Appendix C:

ICANN At-Large Scorecard on Subsequent Procedures PDP

At-Large Small Team on Subsequent Procedures

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Introduction to Scorecard

This Appendix C: ICANN AT-LARGE SCORECARD ON SUBSEQUENT PROCEDURES POLICY DEVELOPMENT PROCESS is an appendix to the AT-LARGE WHITEPAPER ON SUBSEQUENT PROCEDURES dated 13 February 2020 ("the Whitepaper").

Purpose of Scorecard

This Scorecard contains the At-Large Community's assessment of topics or areas of policy development undertaken by the GNSO-initiated New gTLD Subsequent Procedures Policy Development Process Work Group ("SubPro PDP WG") since February 2016 and up to Q1, 2020.

In particular, it sets out At-Large's positions on expected draft recommendations relating to policy areas which the SubPro PDP WG is working on and which we believe affect the interests of Internet end-users.

Sources of Reference

This Scorecard has been developed with reference to SubPro PDP WG's deliberations of inputs from sources available to it, including but not limited to:

1. Comments to preliminary recommendations and/or questions presented in:
   a. Initial Report on the New gTLD Subsequent Procedures PDP (Overarching Issues & Work Tracks 1-4) dated 3 July 2018 [https://www.icann.org/public-comments/gtld-subsequent-procedures-initial-2018-07-03-en]
   b. Supplemental Initial Report on the New gTLD Subsequent Procedures PDP (Overarching Issues & Work Tracks 1-4) dated 30 October 2018 [https://www.icann.org/public-comments/new-gtld-subsequent-procedures-supp-initial-2018-10-30-en]
   c. Work Track 5 on Geographic Names at the Top Level - Supplemental Initial Report of the New gTLD Subsequent Procedures PDP dated 5 December 2018 [https://www.icann.org/public-comments/geo-names-wt5-initial-2018-12-05-en]
2. Prerequisite and High Priority Level Recommendations relevant to SubPro PDP WG's work (i.e. Annexure A to the Whitepaper)[1] contained in the Competition, Consumer Choice and Consumer Trust Review Final Report dated 8 September 2018 [https://www.icann.org/en/system/files/files/cct-final-08sep18-en.pdf]
3. ICANN Board Action on Final CCT Recommendations dated 1 March 2019 [https://www.icann.org/en/system/files/files/resolutions-final-cct-recs-scorecard-01mar19-en.pdf]
4. Work Track 5 Final Report to the SubPro PDP WG dated 22 October 2019[2]
5. SubPro PDP WG Summary Working Documents 2019 [https://community.icann.org/display/NGSPP/Summary+Working+Documents]

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[1] [https://community.icann.org/download/attachments/111390697/Annexure%20A%20-%20CCTRT%20Prerequisite%20and%20High%20Priority%20Level%20Recommendations.pdf?version=1&modificationDate=1565047487000&api=v2]

[2][https://community.icann.org/download/attachments/111390697/Work%20Track%205%20Final%20Report%20to%20the%20New%20gTLD%20SubPro%20PDP%20WG%20-%2022%20October%202019%5B1%5D.pdf?version=1&modificationDate=1576497110000&api=v2]

At-Large Areas of Concern

The full list of SubPro areas or topics, with corresponding concern levels to At-Large, is as follows:

PRIORITY	SUBSEQUENT PROCEDURES AREAS / TOPICS	Sub-Areas / Related Areas
	CROSS-CUTTING ISSUES	
High	1. DNS Abuse Mitigation	• Contractual Compliance • Base Registry Agreement
High	2. CCT Recommendations Prerequisite and High Priority Level Recommendations relevant to SubPro PDP WG's remit contained in the Competition, Consumer Choice and Consumer Trust Review Final Report of 8 September 2018	• Consumer Trust • DNS Abuse
TBD	3. Geographic Names at the Top Level [WT5]	• Definition of geographic names, geographic indicators etc • Geographic Names Panel • Preventative versus Curative protections • Translations • Non-AGB Terms
	OVERARCHING ISSUES	
High	4. Cost vs Benefit of New gTLD Program – Continuing Subsequent Procedures [2.2.1]	• Metrics
Medium	5. Predictability [2.2.2] / Clarity of Application Process [2.2.2.2]	• **Predictability Framework [NEW]** ➤ **Standing Predictability Implementation Review Team (SPIRT)**
Medium	6. Application Assessed in Rounds [2.2.3]	• Different TLD Types [2.2.4] • Feedback to Neustar's proposal for a 3-phased application model
Medium	7. Different Types of TLDs [2.2.4]	• Community Applications [2.9.1] • Feedback to Neustar's proposal for a 3-phased application model
Low	8. Applications Submission Limits [2.2.5]	•
Low	9. Accreditation Programs [2.2.6]	• Applicant Support Program [2.5.4]
	FOUNDATIONAL ISSUES	
High	10. Public Interest Commitments & Other Safeguards [Global Public Interest, 2.3.2]	• Mandatory PICs • Voluntary PICs – Systems [2.4.3] • Verified TLDs
Low	11. Applicant Freedom of Expression [2.3.3]	•
High	12. Universal Acceptance (UA) [2.3.4]	• Systems [2.4.3]
	PRE-LAUNCH ACTIVITIES	
Low	13. Applicant Guidebook [2.4.1]	• Translations, timing of release vs program communication/outreach

PRIORITY	SUBSEQUENT PROCEDURES AREAS / TOPICS	Sub-Areas / Related Areas
Low	14. Communications [2.4.2]	• Outreach to Middle/Global South candidates – Applicant Support Program [2.5.4]
Low	15. Systems [2.4.3]	• Implementation of PICs submission – Global Public Interest [2.3.2]
	APPLICATION SUBMISSION	
High	16. Applicant Support Program (ASP) [2.5.4]	• Funding source • Outreach – Communication [2.4.2] • Criteria – Metrics • Accreditation Programs [2.2.6] • Application Fees [2.5.1] • Appeals – Accountability Mechanism [2.8.2]
Medium	17. Application Fees [2.5.1] 18. Variable Fees [2.5.2]	• Cost Recovery Principle • Applicant Support Program [2.5.4]
Low	19. Application Submission Period [2.5.3]	•
Low	20. Terms & Conditions [2.5.5]	• Accountability Mechanism [2.8.2] • Name Collisions [2.7.8]
	APPLICATION PROCESSING	
Medium	21. Applicant Change Requests [S2.4]	•
Medium	22. Application Queueing [2.6.1]	•
	APPLICATION EVALUATION/CRITERIA	
High	23. Reserved Names [2.7.1]	•
High	24. Closed Generics [2.7.3]	• Generic terms as TLDs • Single registrant / Brand TLDs
High	25. String Similarity [2.7.4]	• String Similarity Review • String Confusion Objection (under Objection [2.8.1] • Accountability Mechanism [2.8.2]
High	26. Internationalized Domain Names (IDN) [2.7.5]	• IDN Variant TLD Implementation • RZ-LGRs • Risk of DNS Abuse, end-user confusion
High	27. Security and Stability [2.7.6]	• Delegation Rates • Banning of emojis as TLDs • DNS Abuse mitigation • Algorithmic checking - Systems [2.4.3]
High	28. Name Collisions [2.7.8]	• NCAP Study 1 (Studies 2 and 3?)
Medium	29. Registrant Protections [2.7.2]	• EBERO, COI • Applicant background screening
Low	30. Applicant Reviews: Technical/ Operational, Financial and Registry Services [2.7.7]	•

PRIORITY	SUBSEQUENT PROCEDURES AREAS / TOPICS	Sub-Areas / Related Areas
Medium	31. Role of Application Comment [S2.3]	•
	DISPUTE PROCEEDINGS	
High	32. Objections [2.8.1]	• Community Objections • Public Interest Objections • Independent Objector
High	33. Accountability Mechanism [2.8.2]	• **Accountability Framework [NEW]** ➤ **Appeals against objection/ evaluation determinations**
	STRING CONTENTION RESOLUTION	
High	34. Community Applications [2.9.1]	• Community Priority Evaluation (CPE) • Community Objections distinct from CPE – Objections [2.8.1] • Appeals – Accountability Mechanism [2.8.2] • Application Assessed in Rounds [2.2.3] (including Neustar's proposal)

High	35. Auctions as Mechanism of Last Resort, Private Resolution of Contention Sets (incl. Private Auctions) [S2.1, S2.2]	• **String Contention Mechanism of Last Resort [NEW]**
		  ➤ **Private resolution**
		  ➤ **Sealed bid auction**

	CONTRACTING	
High	36. Base Registry Agreement [2.10.1]	• DNS Abuse mitigation
None	37. Registrar Non-Discrimination / Registry / Registrar Standardization [2.10.2]	•
None	38. Registrar Support for New gTLDs [2.5]	•
	PRE-DELEGATION	
None	39. Registry System Testing [2.11.1]	•
	POST-DELEGATION	
None	40. TLD Rollout [2.12.1]	•
TBD	41. Second Level Rights Protection Mechanisms [2.12.2]	•
High	42. Contractual Compliance [2.12.3]	• DNS Abuse mitigation

Status of Scorecard

This Scorecard is updated from time to time, as and when new information becomes available.

AT-LARGE SCORECARD VERSION TRACKING

Legend: | +SubPro_Draft_Rec | | Pending | Up for Re-review | Positioning | Settled | | High Priority | Medium Priority | Low Priority | No Priority |

SUBSEQUENT PROCEDURES AREAS / TOPICS							
CROSS-CUTTING ISSUES	v1	v2	v3	v4	v5	v6	Settled
1. DNS Abuse Mitigation							
2. CCT Recommendations							
3. Geographic Names at the Top Level [WT5]	-	Pending					
OVERARCHING ISSUES	v1	v2	v3	v4	v5	v6	
4. Cost vs Benefit of New gTLD Program – Continuing Subsequent Procedures [2.2.1]	17 Feb	04 Mar					
5. Predictability [2.2.2] / Clarity of Application Process [2.2.2.2]	17 Feb						
6. Application Assessed in Rounds [2.2.3]	-	19 Feb	04 Mar	06 Mar			
7. Different Types of TLDs [2.2.4]	17 Feb	04 Mar	06 Mar				
8. Applications Submission Limits [2.2.5]							
9. Accreditation Programs [2.2.6]							
FOUNDATIONAL ISSUES	v1	v2	v3	v4	v5	v6	
10. Public Interest Commitments & Other Safeguards -- Global Public Interest [2.3.2]	-	-	4 Feb				
11. Applicant Freedom of Expression [2.3.3]							
12. Universal Acceptance (UA) [2.3.4]	21 Jan	27 Jan	16 Feb				
PRE-LAUNCH ACTIVITIES							
13. Applicant Guidebook [2.4.1]							
14. Communications [2.4.2]							
15. Systems [2.4.3]							
APPLICATION SUBMISSION	v1	v2	v3	v4	v5	v6	
16. Applicant Support Program (ASP) [2.5.4]	-	01 Jan	13 Jan	16 Jan	27 Jan		
17. Application Fees [2.5.1] 18. Variable Fees [2.5.2]	27 Jan	31 Jan					
19. Application Submission Period [2.5.3]							
20. Terms & Conditions [2.5.5]							
APPLICATION PROCESSING	v1	v2	v3	v4	v5		
21. Applicant Change Requests [S2.4]	Pending						
22. Application Queueing [2.6.1]	Pending						

SUBSEQUENT PROCEDURES AREAS / TOPICS							
APPLICATION EVALUATION/CRITERIA	v1	v2	v3	v4	v5		
23. Reserved Names [2.7.1]	11 Feb						
24. Closed Generics [2.7.3]	11 Feb	-	23 Feb				
25. String Similarity [2.7.4]	11 Feb						
26. Internationalized Domain Names (IDN) [2.7.5]	11 Feb	16 Feb	06 Mar				
27. Security and Stability [2.7.6]	11 Feb						
28. Name Collisions [2.7.8]	Pending						
29. Registrant Protections [2.7.2]	11 Feb						
30. Applicant Reviews: Technical/ Operational, Financial and Registry Services [2.7.7]							
31. Role of Application Comment [S2.3]	Pending						
DISPUTE PROCEEDINGS	v1	v2	v3	v4	v5		
32. Objections [2.8.1]	Pending						
33. Accountability Mechanism [2.8.2]	Pending						
STRING CONTENTION RESOLUTION	v1	v2	v3	v4	v5		
34. Community Applications [2.9.1]	-	02 Mar	04 Mar				
35. Auctions as Mechanism of Last Resort, Private Resolution of Contention Sets (incl. Private Auctions) [S2.1, S2.2]	Pending						
CONTRACTING	v1	v2	v3	v4	v5		
36. Base Registry Agreement [2.10.1]	Pending						
37. Registrar Non-Discrimination / Registry / Registrar Standardization [2.10.2]							
38. Registrar Support for New gTLDs [2.5]							
PRE-DELEGATION							
39. Registry System Testing [2.11.1]							
POST-DELEGATION	v1	v2	v3	v4	v5		
40. TLD Rollout [2.12.1]							
41. Second Level Rights Protection Mechanisms [2.12.2]							
42. Contractual Compliance [2.12.3]	Pending						

OVERARCHING ISSUES

Topic/Area:	**[4] COST VS BENEFIT OF NEW gTLD PROGRAM**		Priority:	**HIGH**	Settled On:	

Related:	• **Continuing Subsequent Procedures [2.2.1]** • **Data collection, metrics, Global Public Interest – consumer trust, defensive registrations** • Metrics
Key Issues:	While the question of "Costs vs Benefits" of the New gTLD Program remains unanswered specifically, it would appear that a round of applications for New gTLDs is likely to happen sometime in 2022 at the earliest. The ensuing question for At-Large then becomes what must happen before the next round is launched? What must subsequent procedures address at the minimum through recommendation and implementation guidance?
Policy Goals:	(Captured under first column below)
Assigned CCT-RT Rec's:	None
References:	• Working Document_SubPro Draft Final Recommendations, 4 Mar 2020 • SubPro WG Overarching Issues_Summary Document, 7 January 2020

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
1. ICANN should maintain existing policy calling for subsequent applications	Affirmation: WG recommends that the existing policy contained in the 2012 AGB that a "systematized manner of applying for gTLDs be developed in the long term" be maintained.		Focus on addressing what must happen before the next round is launched - what must subsequent procedures address at the minimum through recommendation and implementation guidance?

	Rationale: No compelling reason to alter existing policy per CCT-RT Final Report.		
2. Administration of program to be ongoing, orderly, timely and predictable	Affirmation: WG affirms Principle A from 2007 and recommends that the New gTLD Program must continue to be administered "in an ongoing, orderly, timely and predictable manner."		
3. Primary purposes of new gTLDs – diversity, competition, utility	Affirmation: WG affirmed that the primary purposes of new gTLDs are to foster diversity, encourage competition, and enhance the utility of the DNS.		
Impact of New gTLD Program – need for metrics, data collection. 4. WG agrees with CCT-RT that "on balance the expansion of the DNS marketplace has demonstrated increased competition and consumer choice." 5. Fostering consumer choice, consumer trust to continue to be focus of Program requirement IRT to determine appropriate metrics and data required to measure metrics on	Recommendation: Accordingly, WG recommends that meaningful metrics must be identified to understand the impact of the New gTLD Program. To review metrics, data must be collected at a logical time to create a basis against which future data can be compared. Implementation Guidance: Metrics collected to understand the impact of New gTLD Program should, broadly speaking, focus on the areas of trust, competition, and choice. The WG notes that the CCT Review	Is the policy recommendation enough? The "mechanics" are being delegated to IRT as a matter for implementation.	At the very least, to monitor work of the IRT and provide inputs through IRT (if possible) or as Advice to Board (if necessary)

a regular basis to help evaluate Program. 6. IRT to use the initial metrics as part of the Identified Technology Health Indicators (ITHI) project[3] 7. WG recognizes certain metrics may require collection of additional data from contracted parties not already collected under current RA and RAA, recommends ICANN Org to enter into discussion with Contracted Parties to determine what data needed to measure metrics on an ongoing basis and to include collection and use of such data in any subsequent RA and RAA, subject to applicable law.	2018 Final Report[4] includes a series of recommendations regarding metrics. Work related to development of metrics should be in accordance with CCT-RT recommendations currently adopted by the Board, as well as those adopted in future. *Rationale: WG noted contingency on support –* *[1] previous commitment to review, including a costs and benefits analysis advised by GAC per Helsinki Communique but points to CCT-RT commissioned studies* *[2] implementation of prerequisite and high priority CCT-RT recommendations "assigned" to SubPro PDP WG by the Board [5] - WG understands it is required to consider these but not necessarily required to agree with all outcomes and suggested solutions, opts to just describe the manner in which these were considered and how they were integrated into any final recommendations or not.*	Were the studies commissioned by CCT-RT including economic analyses on marketplace competition and end-user/registrant surveys sufficient?	**Revisit with GAC –** [1] as to their push for cost-benefit analysis of new gTLDs per Helsinki Communique[6] – whether the lack of explicit recommendation is acceptable, or how to move forward. [2] as to their stance on CCT-RT recommendations per Montreal Communique[7] – whether the lack of explicit recommendation is acceptable, or how to move forward.

[3] See: https://ithi.privateoctopus.com/metrics.html

[4] See: https://www.icann.org/en/system/files/files/cct-final-08Sep18-en/pdf

[5] See: ICANN Board resolution of 1 March 2019: https://www.icann.org/resources/board-material/resolutions-2019-03-01-en

[6] See: https://gac.icann.org/contentMigrated/icann56-helsinki-communique

[7] See: https://gac.icann.org/contentMigrated/icann66-montreal-communique

What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
Position:			

OVERARCHING ISSUES

Topic/Area:	**[5] PREDICTABILITY FRAMEWORK** (up for 1st time public comment)	Priority:	**MEDIUM**	Settled On:	

Related:	• Supersedes Predictability [2.2.2] & Clarity in Application Process [2.2.2.2] • **New entity: Standing Predictability Implementation Review Team ("SPIRT")**
Key Issues:	How should changes to the program be introduced to address unanticipated issues after the AGB is approved? To recap, some significant changes were introduced after the 2012 program was launched, thus hindered predictability, eg. digital archery/ prioritization issues, name collision, RA changes, Public Interest Commitments.
Policy Goals:	• Principle A[8] states *"New generic top-level domains (gTLDs) must be introduced in an orderly, timely and predictable way."* • To the extent that issues arise, after the Applicant Guidebook is approved that may result in changes to the program and its supporting processes, those issues must be resolved in a manner that is as predictable, transparent, and as fair as possible to the impacted parties • To promote the predictable resolution of issues, the community should rely on a Predictability Framework, specific to the New gTLD Program, that guides the selection of mitigation mechanisms • In the event significant issues arise that require resolution via the Predictability Framework, applicants should be afforded the opportunity to withdraw their application from the process and receive an appropriate refund • The Predictability Model intends to complement the existing GNSO processes and procedures and is not intended to be a substitute or replacement for those, nor should the Model be seen as supplanting the GNSO Council's decision-making authority. In fact, the GNSO processes and procedures are incorporated into the Predictability Framework explicitly. In the event of a conflict, existing GNSO processes and procedures take precedence.
Assigned CCT-RT Rec's:	None
References:	• **New Predictability Framework Document**, 16 February 2020 • 02. SubPro Predictability Framework Update to CPWG, 11 January 2020 • ~~SubPro WG Overarching Issues_Summary Document, 7 January 2020~~

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[8] GNSO's Final Report on the Introduction of New Generic Top-Level Domains

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
8. The need for revamped predictability framework and proposal for PC on high level details of such a framework.	Please refer to 02. SubPro Predictability Framework Update to CPWG, 11 January 2020	<mark>Thoughts?</mark>	
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
Position:			

OVERARCHING ISSUES

Topic/Area:	[6] APPLICATIONS ASSESSED IN ROUNDS [2.2.3]	Priority:	MEDIUM	Settled On:	

Related:	• Continuing Subsequent Procedures [2.2.1] • Different gTLDs Types [2.2.4] • Feedback to Neustar's proposal for a 3-phased application model
Key Issues:	Assuming that there will be a next round of applications for new gTLDs (which looks to be recommended): • When does the round commence and end or how would either be triggered? • What are the prerequisites or limitations in allowing new applications?
Policy Goals:	(Captured under first column below)
Assigned CCT-RT Rec's:	None
References:	• Working Document_SubPro Draft Final Recommendations, 4 March 2020 • SubPro WG Overarching Issues_Summary Document, 7 January 2020 • At-Large feedback on Neustar's Proposal for 3-Phased New gTLD Application Model, 6 February 2019 • 01. SubPro WT1-4 IR – Neustar proposal ppt, 5 January 2019

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
9. Change needed to Rec #13 from 2007 policy in order to maintain assessment in rounds independent to demand. No consensus for First-Come-First-Served model.	Affirmation (with modification): WG affirms recommendation 13 from the 2007 policy which states, "Applications must initially be assessed in rounds until the scale of demand is clear." However, WG believes that the recommendation	Yes, we argued that regardless of demand and regardless of whether applications are accepted by way of rounds or not, applications must be assessed in rounds or placed in clear batches for processing. Otherwise, we cannot effectively deal with the	

	should be revised to simply read, "Applications must be assessed in rounds." *Rationale: Even if demand is unclear, next application opportunity should be processed in the form of a round.*	==necessary evaluations – string similarity, string contention==.	
10. Clarity needed around timing and/or criteria for initiating subsequent procedures at close of or after next round.	Recommendation: Upon commencement of next Application Submission Period, there must be clarity around the timing and/or criteria for initiating subsequent procedures from that point forth. More specifically, prior to commencement of the next Application Submission Period, ICANN shall publish either (a) The date in which the next subsequent round will take place; or (b) The specific set of criteria and/or events that must occur prior to the opening up of the next subsequent round. Implementation Guidance: A new round may initiate even if steps related to application processing and delegation from previous application rounds have not been completed.	Yes, support in principle although no real desire to see expansion of Program.	

11. Barring of new applications for a string which application is still being processed from a previous round.	Implementation Guidance: It should NOT be possible to apply for a string that is still being processed from a previous application round. The scenarios: • If a TLD has already been delegated, no application for that string will be allowed for a string in a subsequent round. • If there is an application that is "Active", "Applicant Support", "In Contracting", "On-hold" or "In PDT", a new application for that string will not be allowed in a subsequent round. • If all applications for a particular string have been Withdrawn (i.e where string has not been delegated), new applications for the string will be allowed in a subsequent round. • If a Registry Operator has terminated its Registry Agreement and (i) the TLD has not been reassigned to a different Registry Operator, and (ii) in the case of a Specification 13 Brand TLD, it is more than 2 years following the Expiration Date (See RA Section 4.5(a)), then applications will be allowed to be	Yes, absolutely. One of the weaknesses of the 2012 round was that only the application period was definitive. While we can understand initial application processing might take time and is subject to volume, and that evaluations will take more time and are subject to challenges (objections, appeals), we ==ought to prevent a recurrence of applications which remain in the system indefinitely – those which have no chance of proceeding but are not withdrawn==. ==Defining "proper" rounds will also affect when an undelegated string next becomes available again for application, where no application in a current round having succeeded.== ==Scenarios now necessarily incorporate allowance for appeals==.	

| | submitted during a subsequent round.

• If all applications for a given string have a status of "Will Not Proceed", an application for the TLD will only be allowed if:
   o All appeals and/or accountability mechanisms have proceeded through final disposition and no applications for the string have succeeded in such appeals and/or accountability mechanisms; or
   o All applicable time limitations (statute of limitations) have expired such that all applicants for a particular string would not be in a position to file an appeal or accountability mechanism with respect to the string.

• If a TLD has a status of "Not Approved", an application for the TLD will only be allowed if:
   o All appeals and/or accountability mechanisms have proceeded through final disposition and no applications for the string have succeeded in such appeals and/or | | |

	accountability mechanisms; or ○ All applicable time limitations (statute of limitations) have expired such that all applicants for a particular string would not be in a position to file an appeal or accountability mechanism with respect to the string; and ○ The ICANN Board has not approved new policies or procedures that would allow one or more of the applicants from the prior round to cure the reasons for which it was placed in the "Not Approved" category, but has approved new policies or procedures that would allow an applicant to apply for the string in any subsequent round.		
12. When it becomes operationally feasible, application procedures should take place at predictable, regularly occurring intervals without indeterminable periods of review.	Recommendation: Application procedures must take place at predictable, regularly occurring intervals without indeterminable periods of review unless the GNSO Council recommends pausing the program and such recommendation is approved by the Board. Unless	Agreement limited to that ICANN must only use "rounds" as part of the New gTLD Program. In principle, "indeterminable periods of review" is not something to support or object to, ==subject to whether we prefer to err on the side of caution until we are==	==Check with GAC as to their position on this==

	and until other procedures are recommended by the GNSO Council and approved by the ICANN Board, ICANN must only use "rounds" as part of the New gTLD Program.	reasonably confident that all major concerns have been identified and addressed through learning from previous round(s)?	
13. Alignment with CCT Review needed but not at expense of subsequent round	Recommendation: Absent extraordinary circumstances, future reviews and/or PDP, including the next CCT Review, should take place concurrently with subsequent application rounds. In other words, future reviews and/or PDP must not stop or delay subsequent new gTLD rounds.	Should we not opt to err on the side of caution until we are reasonably confident that all major concerns have been identified and addressed through learning from previous round(s)? Reviews should take place as needed, not as prescribed?	Check with GAC as to their position on this
14. No retrospective application of outcomes of reviews or PDPs	Recommendation: If the outputs of any reviews and/or PDP has, or could reasonably have, a material impact on manner in which application procedures are conducted, such changes must only apply to the opening of the application procedure subsequent to the adoption of the relevant recommendations by the ICANN Board.	Yes, this is fair.	
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
15. Insufficient consensus on recommending priority rounds for certain types of TLDs, even	Any recommendation on priority rounds for specific categories of TLDs.	Inconclusive since we did not reach consensus ourselves per At-Large feedback on Neustar's Proposal for	

though discussion undertaken on idea for rounds consisting only of .brands, geonames, IDNs and/or community-based TLDs prior to general open application period.		3-Phased New gTLD Application Model, 6 February 2019. Perhaps, this needs to be revisited given any new information.	
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
16. Distinguish assessment of type versus category of applications and respective priorities in batch-assessing		Whether applications should be assessed in batches according to type and/or category of applications or strings applied for eg. • Community Applications vs Standard Applications • IDNs, geographic names, Geographic indications, .brands	Consider if applications should be professionally evaluated in specific batches according to their nature to ensure that evaluations are competently and transparently undertaken and that the application process is not to be overwhelmed, as in 2012, by large numbers of simultaneous applications. Evaluators or evaluation service providers must have specific and relevant expertise to assess applications according to their nature.
Position:			

OVERARCHING ISSUES

Topic/Area:	[7] DIFFERENT TYPES OF TLDs [2.2.4]	Priority:	MEDIUM	Settled On:	

Related:	• Continuing Subsequent Procedures • Community Applications [2.9.1] • Feedback to Neustar's proposal for a 3-phased application model
Key Issues:	Assuming that there will be a next round of applications for new gTLDs (which looks to be recommended), should there be differential treatment and/or priority given to different categories of applicants and/or types of new gTLDs applied for?
Policy Goals:	(Captured under first column below)
Assigned CCT-RT Rec's:	None
References:	• Working Document_SubPro Draft Final Recommendations, 4 March 2020 • SubPro WG Overarching Issues_Summary Document, 7 January 2020 • At-Large feedback on Neustar's Proposal for 3-Phased New gTLD Application Model, 6 February 2019 • 01. SubPro WT1-4 IR – Neustar proposal ppt, 5 January 2019

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
17. Support to maintain existing TLD types and to not create additional types. 18. There were lots of different comments received via the last PC process. However, many of these relate to type of strings	Affirming a difference between the <u>type of application</u> versus the <u>type of string</u>, and they are not necessarily dependent on one another. For eg, a standard application can apply for a geographic name string. In addition, the <u>type of applicant</u> may attract	Firstly, there needs to be elimination of confusion between differences in the 3 parameters of application vs string vs applicant. Once that is sorted, <mark>is there any compelling reason to add to Standard vs Community-Based application type?</mark>	Monitor implementation by ICANN Org of IRT recommendations.

and type of applicant, rather than (the 2 existing) types of applications.	additional impact within the evaluation process or contracting. Thus, per 2012 AGB, maintain only 2 types of applications – standard and community-based. [9] Further, creation of any additional application types should be done under exceptional circumstances and should be done via community processes. Any creation of additional application types, string types, or applicant types is done solely when differential treatment is warranted and is not intended to validate or invalidate any other differences in applications.		
19. Recognition of need for differential treatment of applications based on string type, applicant, or registry focus	WG recognises there may be circumstances where it makes sense to have differential treatment for an application based on either the type of string, the type of applicant, or registry focus. Such differential treatment may apply in one or more of the following elements: • Applicant eligibility	Makes sense in theory. Could be an implementation issue.	Monitor implementation by ICANN Org of IRT recommendations.

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[9] Per 2012 AGB, "A standard gTLD can be used for any purpose consistent with the requirements of the application and evaluation criteria, and with the RA. A standard applicant may or may not have a formal relationship with an exclusive registrant or user population. It may or may not employ eligibility or use restrictions. Standard simply means that the applicant has not designated the application as community-based".

	• Application evaluation process/ requirements • Order of processing • String contention • Objections and appeals • Contractual provisions		
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
20. Insufficient consensus on recommending priority rounds for certain types of TLDs, even though discussion undertaken on idea for rounds consisting only of .brands, geonames, IDNs and/or community-based TLDs prior to general open application period.	Any recommendation on priority rounds for specific categories of TLDs. As presented in Applications Assessed in Rounds [2.2.3]	Inconclusive since we did not reach consensus ourselves per At-Large feedback on Neustar's Proposal for 3-Phased New gTLD Application Model, 6 February 2019. Perhaps, this needs to be revisited given any new information.	
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
21. ICANN Org asked WG to explicitly state the requirements for each TLD type, whether applicants must declare the TLD type when submitting application, and whether changes to TLD types are permitted during the application process, prior to signing RA.	Unclear at this point. Could be an implementation issue.		

22. Possibly related to the topic of Application Queueing, is the question whether either type of applications or any type of string or any type of applicant should be "treated preferentially"	Refer to Application Queueing [2.6.1]		Check on Application Queueing topic
Position:			

FOUNDATIONAL ISSUES

Topic/Area:	[10] PUBLIC INTEREST COMMITMENTS (PICs) & OTHER SAFEGUARDS		Priority:	HIGH	Settled On:	
Related:	• **DNS Abuse, Contractual Compliance** • **GAC Advice/GAC Early Warnings, Safeguards - Verified TLDs** • *Systems [2.4.3] – Submission of PICs during application process*					
Key Issues:	How to best handle PICs (mandatory vs voluntary) and other safeguards eg GAC EWs, Verified TLDs, given the experiences and whatever data has been available from 2012 round?					
Policy Goals:	• Develop policy consistent with ICANN's Core Values under Article 1 Section 1.2(b)(ii)[10] • To the extent that mandatory and/or voluntary PICs are carried forward into SubPro, they should be codified in policy					
Assigned CCT-RT Rec's:	? Rec. 12: Meeting user expectations on SL domain use, registrations for sensitive/regulated industries; safety & security of user personal & sensitive info (prerequisite for SubPro) ? Rec. 15: Amendments to RAA & RA to prevent systemic DNS security abuse (prerequisite for SubPro) ? Rec. 14: Pro-active anti-abuse measures (high priority for SubPro) ? Rec. 16: Support ongoing data collection efforts (eg DAAR) (high priority for SubPro) ? Rec. 23: Gather data on new gTLDs operating in highly-regulated sectors to include 5 elements (high priority for SubPro & ICANN Org) ✓ Rec. 25: Voluntary commitments must include intended goal, allow sufficient opportunity for community review, Limited Public Interest objection deadlines; organized, searchable (high priority for SubPro & ICANN Org)					
References:	• SubPro WG Foundational Issues_Summary Document, 7 January 2020 • 01. SubPro Global Public Interest Update to CPWG, 13 July 2019					

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
23. Mandatory PICs Should codify current implementation of mandatory PICs as policy	Codification of current implementation of mandatory PICs as policy recommendations, no additional mandatory PICs needed	Yes, ALAC supported this.	Revisit with GAC to ensure mandatory PICs reflect discussions between GAC Public Safety WG and Registries as appropriate

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[10] See: https://www.icann.org/resources/pages/governance/bylaws-en/#article1

recommendations, no additional mandatory PICs needed.			
24. Voluntary PICs a) Should continue <u>voluntary PICs</u>, allow applicants to commit to additional voluntary PICs in response to public comments, GAC EW and/or GAC Advice, even if changes nature of original application	In conjunction with CCT Rec. 25, Voluntary commitments must include intended goal, allow sufficient opportunity for community review, Limited Public Interest objection deadlines; organized, searchable (high priority for SubPro & ICANN Org)	Yes, ALAC supported this as voluntary PICs have been proven instrument in ensuring responsible operation of <u>some</u> TLDs.	Should there be limits to individual applicant voluntary PICs? Eg where voluntary PICs: (i) touches on areas outside of ICANN's remit or (ii) goes beyond consensus policy or (iii) offers rights protection beyond PDDRP, RRDRP, URS or (iv) declines to offer proxy & privacy services.
b) Have applicant to spell out voluntary PICs – limitation in time, duration, scope to be reviewable by ICANN, objector or GAC (what the case may be) **for all types of applications**.	<u>SubPro PDP WG reaction</u> *"If the WG supports the CCT-RT recommendation, the WG may want to further discuss whether preliminary recommendations should affirm the recommendation that PICs should state their intended goal. The WG may also want to discuss whether SubPro recommendations should more explicitly align with language: "[PICs must] be submitted during the application process such that there is sufficient opportunity for community review and time to meet the deadlines for community and limited public interest objections." The WG may also want to consider if any additional recommendations are needed regarding publication*	Yes, ALAC supported this. No reason to not apply to all types of applications.	
c) Voluntary PICs should be in RA, with change allowed only after public comment where change addresses objection/comment per objector, GAC EW/Advice.		Yes, ALAC supported this.	
d) Agreement that voluntary PICs are an appropriate way to address issues from GAC EW, public comments etc			

	and accessibility of voluntary PICs. The WG may want to consider if preliminary recommendation 2.3.2.c.4 on modification of PICs is consistent with this CCT-RT recommendation."		
e) Providing single-registrant TLDs with exemptions and/or waivers to mandatory PICs in Spec 11 3(a) and 11 3(b).			*Clarify: Support exemptions/waivers only if alternative, equally rigorous ways to achieve commitments*
f) <mark>Submission of Voluntary PICs</mark>	A way for application system to enable applicants to submit PICs		Follow through under "Systems" and monitor in implementation.
25. Verified TLDs – no high-level agreement	Unsure	CCTRT Final Report states that there are difficulties with assessing effectiveness of new gTLD consumer safeguards, particularly PICs, due to lack of reporting framework and associated data.	<mark>KIV need to follow up by way of Advice to Board, in discussion with GAC – There is need for restrictions on registrants and use of DN to improve public trust in new gTLDs; use panel skilled in consumer trust, identify/study options to establish recommendations for reporting/data</mark>
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
26.			

PENDING ISSUES:	SubPro PDP WG reaction	What else needs to be done and by/with whom?
27. **CCT Rec. 12** Meeting user expectations on SL domain use, registrations for sensitive/regulated industries; safety & security of user personal & sensitive info (prerequisite for SubPro)	*"The SubPro PDP has not thoroughly considered the findings from the Nielsen surveys, which at a high level indicated that, "the public believes that websites have different extensions to "properly identify the purpose or owner or to give an indication of content or function." As such, the PDP WG has also not considered whether it believes that creating incentives or removing potential barriers (e.g., application fee, annual fees, possible need for RSEP) to operating restricted TLDs is in the best interest of the program."* *SUBPRO WG EXPECTED TO REVISIT*	Thoughts?
28. **CCT Rec. 14** Pro-active anti-abuse measures (high priority for SubPro)	*"The PDP WG has not looked specifically at introducing financial incentives for registries to adopt proactive anti-abuse measures, but it has considered the prevention of abuse in the context of section 2.3.2 of its Initial Report on the Global Public Interest. There, the PDP WG has preliminarily recommended maintaining the mandatory Public Interest Commitment (PIC) framework, as well as refining the process, scope, and applicability of voluntary PICs.* *The SubPro PDP may want to specifically consider whether it supports including, ""provisions in the agreements to provide incentives, including financial incentives, for registries, especially open registries, to adopt proactive anti-abuse measures."" The PDP WG may want to review the DNS Abuse Review performed on behalf of the CCT-RT.* *If the PDP WG were to recommend financial incentives, the WG may want to consider the financial impact of doing so and whether it is within the remit of the PDP WG to make such recommendations.* *Note: The WG has also addressed the topic of DNS Abuse as being a community wide discussion instead of one specifically geared at only the new gTLDs."* *SUBPRO WG EXPECTED TO REVISIT*	Related to DNS Abuse Revisit whether sufficiently addressed in recent ALAC Advise to Board on DNS Abuse of 26 Dec 2019.

29. <u>CCT Rec. 15</u> Amendments to RAA & RA to prevent systemic DNS security abuse (prerequisite for SubPro)	*"This recommendation appears to target existing registry operators and registrars, whereas recommendation 14 also seeks to amend the base registry agreement for future new gTLD procedures. The PDP WG should consider whether they believe recommendation 15 is relevant to its work. This recommendation may be most appropriately addressed by registries/registrars and ICANN org, utilizing the prescribed contract negotiation processes."* *SUBPRO WG EXPECTED TO REVISIT*	Related to DNS Abuse <mark>Revisit whether sufficiently addressed in recent ALAC Advise to Board on DNS Abuse of 26 Dec 2019.</mark>
30. <u>CCT Rec. 16</u> Support ongoing data collection efforts (eg DAAR) (high priority for SubPro)	*"This recommendation appears to primarily focus on continuing to commission studies around specific registry operators, registrars, and technical DNS abuse. If the PDP WG is in agreement that this exercise should take place, could develop similar recommendation(s).* *In connection to recommendation 14, the PDP WG may want to consider data collected by the CCT-RT related to this subject to determine if any additional measures, including financial incentives, should be recommended."* *SUBPRO WG EXPECTED TO REVISIT*	Related to DNS Abuse <mark>Revisit whether sufficiently addressed in recent ALAC Advise to Board on DNS Abuse of 26 Dec 2019.</mark>
31. <u>CCT Rec. 23</u> Gather data on new gTLDs operating in highly-regulated sectors to include 5 elements (high priority for SubPro & ICANN Org)	*"The recommendation is primarily focused on additional data gathering in the future and if the PDP WG is in agreement that this exercise should take place, could develop similar recommendation(s).* *To the extent that the CCT-RT has already collected data related to areas identified in the recommendation, the PDP WG could consider whether those findings might impact ongoing policy development work.* *Note: This seems to be more of a compliance activity as opposed to one that will aid in moving forward. The issue we need to decide is whether to maintain the PICs that ICANN has included for future ""sensitive"" strings.* *[Could provide guidance without being definitive. Could ask applicants to self-identify. If there is a panel involved, the more important that there be criteria developed.]"* *SUBPRO WG EXPECTED TO REVISIT*	Related to DNS Abuse <mark>Revisit whether sufficiently addressed in recent ALAC Advise to Board on DNS Abuse of 26 Dec 2019.</mark>
Position:		

FOUNDATIONAL ISSUES

Topic/Area:	[12] UNIVERSAL ACCEPTANCE (UA) [2.3.4]	Priority:	HIGH	Settled On:	

Related:	• Internationalized Domain Names (IDNs) [2.7.5] • Systems [2.4.3] • Universal Acceptance Initiative and UASG
Key Issues:	How to: (1) improve promotion of UA by the ICANN Community and (2) advocate for wider adoption of UA in the Internet community
Policy Goals:	• Awareness of issues related to Universal Acceptance should be increased • Initiatives related to Universal Acceptance should be supported and promoted, as appropriate
Assigned CCT-RT Rec's:	None
References:	• SubPro PDP WG Foundational Issues_Summary Document, 7 January 2020 • Working Document_SubPro Draft Final Recommendations, 16 February 2020

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
32. Support for UA initiative	Affirmation: WG welcomes and encourages the work of the UA Initiative and the UASG.	Yes.	
	Affirmation, per 2012 round: WG affirms 2012 implementation elements addressing UA issues, and in particular, guidance per s.1.2.4 AGB ("Notice concerning Technical Acceptance Issues with New		

	gTLDs"), as well as cl. 1.2 of the RA ("Technical Feasibility of String").		
33. Support for amending Principle B: *"Some new gTLDs should be IDNs subject to the approval of IDNs being available in the root."* [11]	<u>Recommendation</u>: WG recommends revising Principle B to read *"Some new gTLDs should be IDNs. Applicants should be made aware of UA challenges in ASCII and IDN TLDs. They should be given access to all applicable information about UA currently maintained on ICANN's Universal Acceptance Initiative page, through the UASG, as well as future efforts."* <u>Implementation Guidance</u>: ICANN should include more detailed info re UA issues either directly in the AGB or by reference to the AGB to additional resources produced by the UASG or other related efforts.	Yes, with suggested amendment that applicants MUST (instead of "should") be given access to all applicable information about UA etc.	
What has SubPro PDP WG concluded?	**<u>What SubPro PDP WG will likely omit?</u>**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
34. <u>Some</u> say no additional work should be proposed beyond that being done by the UA Initiative and UASG.	<u>There is some pushback on this via PC feeback.</u> For eg. BC and ALAC have indicated ways for pushing the UA agenda further.	The conclusion is strongly supported. Contrastingly, it would be beneficial to have a clear recommendation for UA.	Could be further input to SubPro WG and/or Advice to Board to cover/include: • In addition to supporting and encouraging the work of the UASG, ICANN should invest in being itself able and ready to

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[11] GNSO's Final Report on the Introduction of New Generic Top-Level Domains

			communicate to registrants and end-users in languages/scripts for LGRs have been released under the IDN Variant TLD Implementation • ICANN should strongly encourage Registries and Registrars which are owned by the same entity to be UA ready in any new gTLD applications. Rationale being it is easier for such entities to ensure cross-entity systems are ready IDN registrations, ready to handle IDN and non-IDN New gTLDs consistently on nameservers, and to manage EAI (i.e. <nativelanguage>@<idn>.<idn> as part of the contact information and be able to send and receive emails of these type of addresses; and be able to take affirmative action to ensure their suppliers are also UA ready • <mark>What else?</mark>
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
Position:			

APPLICATION SUBMISSION
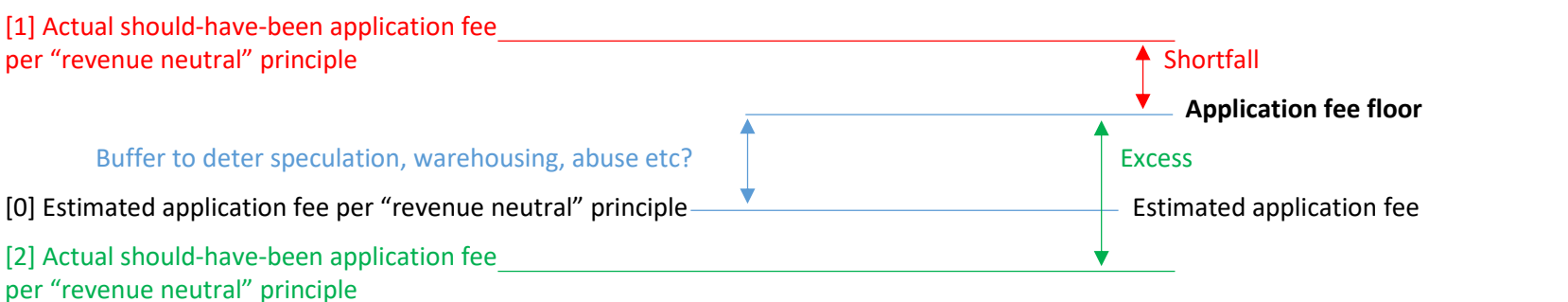
Topic/Area:	**[16] APPLICANT SUPPORT PROGRAM (ASP) [2.5.4]**	Priority:	**HIGH**	Settled On:	

Related:	**Global South/Middle Applicant outreach – *Communication [2.4.2]*** **Nature of support – use of funds, beyond funds, funding source** **Criteria – Metrics** - Accountability Mechanism – appeal against SARP evaluation determination - Contention set resolution involving ASP Applicants - Support – Accreditation Programs [2.2.6] - Application Fees [2.5.1] & Variable Fees [2.5.2]
Key Issues:	The ASP for the 2012 application round offered USD2mil in financial support but yielded only 3 ASP applicants. None of the 3 ASP applicants were found to have met the selection criteria, and as a result their applications were terminated. In hindsight, the selection criteria standard was said to have been set too high, driven primarily by overwhelming caution against risk of 'gaming'. Three other issues which arise are to do with: - Metrics for measuring success of ASP Program; *Appeals process to SARP determinations (which did not exist before); and* *If successful ASP applicants should receive priority in contention sets (and under what circumstances)*
Policy Goals:	- Increase "success" of program, using a set of metrics – awareness/outreach, total EOIs, total applicants, total ASP "grantees" etc - Provide financial support and services to certain qualified applicants in order to serve the above goals. - Ensure that information about the program and participation in the program is accessible to the target audience.
Assigned CCT-RT Rec's:	✓ Rec. 32: Revisit the Applicant Financial Support Program (prerequisite for SubPro) ? Rec. 29: Set objectives/metrics for applications from the Global South (prerequisite for SubPro) ? Rec. 30: Expand and improve outreach into the Global South (prerequisite for ICANN Org) ✓ Rec. 31: ICANN Org to coordinate the pro bono assistance program (prerequisite for ICANN Org)
References:	- SubPro PDP WG Application Submission_Summary Document, 7 January 2020 02. SubPro Applicant Support Update to CPWG, 31 July 2019

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done & by/with whom?
35. No objection to ASP continuing, and should	The continuation of ASP in SubPro which will:		
a) Be open to applicants regardless of their location as long as they meet program criteria – ie eligibility	a) Be open to applicants regardless of their location as long as they meet program criteria	Yes	Advocate to SubPro for IRT to include requirement that applicant must demonstrate how they would serve target region or community
b) Target Global South & "Middle Applicant" (ie still struggling regions which may not be underserved or underdeveloped)	b) Target Global South & "Middle Applicant	Yes	Work with ICANN Org on definition of "Global South", or agreement on how to describe underserved or underrepresented regions
c) Employ longer lead times to create awareness, draw on regional experts, leverage tools & expertise to evaluate applicant business cases	c) Employ longer lead times to create awareness, draw on regional experts, leverage tools & expertise to evaluate applicant business cases	Yes, outreach was very poor for 2012 round.	
d) Extend financial support beyond subsidy on application fees	d) Extend financial support towards expenses like application writing fees, related attorney fees, ICANN registry-level fees	Yes, this is useful and is in addition to pro bono assistance program per CCT-RT Rec. 31	
e) Consider number of successful applicants as a measure of success	e) Consider number of successful applicants as a measure of success	Yes, but this is only one possible measure.	
36. Policy changes needed to increase chances of ASP succeeding	Unclear	Yes, lends to CCT-RT Rec's. 32, 30	

37. No automatic termination of applications which do not meet ASP criteria	ASP applicants who fail to meet requirements to be given a choice to move to a standard application	Yes, we advocated strongly for this. Unsuccessful ASP applicants should be allowed to choose either withdraw or transfer to standard application regime, with reasonable time given to pay balance application fee amount if choose to transfer.	
38. SARP evaluations ought to be appealable	SARP evaluations to be part of new Accountability Framework	Yes	Monitor cost of filing, losing appeals
39. ASP vis a vis fees regime	Successful ASP candidates will be eligible for reduced application fee.	Yes	
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
40. No consensus for priority to successful ASP applicant in string contention	Priority for successful ASP applicant in string contention	Thoughts? • *Geoname string application from the same jurisdiction?*	
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
41. Metrics framework for measuring success			Yes, necessary; lends to CCT-RT Rec. 29; but what other metrics to apply? • Number of ASP applicants • Number of successful ASP applicants
42. Dealing with risk of gaming			Yes, necessary to inquire with SubPro WG after: • Expanding SARP's evaluation methodology to include determination of gaming

			• Broad agreement on penalty to be applied
43. Method for selecting recipients if applicants exceeds funds allocated			Quota for each region. Other thoughts?
44. Source of ASP funding			Thoughts? Other than partial excess of application fees.
Position:			

APPLICATION SUBMISSION

Topic/Area:	[17] APPLICATION FEES [2.5.1] [18] VARIABLE FEES [2.5.2]	Priority:	MEDIUM	Settled On:	

Related:	- Cost Recovery Principle - Applicant Support Program [2.5.4] *Community Applications [2.9.1]??*

Key Issues:	- Do we keep to the Cost Recovery Principle (or "revenue neutral" principle) in setting application fees? - If "yes" to Cost Recovery, it is for ICANN Org / GDD to tabulate and present the cost of the 2012 Program; the difficulty is the 2012 Program hasn't concluded and there are still "costs" pending/budgeted for. However, what elements should be factored into "cost"? - Notwithstanding, should we stipulate an application fee floor which sufficiently mitigates risk of speculation, warehousing, "abuse" etc while still making it attractive to invest in running a new gTLD? - In such situation if we were to set a fee level based on best estimate, how should we deal with any excess collected or shortfall incurred in subsequent procedures? Under Next Round, possible scenarios

Policy Goals:	The gTLD evaluation fee is set to **recover costs** associated with the new gTLD program. The fee is set to ensure that the program is **fully funded and revenue neutral and is not subsidized by existing contributions from ICANN funding sources, including generic TLD registries and registrars, ccTLD contributions and RIR contributions;** <u>subject to the use of a fee floor intended to deter undesired behaviours</u>

Assigned CCT-RT Rec's:	None		
References:	• SubPro WG Application Submission_Summary Document, 7 January 2020 • SubPro WG Working Document_SubPro Draft Final Recommendations, 31 January 2020		
What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG affirm and/or recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
45. After considering various inputs regarding the question of single base fee, differing circumstances experienced from 2012 round, GAC Nairobi Communique (2010) etc – • no agreement to recommend charging different fees for different types of application • no agreement on feasible path for different fees • retain single base fee with additional fees where additional costs incurred to avoid excessive cross-subsidization • enhance Applicant Support Program in SubPro to better service ASP goal	<u>Affirmation</u>, per 2012 round, that: • All applications in subsequent procedures should pay the **same base application fee regardless of application type or number of applications submitted by same applicant**, not precluding additional fees as needed (ie. For Community Priority Evaluation, Registry Service Evaluation Process, etc); • **Successful Applicant Support Program candidates will be eligible for reduced application fee**.		

46. Support for overall funding approach in 2012 round – should be self-sustaining and operate on cost recovery basis with goal of being revenue neutral	<u>Affirmation</u> for: • Implementation Guidance B: "Application fees will be designed to ensure that adequate resources exist to cover the total cost to administer new gTLD process. Application fees may differ for applicants." • The gTLD evaluation fee is set to **recover costs** associated with the new gTLD program. The fee is set to ensure that the program is **fully funded and revenue neutral and is not subsidized by existing contributions from ICANN funding sources, including generic TLD registries and registrars, ccTLD contributions and RIR contributions;** <u>modified by Implementation Guidance (1)</u>		
47. Guidance on application fee vs application fee floor	<u>Implementation Guidance (1)</u>: In event estimated application fee (based on revenue neutral principle) falls below predetermined threshold amount (ie application fee floor), actual application fee should be set at that higher application fee floor instead		

48. Excess fees collected should at least in part be returned to applicants – disbursement mechanism to be communicated in advance	Recommendation: In managing funds for New gTLD Program, ICANN should have a plan in place for managing any excess fees collected or budget shortfalls experienced. The plan for management and disbursement of excess fees (if any) should be communicated in advance of accepting applications and collecting fees; per Implementation Guidance (2) Implementation Guidance (2): • If excess fees collected and cost recovery model is followed (i.e. fee floor not used), then any excess should be returned to applicants where possible. Disbursement mechanism should be communicated before submission of applications and fees to ICANN		
49. In event of excess fees, excess should be used to benefit one or more of: (a) general outreach (b) long-term program need (c) Applicant Support Program (d) Top-up of shortfall in segregated fund	• In the event that an application fee floor is used to determine the application fee, excess fees received **must** be used to benefit the Program, ie one or more of: (a) global communication and awareness campaign about the		

	introduction and availability of new gTLDs; (b) long-term program needs – system updates, fixed assets etc; (c) Application Support Program; or (d) top-up any shortfall in the segregated fund described below		
50. Need for mechanism to deal with potential overall budget shortfall	• To help alleviate potential burden of overall shortfall, set up **separate segregated fund to absorb shortfall** and topped-up in a later round. Amount of contingency should be a predetermined value, reviewed periodically to ensure adequacy.		
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
51.			
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
52. ICANN Org's request for guidance on fee floor amount or criteria by which it is established	No agreement on specific amount or criteria, noting some public comments received to IR, suggests further study in implementation phase of what level of fee floor would effectively deter behaviours that fee floor seeks to prevent		Maintain line of enquiry with GDD on (1) elements should be factored into "cost" and (2) whether 2012 fee amount generates excess or shortfall.

			Take up as Advice to Board (if necessary and depending on timing of GDD response)
Position:			

APPLICATION EVALUATION/CRITERIA

Topic/Area:	**[23] RESERVED NAMES [2.7.1]**		Priority:	**HIGH**	Settled On:	
Related:						
Key Issues:	Rules for handling Reserved Names at both Top Level and Second Level					
Policy Goals:	Existing policy is appropriate to maintain at the top level: • Recommendation 5: "Strings must not be a Reserved Word" • Recommendation 2: "Strings must not be confusingly similar to an existing top-level domain"					
Assigned CCT-RT Rec's:	None					
References:	• SubPro WG Application Evaluation/Criteria_Summary Document, 7 January 2020 • 03. SubPro Reserved Names, Closed Generics & Registrant Protection, 20 August 2019					

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
53. <u>RN at the Top Level</u>: High level agreement for RN for PTI and Special-Use Domain Names identified though IETF RFC 6761	• Recommendation to reserve names for PTI and to reserve Special-Use Domain Names through procedure described in IETF RFC 6761 • Also, to amend "Reserved Names" referred to in 2012 AGB to "Unavailable Names"	Yes	**Revisit with SSAC on SAC090** or ask for any update?

54. <u>RN at the Second Level</u>: High level agreement for updating Schedule 5 re two-char letter-letter ASCII Labels	Recommendation to update Schedule 5 to include measures for Two-Character Letter-Letter ASCII Labels to avoid confusion with corresponding Country Codes adopted by ICANN Board, 8 Nov 2016	Yes	<mark>**Revisit with GAC** to establish status of discussions between GAC members and ICANN Board</mark>
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
55.			
<u>PENDING ISSUES:</u>	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
56. <u>RN at the Top Level</u>: General requirements			
57. <mark><u>RN at the Top Level</u>: ISO 4217 Currency Codes</mark> *"Reserve until such time that there is clear agreement with the International Central Banks (eg through IMF or BIS) as to whether these codes could be delegated and to which entities, not excluding themselves."*			
58. <u>RN at the Top Level</u>: Geonames		See: Scorecard on Geographic Names (pending)	See: Scorecard on Geographic Names (pending)
59. <u>RN at the Top Level</u>: IGO / INGO			

60. <u>RN at the Top Level</u>: Red Cross / Red Crescent Names			
61. <u>RN at the Top Level</u>: Removal of two-char letter-number combinations from reservation			• <mark>Keep pressing for reservation of two-char letter-number combinations to avoid risk of confusion with ccTLDs (eg. O2, 3M); impact on end users coupled with questions around potential security risks</mark> • <mark>Two-char letter-number ASCII TLD space should be reserved exclusively for ccTLDs?</mark>
62. <u>RN at the Second Level</u>: Voluntary reservation of up to 100 strings for operation/ promotion of TLD			
63. <u>RN at the Second Level</u>: Ability to reserve unlimited number of SL DNs for release at RO's discretion through ICANN-accredited Registrars			
64. <u>RN at the Second Level</u>: Sunrise process for SL DNs removed from RN list and released by RO			
Position:			

APPLICATION EVALUATION/CRITERIA

Topic/Area:	**[24] CLOSED GENERICS [2.7.3]**	Priority:	**HIGH**	Settled On:	

Related:	• Generic terms as TLD • Single Registrant / Brand TLDs
Key Issues:	• Pursuant to GAC Beijing Communique 2013, GAC advised that, "For strings representing generic terms, exclusive registry access should serve a public interest goal" (the "Category 2.2 Safeguard Advice"), and proceeded to identify a non-exhaustive list of such 'generic' strings applicable in the 2012 round affecting 186 applicants for potential Closed Generics. • After ICANN solicited responses from those 186 applicants on their plans to operate strings as Closed Generics (through exclusive access registries, defined as registry restricted to a single person or entity and/or that person's or entity's "affiliates" per section 2.9c of the RA), all but 5 of the 186 applications agreed to withdraw their applications or change their TLDs to being "open". • A 2015 Board resolution gave the remaining applicants 3 options: (1) change to open registry; (2) maintain plan to operate Closed Generic and be deferred to next round, thus subject to new rules; or (3) withdraw and receive appropriate refund. **This effectively meant that Closed Generic / Exclusive Generic TLDs were banned in the 2012 round**. All 5 applicants – for strings: HOTELS, GROCERY, DVR, DATA, PHONE – eventually submitted change requests to "open" and these strings have since been delegated. • Notwithstanding, what rules should apply to Closed Generic applications in subsequent procedures?
Policy Goals:	Charged with analysing impact of Closed Generics for future policy purposes, SubPro PDP WG generally agrees that some form of policy guidance should be drafted but it hasn't reached consensus on path forward.
Assigned CCT-RT Rec's:	None
References:	• [ICANN: Do Not Allow Closed New gTLDs With Generic Strings, 16 February 2020](#) • SubPro WG Application Evaluation/Criteria_Summary Document, 7 January 2020 • [03. SubPro Reserved Names, Closed Generics & Registrant Protection, 20 August 2019](#) • [ICANN Board resolution on Exclusive Generics for 2012 round, 21 June 2015](#)

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
65. No consensus on path forward. In addition, per Board input, still subject to how to define "public interest" and public interest goals	Unclear except to confirm no consensus on path forward. The options considered, and which received varying responses, were: **Option 1: No Closed Generics** – Formalize GNSO policy to disallow **Option 2**: **Closed Generics with Public Interest Application** – Allow but require applicants demonstrate the CG serves a public interest goal in their application subject to Objection process **Option 3**: **Closed Generics with Code of Conduct** – Allow but require applicant commitment to a code of conduct addressing concerns expressed by those opposed to CG (through a Community Objection-like process) **Option 4**: **Allow Closed Generics subject only a Community Objection-like process**	ALAC statement AL-ALAC-ST-0926-02-01-EN to SubPro IR expressed cautious qualified support for Options 2 and 3 in the spirit of finding a compromise. *"Closed generics should be prohibited unless coupled with a Public Interest Application. Closed generics allow an applicant to have a potentially unfair influence over registration priority in a generic term, such as "app." Additionally, closed generics lead to a slippery slope that could enable significant security risks for those particular strings, particularly for dotless domains as the SSAC found. Closed generics can exist – but they may introduce unintended security and stability issues which the SSAC should weigh in on. Thus, to completely eliminate this competitive and security threat, ICANN must prohibit their use."*	• **Revisit with GAC** to establish currency / changes to underlying intent of GAC Beijing Communique 2013 • **Check for SSAC advice** or ask for their current position? • Given the clear lack of consensus identified by SubPro PDP WG, we may want to be more prudent and alter our position to outrightly support Option 1?
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
66.			

PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
67. Questions over what is the "default" position in the event there remains insufficient consensus for a path forward. 68. Considering proposal to develop fresh policy recommendation moving forward instead of falling back on the "default" position regardless of what that might be.	SubPro PDP WG during its calls of 18 Feb and 20 Feb 2020 was attempting to establish a level of support to develop a fresh policy recommendation including a call for proposals for consideration in respect of whether to allow closed generics in some way. We need to answer: • If there are any circumstances for which we would allow qualified closed generics? • If yes, then how to describe those circumstances exhaustively? Establish a definition of closed generic by consensus? How does it support public interest? Or how public interest in harmed? • Is mandating explanation on how application for closed generic supports the public's interest enough to assess it? Can these be offered through PICs? • If yes, who should assess and decide whether something is in		

	the public's interest? ICANN Board? - How should such offered PICs and/or factors in support of public interest be used (if at all)? - What sort of (additional) contractual requirements should be proposed to enforce compliance?		
Position:			

APPLICATION EVALUATION/CRITERIA

Topic/Area:	**[25] STRING SIMILARITY [2.7.4]**		Priority:	**HIGH**	Settled On:	

Related:	• String Similarity Review • String Confusion Objection (under Objections [2.8.1]) • Accountability Mechanism [2.8.2]
Key Issues:	More guidance in treatment of singular vs plural versions of same words in same language/script vis a vis application, review in order to reduce risk of consumer confusion
Policy Goals:	Recommendation 2 "Strings must not be confusingly similar to an existing top-level domain" continues to be an appropriate policy objective
Assigned CCT-RT Rec's:	Rec. 35: Consider new policies to avoid potential inconsistent results in string confusion objections; in particular: 1) Determining through the initial string similarity review process that singular and plural versions of the same gTLD string should not be delegated 2) Avoiding disparities in similar disputes by ensuring that all similar cases of plural vs singular strings are examined by the same expert panellist …..
References:	• SubPro WG Application Evaluation/Criteria_Summary Document, 7 January 2020 • 01. SubPro String Similarity, 16 August 2019

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
69. More guidance on the standard of confusing similarity in singular vs plural words; insufficient clarity in 2012 round	Recommendation for adding detailed guidance on the standard of confusing similarity as it applies to singular and plural versions on the same word, specifically: • Prohibiting plurals and singulars of the same word within the	Yes, in general, but which dictionary?	• Any particular concern with IDN variant TLDs? • Any further need to **discuss with SSAC** on their comment re: a clear and consistent set of rules for 'confusing similarity' to be

	same language/script to reduce risk of consumer confusion (eg. .CAR and CARS) • Expanding scope of String Similarity Review to cover singular/plurals of TLDs on a per language basis: (1) if these are confusingly similar then place in a contention set (2) disallow application for a single/plural variation of an existing TLD (3) consider meaning of strings and not automatically disqualify on basis a single letter difference (eg. .NEW and .NEWS) (4) by using a dictionary		==developed in accordance with the Conservatism Principle==?
70. Eliminating SWORD tool	Recommendation to not use SWORD in subsequent procedures	Yes, SWORD was a disaster	Review replacement process/tool
71. Non- possibility to apply for string "still in system"	Recommendation to disallow fresh applications for any string that is still being processed from a previous application opportunity	• Yes, logically correct, otherwise may lead to unintended contention set. • Also need to have process to terminate any application that has little chance of succeeding and which are not withdrawn in subsequent procedures	Monitor implementation

What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
72.			
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
73. Synonyms in String Similarity Review			Revisit with GAC especially in context of Verified TLDs / standard for strings in highly-regulated sectors
74. Treatment of homonyms			Thoughts?
75. Timing of review vs objection			Monitor implementation – String Similarity Review should be concluded before Objection period starts to allow for meaningful objections and appeal processes.
Position:			

APPLICATION EVALUATION/CRITERIA

Topic/Area:	**[26] INTERNATIONALIZED DOMAIN NAMES (IDN) [2.7.5]**		Priority:	**HIGH**	Settled On:	

Related:	- IDN Variant TLD Implementation - Root Zone Label Generation Rules (RZ-LGRs) **<mark>Risk of DNS Abuse</mark>** **TO NOTE: GNSO Council has convened scoping team to examine policy implications from IDN Varian TLD Implementation and Final Proposed Draft Version 4.0 of the IDN Implementation Guidelines – after examination, team will accordingly suggest to GNSO Council a mechanism (eg SubPro, new PDP/EPDP, other) to address issues**
Key Issues:	Promotion of IDNs and treatment of IDN variants
Policy Goals:	Principle B remains applicable, though can be modified slightly to acknowledge IDNs already in the new gTLD space: "Some new gTLDs should be internationalised domain names (IDNs) subject to the approval of IDNs being available in the root."
Assigned CCT-RT Rec's:	None
References:	- SubPro WG Application Evaluation/Criteria_Summary Document, 7 January 2020 01. SubPro IDNs, 26 August 2019

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
76. IDNs should continue to be an integral part of the program going forward	Recommendation for intent behind Principle B to remain but per UA: Recommendation: WG recommends revising Principle B to read *"Some new gTLDs should be IDNs. Applicants should be made aware of UA challenges in ASCII and IDN TLDs. They should be given access to*	Yes, with suggested amendment that applicants MUST (instead of "should") be given access to all applicable information about UA etc.	

	all applicable information about UA currently maintained on ICANN's Universal Acceptance Initiative page, through the UASG, as well as future efforts."		
77. Compliance with RZ-LGRs should be required for generation of IDN TLDs and valid variant labels	Compliance with Root Zone Label Generation Rules should be required for generation of IDN TLDs and valid variant labels		
78. 1-Unicode character gTLDs permissible for script/language combinations in specific circumstances	1-Unicode character gTLDs may be allowed for script/language combinations where a character is an ideograph (or ideogram) and do not introduce confusion risks that rise above commonplace similarities, consistent with SSAC and Joint ccNSO-GNSO IDN Workgroup (JIG) reports		
79. Automation of compliance with IDNA2008 and applicable RZ-LGRs desirable	To the extent possible, compliance with IDNA2008 (RFCs 5890-5895) or its successors and applicable RZ-LGRs Rules be automated for future applicants		
80. Whether compliance with IDNA2008 and applicable RZ-LGRs removes need for PDT	Compliance with IDNA2008 and applicable RZ-LGRs for scripts an applicant intends to support, then PDT should be unnecessary for the relevant scripts	Not necessarily. We commented that the prudent path would be to maintain PDT regardless. Because PDF covers testing of aspects that could potentially impact stability and manageability of RO operations – DNS, WHOIS, EPP, IDN, Data	In general, PDT should be required. However, in future, there should be 1 PDT for delegation of all IDN variant TLDs alongside the primary applied-for IDN TLD (i.e. 1 PDT for whatever TLD delegated, IDN or ASCII, with or without IDN Variant

		Escrow and Documentation – and IDN variants introduce added complexity to RO operations even if compliant with IDNA2008 or RZ-LGRs.	TLDs) so as to not discriminate IDN TLDs that need IDN Variant TLDs to best serve users. For already delegated IDN gTLDs, there is value in a simple PDT.
81. Same-entity rule for IDNs and their respective variants	IDN gTLDs deemed to be variants of already existing or applied for TLDs will be allowed provided (1) they have the same RO implementing by force of written agreement, a policy of cross-variant TLD bundling and (2) the applicable RZ-LGR is already available at time of application submission		The "Same Entity Constraint" ought to be enforced for all variants, i.e. all variants to be either allocated to the same registrant as the primary label, or blocked. This would require registries (and possibly registrars) to implement the necessary checks during the registration process. Registrants may need to be educated about the reasons why such a constraint exists.
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
82.			
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
83. RZ-LGRs limited to generating IDN variants?	What about when RZ-LGRs are not yet in existence? Should absence lead to variant label being blocked or not being able to be allocated?		Scripts for which RZ-LGRs are not yet in existence need to be blocked or reserved and not be allocated to avoid a situation where another IDN TLD application falls into conflict with the IDN Variant, i.e. there need to be a way to say if a new IDN TLD application arrives, whether it is the

			primary applied-for TLD string or its IDN Variants, they must not conflict with the IDN Variants of the earlier applied for IDN TLD (and its possible IDN Variants)
84. <u>Bundling of SL IDN variants</u>			The appropriate rules for bundling of SL IDN variants are dealt with in the ICANN IDN Implementation Guidelines 4.0, which once adopted as policy, would be incorporated in the RA and RAA. <mark>Adopting the updated IDN Implementation Guidelines should provide a stronger framework for SLDs and bundling.</mark>
85. <u>Making definition of 1-Unicode character gTLDs more precise</u>			Especially relevant to CJK, <mark>should get additional inputs from CKJ communities</mark>
86. <u>Coordination with IDN Variant Management Framework</u>		Risk of DNS Abuse addressed?	<mark>Reliance on the IDN Variant Management Framework 4.0 is required as a community-coordinated approach to mitigating harm to end-users.</mark> Such harm has been seen arising from SLD confusion involving IDN characters which may only be familiar to native users of a script, and exploited maliciously; the eg of "easyjet.com" where the "j" was replaced with the Lithuanian Ogonek. ICANN's publishing of variant tables (and confusables) whose use in TLDs is

			restricted could act as a resource for any bad actor looking for ways to create SLDs which will confuse users, so care must be taken to address foreseeable harm to end-users.
Position:			

APPLICATION EVALUATION/CRITERIA

Topic/Area:	**[27] SECURITY AND STABILITY [2.7.6]**		Priority:	**HIGH**	Settled On:	

Related:	• **Delegation Rates** • Emojis • DNS Abuse mitigation • Systems [2.4.3] – algorithmic checking of TLDs against RZ-LGRs and ASCII string requirements
Key Issues:	• What is a safe rate of delegation of new gTLDs into the root zone? • Banning of emojis as TLDs
Policy Goals:	In respect of Delegation Rates: • The New gTLD Program should be introduced in an ongoing, orderly, timely and predictable manner • Primary purpose of new gTLDs are to foster diversity, encourage competition and enhance utility of DNS • New gTLDs should be delegated into the root zone in a manner that minimises risk of harming operational stability, security and global interoperability of the Internet Implementation Guidance: The application submission system should do all feasible algorithmic checking of TLDs, including against RZ-LGRs and ASCII string requirements to better ensure only valid ASCII and IDN TLDs can be submitted. A proposed TLD might be algorithmically found to be valid or invalid, or verifying its validity may not be possible using algorithmic checking. Only in the latter case, when a proposed TLD doesn't fit all the conditions for automatic checking, a manual review should occur to validate or invalidate the TLD.
Assigned CCT-RT Rec's:	? Rec. 14: Pro-active anti-abuse measures (high priority for SubPro) ? Rec. 16: Support ongoing data collection efforts (eg DAAR) (high priority for SubPro)
References:	• SubPro WG Application Evaluation/Criteria_Summary Document, 7 January 2020

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
87. Be conservative in adding new gTLDs to RZ	In delegating new gTLDs, WG agrees with RSSAC that trouble-free access	Yes	

	to RZ is absolutely critical for all Internet users and therefore ICANN should honor the principle of conservatism when adding new gTLDs to the RZ		
88. Focus on rate of change in RZ	As recommended by both SSAC and RSSAC, ICANN should focus on rate of change in RZ, rather than total number of delegated strings for a given calendar year. Better to think in terms of changes over smaller time periods (eg monthly) • From SAC100 ICANN should focus on the rate of change for the RZ, rather than total number of delegated strings for a given calendar year • From RSSAC031 Rate of change more important than absolute magnitude, based on historical trends and operational experience, number of TLDs delegated in the RZ should not increase by more than circa 5% per month, minor variations from time to time allowed	Yes	
89. Early warning systems to monitor delegation rates desirable	From SAC100 ICANN should continue developing the monitoring and early warning capability with respect to RZ scaling.	Yes	

	This investigation should be completed prior to increasing number of delegations in the RZ		
90. Support RSSAC recommendations	From RSSAC031 • Rate of change more important than absolute magnitude, based on historical trends and operational experience, number of TLDs delegated in the RZ should not increase by more than circa 5% per month, minor variations from time to time allowed • The RZ is uniquely a shared resource upon which all Internet users rely, so it continues to be important to limit rate of adding new gTLDs	Yes	
91. Support for SSAC recommendations	From SAC100 • ICANN should structure its obligations to new gTLD registries so that it can delay addition to RZ in case of DNS service instabilities • ICANN should investigate and catalog long term obligations of maintaining a larger RZ	Yes	
92. Role for and action by CTO	Recommendation that OCTO consult with PTI, Verisign, root operators via RSSAC and larger DNS		

	technical community on above recommendations		
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
93.	•		
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
94. CCT-RT Recommendations 14 and 16 on DNS Abuse mitigation			
Position:			

APPLICATION EVALUATION/CRITERIA

Topic/Area:	[29] REGISTRANT PROTECTIONS [2.7.2]		Priority:	MEDIUM	Settled On:	

Related:	• EBERO – Emergency Back-end Registry Operator • COI – Continued Operations Instrument • Data Escrow, RO performance specifications in Specification 10 RA
Key Issues:	In context of consumer protection: • Whether EBERO and COI should continue to be used to protect registrants? Exemptions tol apply? Any changes required? • Level of applicant screening required.
Policy Goals:	• Principle D remains applicable: "A set of technical criteria must be used for assessing a new gTLD registry applicant to minimise risk of harming the operational stability, security and global interoperability of the Internet" • The program must continue to incorporate measures into the application process and program implementation that provide protection for registrants
Assigned CCT-RT Rec's:	None
References:	• SubPro WG Application Evaluation/Criteria_Summary Document, 7 January 2020 • 03. SubPro Reserved Names, Closed Generics & Registrant Protection, 20 August 2019

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
95. Maintaining registrant protections as is	Recommendation to: • Maintain existing registrant protections, including EBERO and associated triggers for an EBERO event and critical registry functions		

	• Provide exemptions from EBERO requirements to TLDs with applicable Spec 9 RO CoC and Spec 13 .Brand TLDs		
96. Improving applicant screening process	Recommendation to improve background screening process to be more accommodating, meaningful, and flexible for different regions and in different circumstances	Yes	Monitor at implementation level: • No exemption to background screening for public traded companies • Background screening ideally done twice: (1) time of application (to identify unsuitable applicants) and (2) time of contracting (to identify material change)
What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
97.			
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
98. Exemptions from COI	Unclear if exemptions from COI also to be provided under certain circumstances		
Position:			

STRING CONTENTION RESOLUTION

Topic/Area:	**[34] COMMUNITY APPLICATIONS [2.9.1]**	Priority:	**HIGH**	Settled On:	

Related:	• **Community Priority Evaluations (CPE)** • Community Objections distinct from Community Priority Evaluations • Appeals – Accountability Mechanism [2.8.2] • Application Assessed in Rounds [2.2.3] (including Neustar's proposal) – **Priority for next round**
Key Issues:	• Many of the processes and rules applicable to evaluating community applications through Community Priority Evaluations (CPE) were introduced after the 2012 Program was launched, in some cases, with insufficient notice to or understanding by both applicants and the Community, thereby making it not only difficult, but also unfair to applicants and concerned parties/objectors • Third party service provider appointed to undertake CPE process • Lack of clear details to CPE process led to incidences of determinations without given rationales, inconsistent decisions, eg. Definition of "community" • There was no appeal process for CPE determinations, so no opportunity to test the correctness or inconsistencies in determinations
Policy Goals:	• Processes and rules related to Community Applications should be clear and transparent • Implementation of processes and rules should be consistent and predictable • <mark>In respect evaluation determinations, any research relied on for the decision should be cited and a link provided</mark>
Assigned CCT-RT Rec's:	? Rec. 34: Review of procedures & objectives for community-based applications, improvements made before new round is launched (prerequisite for SubPro)
References:	• SubPro PDP WG String Contention Resolution_Summary Document, 7 January 2020 • 01. SubPro Community Applications Update to CPWG, 5 Oct 2019

What has SubPro PDP WG concluded?	**What will/might SubPro PDP WG recommend?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
99. Lack of transparency and predictability with CPE process caused problems	That CPE process must be more transparent and predictable	Yes, however, note details will likely be tagged as implementation task for IRT.	To monitor work of the IRT and provide inputs through IRT (if possible) or as Advice to Board (if necessary)

			High level aspects of concern include: • Need for ==clarity in process flow sequence and timelines in CPE== to be published and adhered to – to not subject applicants to unfairness eg how to distinguish between objections during the stipulated Objection Period and opposition during the evaluation by evaluator? If do not occur concurrently then care must be taken to not allow an objector whose objection was dismissed to repackage objection as an opposition during evaluation • More transparency in ICANN Org's selection of CPE provider • Ability to ==identify conflicts of interest on the part of panellists /evaluators== early on to seek recusal • ==Influence the revision of CPE Guidelines for SubPro to better guide panellists/evaluators== (see next point on next page) especially since we aren't able to participate in appointment of CPE Provider • Applicants to be updated periodically on status of applications throughout CPE process, to improve access to transparency & predictability

100. CPE procedures being published post AGB release reinforced lack of transparency and predictability. Therefore, CPE procedures must accompany AGB when AGB is published.	That all evaluation procedures should be developed <u>before</u> the application process opens and made easily and readily available <mark>In practical terms, this means recommending adoption of the CPE Guidelines of 27 Sep 2013[12] developed by EIU but with amendments</mark>	Yes, we advocated for upfront clarity to CPE procedures. However, note details on CPE Guidelines will ultimately be tagged as implementation task for IRT.	To monitor work of the IRT and provide inputs through IRT (if possible) or as Advice to Board (if necessary) <mark>Elements of concern in CPE Guidelines of 27 Sep 2013 to watch and address include concept of "community", "membership", "relevant" to allow for flexibility when scoring applications</mark>: • <mark>"Delineation"</mark> per EIU list showed clear biased towards 'card-carrying membership organisation', especially professional and trade communities. To note that many communities are often not structured as membership organisations (eg linguistic, cultural communities), and to allow for flexibility in evaluating 'unconventional' letters of support • <mark>"Nexus"</mark> where greater clarity is needed in approach to "identify" communities with a reasonable amount of broadness and with consistency as written in AGB, and not overridden by EIU bias

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[12] https://newgtlds.icann.org/en/applicants/cpe/guidelines-27sep13-en.pdf ; EIU – Economic Intelligence Unit were appointed the CPE Provider for 2012 round

			• ==“Opposition”== where care to be taken in establishing “relevance” – balance of opposition compared to documented support, undue reliance on opposition with little relevance to the targeted community.
101. CPE panellists/evaluators should be allowed and encouraged to obtain clarifications from applicants and opposers as needed.	For CPE panellists/evaluators to utilize a Clarification Questions process to seek clarifications (but not new material) from applicant or opposers on items where panellists have questions or issues with. With opposers, questions regarding claims as to their identity and level of representativeness to affected community would help weed out frivolous letters of opposition, and limit to opposition by real entities, persons and communities.	==Concept exists in 2012 AGB; utilization of Clarification Questions process should be strictly adhered to and not be exploited to allow support/ opposition which would otherwise be out-of-scope or out-of-time.==	To monitor work of the IRT and provide inputs through IRT (if possible)
102. Clarity and consistency in determinations of CPE	If there was research relied on for the decision, it should be cited and a link should be provided	Yes, we advocated for this	To monitor work of the IRT and provide inputs through IRT (if possible)
103. CPE determinations should be appealable	CPEs to be part of new Accountability Framework.	Yes	To monitor work of the IRT and provide inputs through IRT (if possible); ==in particular monitor cost of filing, losing appeals==

What has SubPro PDP WG concluded?	**What SubPro PDP WG will likely omit?**	Is this acceptable? If not, why so?	What else needs to be done and by/with whom?
104. In order to maintain independence in evaluation outcomes, best for CPE to be conducted by third-party professional entity, subject to determinations being appealable	Any reference to CPE evaluation team to include representatives from grassroots community organization or ICANN community volunteers to serve as panel members or advisors	Yes, in order to avoid perceived conflict of interest arguments. Reliance on third-party professional entity is not unacceptable so long as procedures adopted are clear, conflicts of interest avoided and determinations are appealable	To monitor work of the IRT and provide inputs through IRT (if possible) ==It's more important for us to be able to advocate for appropriate revisions to CPE Guidelines for SubPro to better guide panellists/evaluators==
PENDING ISSUES:	SubPro PDP WG reaction	Anything missing?	What else needs to be done and by/with whom?
105. Any preferential treatment for community applications <u>beyond ability to participate in CPE</u>, in event of string contention?	No consensus to accord such preferential treatment	NB. ALAC's comment to provide experts to assist Community Applicants from underserved regions in preparing applications (eg. ASP applicants) or first-time applicants has been noted, likely to be addressed in other sections including Application Support Program.	To cross-check with ASP topic; monitor work of the IRT and provide inputs through IRT (if possible)
106. Geoname issues			See Geonames (pending)
107. Priority in application round?	No consensus		See Applications Assessed in Rounds
Position:	TBD		