.1 Auctions: Mechanism of Last Resort. Discussions ensued in response to a call made by CPWG Co-Chair Olivier Crepin-Leblond. The following (abbreviated) slide deck (v3) attempts to (1) capture the essence of those discussions and (2) reconfirm the responses to the other Topics as consensus positions. Please note that the slide deck may be subject to further change.

2nd presentation

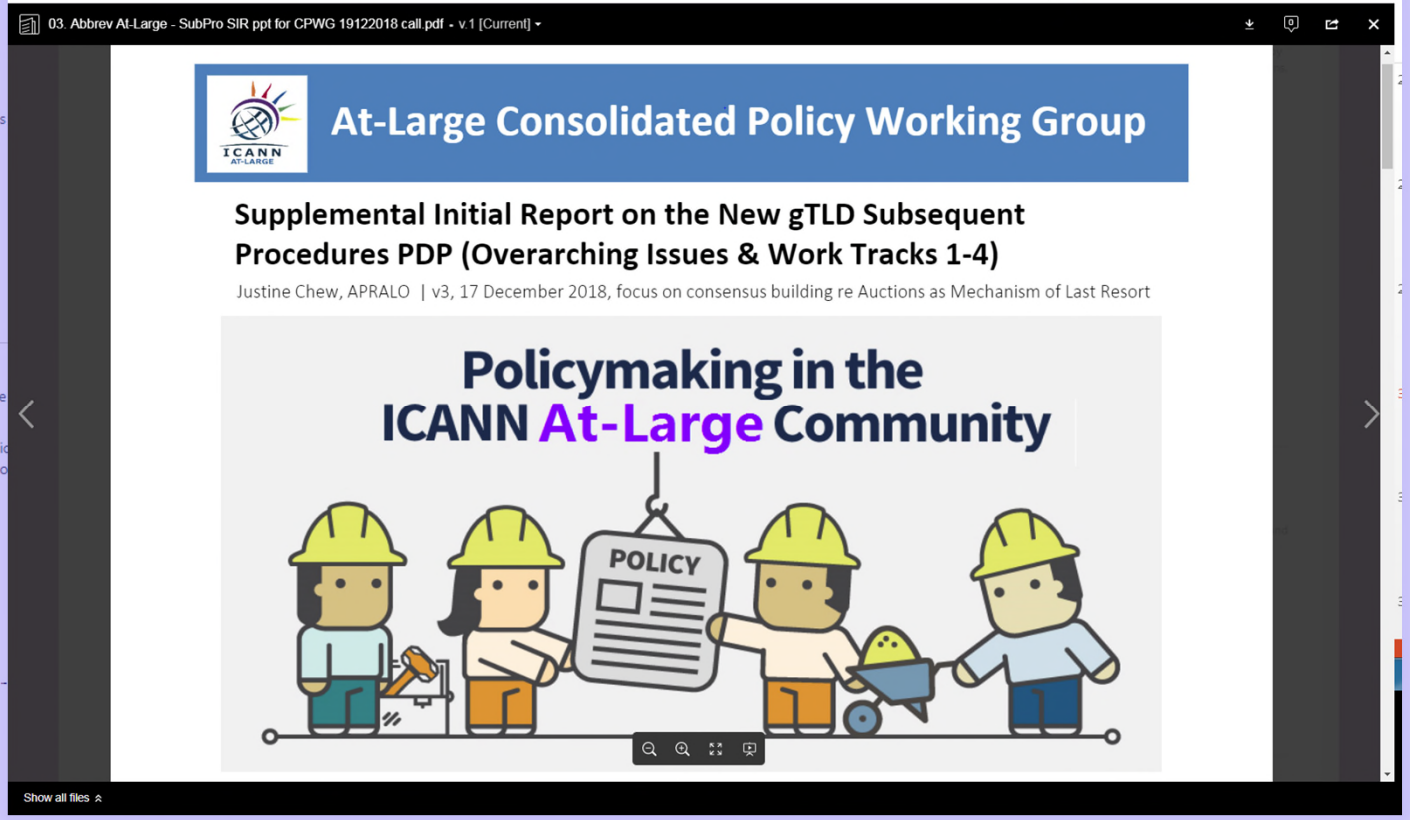
I would also like to draw attention to the ICANN Board's comments

4 Dec Update

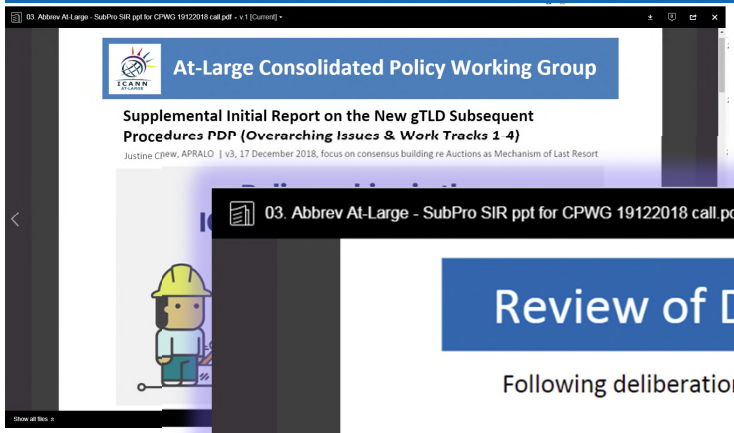
Little feedback was received post my 7.11.2018 call for inputs made… questions for the 5 additional topics.

Here is the updated slide deck (v2) containing said proposed positi… and questions are my abbreviated interpretations. For the full text o…

As before, please provide inputs to the proposed positions / answers…



SubPro Supp. Initial Report 2nd CPWG Presentation



03. Abbrev At-Large - SubPro SIR ppt for CPWG 19122018 call.pdf - v.1 [Current]

Review of Draft ALAC Statement as at 17 Dec [1/4]

Following deliberations via its 5 & 12 Dec calls as well as discussions over the CPWG mail list ....

2.1 Auctions: Mechanism of Last Resort

- No consensus – to try to rebuild consensus, failing which, all non-consensus positions to be included

2.2 Private Resolution of Contention Sets (incl. Private Auctions)

- **Consensus:** **NO** to total ban on all forms of private resolution but **YES** to disallowing forms of private resolutions which result in "paying off" an applicant for withdrawing their application in contention set
- **Consensus:** **NO** to private auctions.

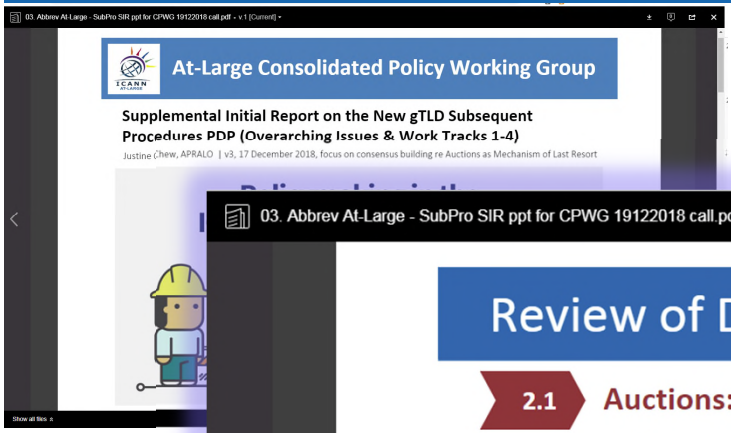
2.3 Role of Application Comment

- **Consensus:** **YES** to 2 suggested optimization of mechanism and systems for Application Comment.
- **Consensus:** **YES** to limiting the comment period for CPE to run parallel to the IE comment period to ensure CPE applications not subjected unreasonable comment period
- **Consensus:** **YES** to allowing 7-day extension for applicants to respond to late comments

25

Show all files

SubPro Supp. Initial Report 2nd CPWG Presentation



03. Abbrev At-Large - SubPro SIR ppt for CPWG 19122018 call.pdf - v.1 [Current]

Review of Draft ALAC Statement as at 17 Dec [3/4]

2.1 Auctions: Mechanism of Last Resort

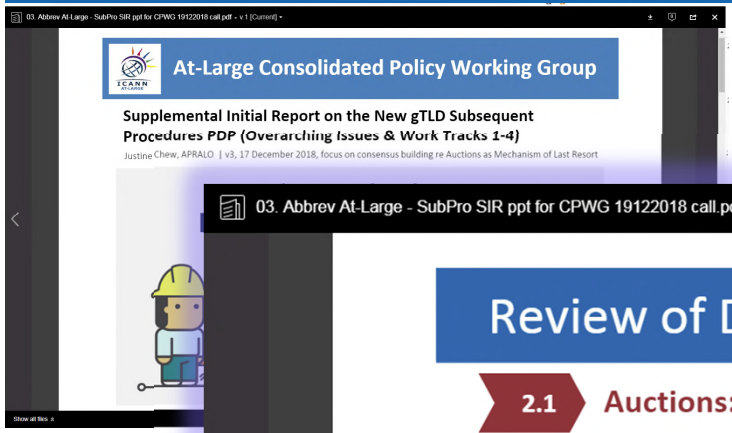
PROPOSED AMENDED DRAFT STATEMENT as at 17 Dec based on earlier consensus

- **The ALAC proposes that the ICANN Community explore the introduction of a multiplier-enhanced Vickrey auction (as described in our response to Option 2.1.d.1) in place of the regular highest-bid auction process as the resolution mechanism of last resort but also advocates for more guidance and resources to be put in place to help applicants get out of contentions sets voluntarily in order to avoid going through to auctions to resolve their contention sets. Further, in the event the Vickrey auction mechanism is to proceed, then all such auctions should be conducted by ICANN-appointed auction service providers.**

  - ✓ Retain belief that auctions, by design wherein the highest bid prevails, will naturally favour applicants with deepest pockets -- not always the case that the "best" applicant is the one with the most resources
  - ✓ **Considered alternative contention set resolution mechanism**, one based on comparative evaluation processes would strive for greater fairness along with the ability to select the "best" applicant using a pre-determined set of criteria
    - Thus, **favour the "Request for Proposals" option**, but not the "Random Draw" or the "System of Graduated Fees" options.
    - But the ALAC acknowledges that **true success of a comparative evaluation mechanism**, especially one based on value judgments, **is heavily dependent on not only the availability but consistent application of clear and strict assessment and scoring processes**. Based on the experience of the 2012 round of applications which underwent Community Priority Evaluation (CPE), we are **not confident that an alternative mechanism based on comparative evaluation processes can be established easily. If at all, its development would require extensive consultation with all stakeholder groups**.
  - ✓ Given <10% contention sets from 2012 round went to auction + with expansion of permissible Change Requests (controlled flexibility) → possibility that incidences of contention sets could be more desirably resolved other than by way of auctions.
  - ✓ Supportive of the option to **introduce the Vickrey auction in place of the "regular" auction**. Although the Vickrey auction still relies on the notion of a winning highest bid, the ALAC opines that its nature of accepting placement of secret-bids will do a lot to prevent in future rounds the repeat of some of the speculative applications which were seen in the 2012 round.
    - Temper weakness of auction by adding a **multiplier feature** in Vickrey auction in favour of certain applicants – ASP, CPE – where secret bid automatically upgraded by a fixed capped multiplier.

Show all files

SubPro Supp. Initial Report 2nd CPWG Presentation



03. Abbrev At-Large - SubPro SIR ppt for CPWG 19122018 call.pdf - v.1 [Current]

Review of Draft ALAC Statement as at 17 Dec [4/4]

2.1 Auctions: Mechanism of Last Resort

1. More resource put to facilitating voluntary resolution of contention sets to avoid going to a mechanism of last resort (default is auctions) including by increasing scope for permissible Change Request

Private Resolution of Contention Sets

NONE IN FAVOUR OF total ban on private resolution mechanisms but ALL OPPOSE private auctions

Where no voluntary resolution is possible

Recall in 2012 round <10% of contention sets went to auctions & this % could decrease further in next round with expansion in permissible Change Requests

2. Mechanism of Last Resort for resolving contention sets

[A] Auction per 2012 round	[B] Multiplier-enhanced Vickrey auction	[C] Request for Proposal	[D] Randow Draw	[E] System of Graduated Fees
• ALL OPPOSE	• SOME favour this regardless of application type because challenges with value judgment-based alternative such as RFP	• SOME favour this regardless of application type • SOME favour this for geoname TLD applications only	• SOME favour this only when contention set involves similarly qualified community-based applications	• NONE IN FAVOUR

NOTES

- CPWG 5 Dec 2018 call produced majority view in favour of Vickrey auction
- Draft statement released for comment on 9 Dec
- A number of CPWG members lobbied for the rejection of any form of auctions in ALAC's statement
- Call made by CWPG Co-Chair on 14 Dec in attempt to build consensus
- The position as at 17 Dec, gathered from feedback on email lists, is as set out here

Show all files

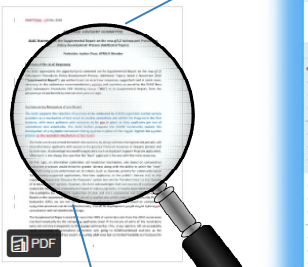
SubPro Supplemental Initial Report CPWG Googledoc

DRAFT SUBMITTED FOR DISCUSSION

The first draft submitted will be placed here before the ... of the person submitting the draft and the date/time. If, during the discussion, the draft is revised, the older version(S) should be left in place and the new ve... ...uld be placed above the older version(s), separated by a Horizontal Rule (available + Insert More Content control).

2nd draft of statement

Revised Draft dated 12 December 2018



Draft dated 9 December 2018

To comment on googledoc copy, pleas... h...

7 COMMENTS

Justine Chew

19 Dec Update (for CPWG 19 Dec call)

An (earlier) statement dated 12.12.2018 ha...

ALAC Draft: Supplemental Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching

File Edit View Insert Format Tools Add-ons Help Accessibility Last edit was on December 20, 2018

100% Normal text Calibri 14

Outline

- Summary of the ALAC Responses
- 2.1: Auctions: Mechanism of Last ...
  - PR 2.1.c.1: Many in the Working ...
  - PR 2.1.c.2: However, the Workin...
  - Option 2.1.d.1: Different Types o...
  - Option 2.1.d.2.1: Request for Pro...
  - Option 2.1.d.2.2: Random Draw.
  - Option 2.1.d.2.3: System of Grad...
  - Q 2.1.e.1: The preliminary recom...
  - Q 2.1.e.2: Should other aspects (...
  - Q 2.1.e.3: What, if any, other me...
  - Q 2.1.e.4: Some participants in t...
  - Q 2.1.e.5: Some participants not...
- 2.2: Private Resolution of Contenti...
  - Option 2.2.d.1: A number of Wor...
  - Option 2.2.d.2: Several Working ...
  - Option 2.2.d.3: A third option a ...
  - Q 2.2.e.1: Do you believe private ...
  - Q 2.2.e.2: Do you believe that iss...

DRAFT: 12 Dec 2018, updated 19 Dec 2018 where yellow highlights mark significant amendments to 12 Dec copy

AT-LARGE ADVISORY COMMITTEE

ALAC Statement to the Supplemental Report on the new gTLD Subsequent Procedures Policy Development Process (Additional Topics)

~~**Penholder: Justine Chew, APRALO Member**~~

Summary of the ALAC Responses

The ALAC appreciates the opportunity to comment on the Supplemental Report on the new gTLD Subsequent Procedures Policy Development Process (Additional Topics) dated 1 November 2018 ("**Supplemental Report**"). We wish to put on record our responses, suggestions and in some cases, advocacy, to the preliminary recommendations, options and questions as posed by the GNSO New gTLD Subsequent Procedures PDP Working Group ("**WG**") in its Supplemental Report, from the perspective of and benefit to Internet end-users at large.

Auctions as the Mechanism of Last Resort

The ALAC strongly opposes the retention of the regular highest-bid auction process which was used in the 2012 round ("regular auctions") as the mechanism of last resort for resolution of contention sets within the Program. Instead, we propose that the ICANN Community explore the introduction of a multiplier-enhanced Vickrey auction (as described in our response to Option 2.1.d.1) in place of regular auctions while strongly advocating for more guidance and resources to be put in place to help applicants get out of contention sets voluntarily, thereby avoiding going through to auctions to resolve their contention sets. Further, all such modified Vickrey auctions should be conducted by ICANN-appointed auction service providers.

~~The ALAC supports the retention of auctions to be conducted by ICANN-appointed auction service providers as a mechanism of last resort to resolve contention sets within the Program in the first instance, with more guidance and resources to be put in place to help applicants get out of contentions sets voluntarily. The ALAC further proposes the ICANN Community explore the introduction of a multiplier-enhanced Vickrey auction in place of the regular highest-bid auction process as the resolution mechanism of last resort.~~

The ALAC continues to hold the belief that auctions, by design wherein the highest bid prevails, will naturally favour applicants with access to the greatest financial resources or deepest pockets and by extension, disadvantage less wealthy applicants (such as Applicant Support Program applicants). Whereas it is not always the case that the "best" applicant is the one with the most resources. For this reason, we strongly oppose the continued use of regular auctions as the mechanism of last resort for resolution of contention sets.

By this logic, an alternative contention set resolution mechanism, one based on comparative evaluation processes would strive for greater fairness along with the ability to select the "best"

6 Call for comments

7 Comments received, incorporated as necessary

Justine Chew 3:41 AM Dec 20

Delete: *"Penholder: Justine Chew, APRALO Member"*

Justine Chew 3:41 AM Dec 20

Penholder and CPWG participant names can be added to preamble.

Justine Chew 9:17 AM Dec 19

Format: strikethrough

Justine Chew Dec 10, 2018

Add: *"put"*

Justine Chew Dec 10, 2018

Add: *"as the resolution mechanism of last*

ALAC Ratified Statement on SubPro Supp. Initial Report

ALAC Statement

Supplemental Initial Report on the New gTLD Subsequ Procedures Policy Development Process (Overarching Work Tracks 1-4)

8 ALAC Ratification

9 Submission to Public Comment and designated Staff member

Topic(s):

Penholder(s):
(APRALO) Justine Chew

Publish Date:
21 Dec 2018

Status

1. Develop First Draft	2. Open for Comment	3. Finalize Final Draft	4. ALAC Vote	5. Submission
Ended: 17 Nov 2018	Ended: 17 Dec 2018	Ended: 19 Dec 2018	Ended: 20 Dec 2018	Submitted: 21 Dec 2018

Submitted a Statement

Submission due: 21 Dec 2018 23:59 UTC

Background

Purpose: This public comment proceeding is being opened in order to obtain input on the Supplemental Initial Report of the New generic Top-Level Domain (gTLD) Subsequent Procedures Policy Development Process Working Group, which is chartered to evaluate what changes or additions need to be made to existing new gTLD policy recommendations. The Working Group issued its first Initial Report, containing the output of the Working Group on the Overarching Issues as well as preliminary recommendations and questions for community feedback from Work Tracks 1-4, on 3 July 2018. This Supplemental Report contains additional issues that were deemed to warrant additional deliberations by the Working Group. Current...
See public comment in icann.org

ALAC Statement

English 680 KB Download

Activity

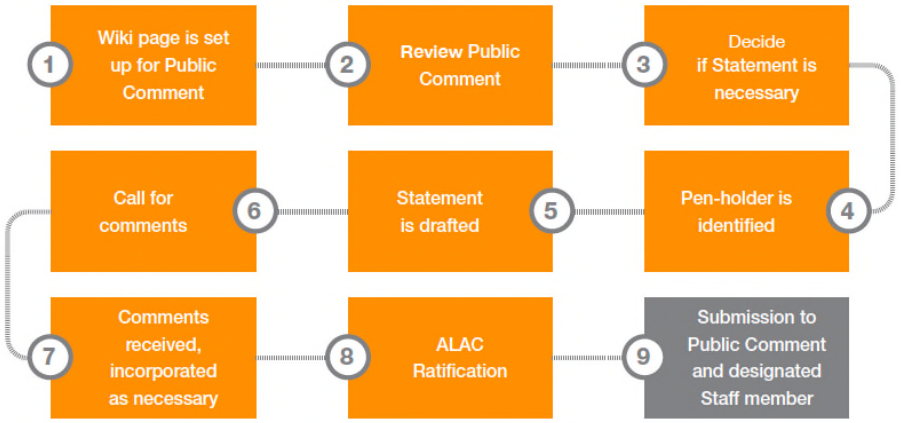
31 Oct 2018 Wiki workspace created
17 Nov 2018 First draft posted in the wiki workspace
9 Dec 2018 Community started commenting on the first draft

In Summary …

Since Dec 2017, all major policy deliberations have been conducted via the *At-Large Consolidated Policy Working Group (CPWG)*

APPROACH

- **Always the same: Identify – Scope – Develop**



ALAC policy advice development process

MECHANICS

- **Overall timeframe subject to 40-day public comment period**
- **Number of penholders, size of team(s) dependent on:**
  - **Complexity of subject matter, length of the report, recommendations, questions, proposals**
  - **Volunteers stepping up to lead the process, share the workload**
- **Use of tools for soliciting input, sharing of developed positions is flexible**

STAFF SUPPORT

- **Processes are supported by At-Large Staff – wiki setup, call management, Googledoc setup, statement formatting and finalization, ALAC ratification management, statement submission**

Thank you. Questions?

ICANN
AT-LARGE

Engage with us! Join Us!

We are the At-Large Community

Help Us Shape the Internet.

https://atlarge.icann.org/