
New gTLD Program: Next Round Policy Implementation Plan

Version 4 | June 2024

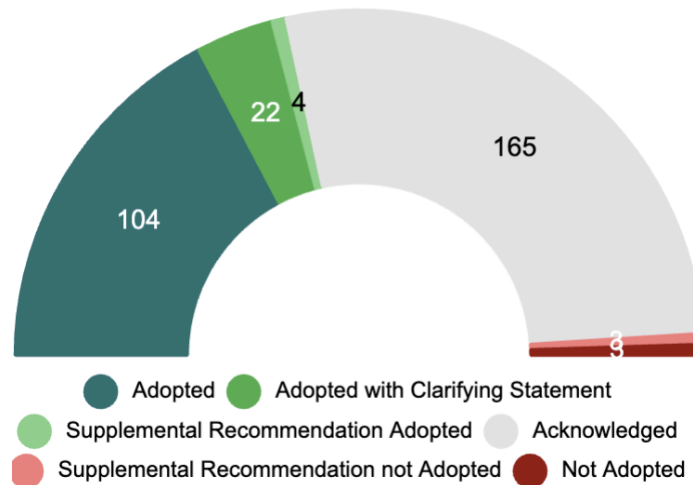
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|-------------------------------------|--------------------------------------|
| Workstream | Policy Implementation |
| Responsible Entity | ICANN org: Global Domains & Strategy |
| Workstream’s Lead Department | New gTLD Program: Next Round |

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Status of This Document

This document is the Next Round Policy Implementation Plan (“the Plan”)¹ for 291 outputs (comprising recommendations, affirmations, affirmations with modification, and implementation guidance²) contained in the [Final Report on the New gTLD Subsequent Procedure Policy Development Process](#) (Final Report) that were adopted, adopted with GNSO Council-approved clarifications, or acknowledged by the ICANN Board in [March](#), [September](#) and [October](#) 2023. This new version of the Plan also includes the four Supplemental Recommendations that were [adopted](#) by the Board in June 2024.³



Policy Implementation Overview

On 16 March 2023, the ICANN Board passed a [resolution](#) on the majority of the final recommendations from the New gTLD Subsequent Procedures (SubPro) Policy Development Process (PDP) Working Group. In its resolution, the Board directed ICANN org to deliver “a working methodology and Implementation Review Team (IRT) work plan and timeline as agreed upon by ICANN org and the GNSO Council”. Consequently, ICANN org launched an IRT to “assist staff in developing the implementation details for the policy to ensure that the implementation conforms to the intent of the policy recommendations” from the SubPro PDP.

The Policy Implementation Workstream is one of four interdependent implementation streams necessary to be completed before a new round of gTLDs can open. The deliverable of this

¹ The previous version of the Plan, which was published in October 2023, can be found [here](#).

² Note: Implementation guidance is not subject to Board approval, though ICANN org will continue to take these into consideration when drafting policy language.

³ For more information on the outputs, please refer to the [March](#), [September](#), and [October](#) 2023 and the [June](#) 2024 scorecards.

policy implementation effort will be the Applicant Guidebook (AGB) for the New gTLD Program: Next Round.⁴

The Implementation Review Team

Role

The role of the IRT is to assist ICANN org in the Policy Implementation Workteam. Per the [Consensus Policy Implementation Framework \(CPIF\)](#) and the [IRT Principles & Guidelines](#), the IRT members:

- Serve as a resource to ICANN org staff on policy and technical questions that arise with regard to the Board-approved recommendations of the [Final Report](#).
- Serve as a resource to ICANN org staff on the background and rationale of the Final Report's policy recommendations and return to the GNSO Council for additional guidance as required.
- Assist ICANN org staff in developing the implementation details for the policy to ensure that the implementation conforms to the intent of the policy recommendations as detailed in the Final Report.

Open + Representative Model

In alignment with the three Board resolutions and subsequent [GNSO Council consultation](#), ICANN org is piloting a “Open + Representative Model” based on the [GNSO's PDP 3.0 model](#). The goal is to provide a structure that allows for efficient resolution of issues if they occur without changing the ability of any IRT member to raise questions or concerns about the implementation approach taken by ICANN org.

If policy questions arise, the GNSO liaison is expected to inform the GNSO Council in accordance with existing guidelines; it is not the responsibility of the IRT to resolve such issues.⁵ Should there be disagreement on the intent and purpose of any of the outputs between ICANN and the IRT, the GNSO Council Liaison, “in consultation with the IRT, is expected to make an assessment as to the level of consensus within the IRT on whether to raise the issue with the GNSO Council [...].”⁶

There are two categories of membership, i.e. ‘participants’ and ‘representatives.’ Both are equal members of the IRT and have the same ability to take the floor and post to the mailing list,

⁴ A new outline for the AGB is currently being developed and will be shared with the IRT as soon as feasible.

⁵ For more information on the IRT's role, please refer to the [IRT Principles and Guidelines](#) and the [CPIF](#).

⁶ [IRT Principles & Guidelines](#).

working constructively with ICANN org to assist in the implementation of the recommendations. Both are also expected to understand the role and remit of the IRT for the implementation project as described in the [SubPro IRT Statement of Participation](#). While participants always speak in their own personal capacity, representatives (or their alternates) are expected to speak on behalf of their constituency, stakeholder group, supporting organization, or advisory committee.

Regarding “Conflict Resolution,” as noted in the IRT Principles & Guidelines, “should [a] disagreement prove irreconcilable...the GNSO Council liaison in consultation with [representatives] from the IRT is expected to make an assessment as to the level of consensus within the IRT on whether to raise the issue with the GNSO Council for consideration, using the standard decision-making methodology outlined in the GNSO Working Group Guidelines.” This process also applies to cases in which there is agreement between the IRT and GDS staff concerning the need for further guidance from the GNSO Council and/or when issues arise that may require possible policy discussion.

Methodology

ICANN org is committed to completing the drafting of the AGB within the proposed time range of 15-24 months; however, given the complexity of the subject matter, it may be necessary to make adjustments to the methodology and timeline in order to ensure that all policy language aligns with the recommendations’ intent and purpose. In such cases, ICANN org will work diligently to make any necessary changes while striving for efficiency.

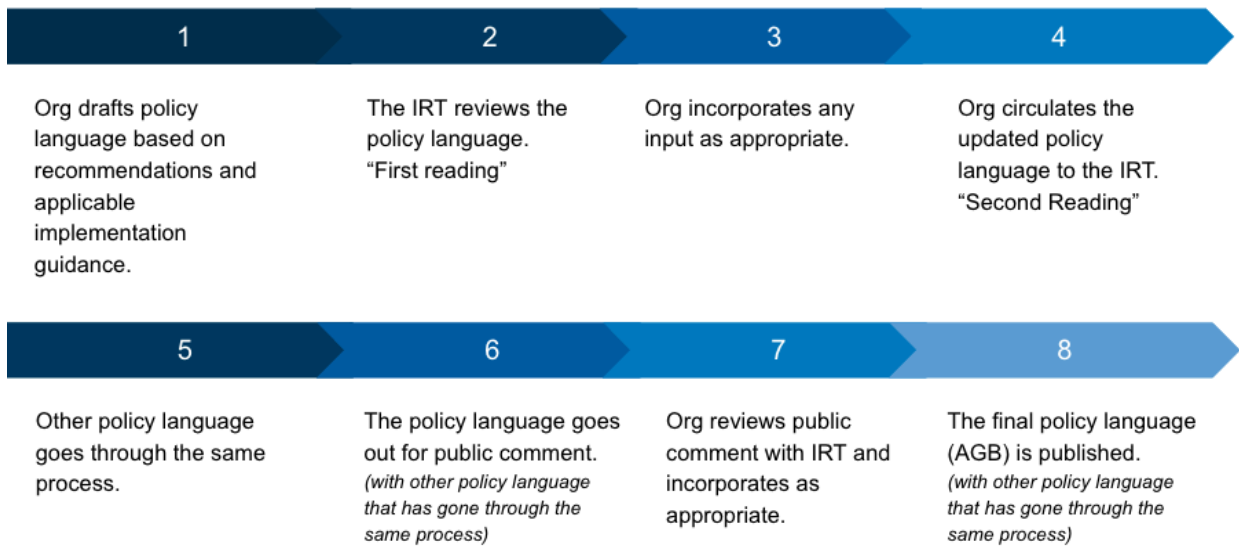
As visualized by the “Efficiency-Oriented Implementation Process” below, ICANN org is tasked with drafting AGB text and requirements based on the recommendation text while taking into consideration any applicable implementation guidance. IRT meetings are only scheduled once ICANN org has draft language ready to share with the IRT and ICANN org is committing to submit new topics to the IRT every 2-4 weeks.

ICANN org submits topics to the IRT prior to an IRT meeting and IRT members are expected to have read all relevant materials (as per the [Statement of Participation](#)). Once materials have been submitted, the working methodology is as follows:

- **Prior to first meeting:** IRT reviews proposed text and provides comments where appropriate.
- **First reading:** During the first meeting after the materials were submitted, ICANN will provide clarifications and rationale, if needed. The IRT will review comments submitted prior to the call and offer additional comments as appropriate. The document will remain open for further comments after the call for at least three days.
- **Continuation of first reading:** If needed, and most likely subject to the topic's complexity, multiple first reading meetings may be required to ensure alignment among

the IRT members regarding their feedback. The first reading is complete once the IRT agrees that all comments have been appropriately added to the draft text, or else voiced on the calls or mailing list.

- **Prior to second reading:** ICANN org will review all comments and produce a redline and a clean version of the updated text.
- **Second reading:** During the Second Reading, ICANN org and the IRT will review the clean version of the updated text, ICANN org will provide rationale where appropriate. Once the second reading is completed, the topic is ready for public comment.⁷
- **Subgroup formation:** In situations where the Second Reading of a Topic X is unfinished before ICANN org is ready to share a new Topic Y with the IRT, an IRT subgroup should be formed to continue discussing Topic X. Simultaneously, the IRT will begin the First Reading of Topic Y. In case more than two such subgroups need to be created, ICANN org and the IRT must agree that there is sufficient resources and time available to productively support these parallel work efforts.



Efficiency-Oriented Implementation Process

⁷ Once a critical mass of topics have completed the Second Reading, ICANN org will post draft AGB text for public comment. See '[public comment](#)' section below in this document. This does not impact the anticipated public comment proceedings of the entire draft AGB, once completed. That is, all draft AGB sections will be posted again for a final public comment once a complete draft of the AGB is available.

Dependencies

The timeline for drafting the AGB is dependent on the successful delivery of all dependencies listed.

1. Board consideration of the following dependencies:
 - IDN EPDP Phase 1 and Phase 2 Final Reports,
 - NCAP Study 2
 - Supplemental recommendations (with the exception of Recommendation 24.3, which the GNSO Council is still considering).
2. Board action on outstanding Advice pertaining to the Next Round:
 - GAC: Auctions (ICANN77 Communique),
 - SAC124: SSAC Advice on Name Collision Analysis.
3. Board to agree on framework for contention resolution.
4. GNSO Council consideration of Recommendations 24.3 and 24.5.

Any outcome of those will then have to be approved via the appropriate mechanisms, which may include some or all of the following: public comment, approval by the GNSO Council, approval by the ICANN Board. Only then can ICANN org work with the IRT on how to transpose the outcomes of these dependencies in AGB language.

Timeline

Due to the complexity of some topics in the Final Report, and the dependencies, the [New gTLD Program: Next Round Implementation Plan](#) currently anticipates that drafting of the AGB will be completed within a range of 15-24 months. It is expected that the AGB will be published no later than December 2025.

Although the completion of the drafting of the AGB is an ICANN org priority and ICANN org staff are committed to providing the IRT with draft language as expeditiously as feasible, it must be noted that changes to the IRT timeline can occur due to a variety of unforeseen factors including, among others, the need for more time to propose draft language, misalignment between IRT members on whether proposed policy language aligns with the intent/purpose of an output, a dependency not delivered on time, and other external factors. If changes do occur, ICANN org will work with the IRT in order to mitigate extensions to the 15-24 month range; an updated work plan will be posted online as soon as it becomes available.

In this context, it should be noted that, to ensure visibility of and accountability for the progress of the AGB drafting, this workplan will be revisited by ICANN org and the IRT on a regular basis, including providing up-to-date timing estimates. Any changes to the timeline must be appropriately publicized. If the rate of progress may put into question the upper limit of the

envisaged time range, ICANN org and the IRT - in consultation with the GNSO Council - shall explore mechanisms to increase the work rate so that the upper range of 24 months is not extended further.

Public Comment Proceedings

Rather than wait for a completed AGB to submit for public comment, AGB text and requirements will be posted for public comment once the IRT has reviewed a critical mass of draft AGB text. Once the public comment closes, ICANN org will produce a staff summary report, and review comments with the IRT and incorporate feedback as appropriate.

ICANN org will inform the IRT in case the review and incorporation of public comments has an impact on the rate at which staff is able to share new draft AGB language with the IRT so that staff and the IRT can decide on the best way to mitigate any timing implications.

Once the AGB is drafted in its entirety, the document as a whole will also be published for public comment in May 2025. Staff will produce a summary report and review comments with the IRT. Once this is completed, the AGB will be forwarded to the Board for its consideration.

Below is a provisional schedule for IRT discussions and Public Comment.

| Public Comment | Topic | Status |
|---|---|--|
| <p>Public Comment Proceeding #1</p> <p>1 February-27 March 2024 (concluded)</p> | <p>2. Predictability 8. Conflicts of Interest 10. Applicant Freedom of Expression 11. Universal Acceptance 21. Reserved Names 21. Geographic Names</p> | <p>Language being updated following Public Comment</p> |
| <p>Public Comment Proceeding #2</p> <p>September 2024</p> | <p>20. Application Change Requests 23. Closed Generics 24. String Similarity Evaluations 28. Role of Application Comment 30. GAC Consensus Advice and GAC Early Warning 33. Dispute Resolution Procedures After Delegation Root Zone Label Generation Rules</p> | <p>Language ready for Public Comment</p> |
| | <p>3. Applications Assessed in Rounds 25. IDNs 19. Application Queuing 31. Objections</p> | <p>Ongoing discussions with IRT</p> |

| Public Comment | Topic | Status |
|--|--|----------------|
| | 15. Application Fees | |
| | 18. Terms and Conditions 22. Registrant Protections | June 2024 |
| Public Comment Proceeding #3 December 2024 | 5. Applications Submission Limits 16. Applications Submission Period 27. Applicant Reviews 32. Limited Challenge/Appeal Mechanism | July 2024 |
| | 4. Different TLD Types 35. Auctions | August 2024 |
| | 29. Name Collisions DNS Stability | September 2024 |
| | 34. Community Applications 9. Registry Voluntary Commitments / Public Interest Commitments | October 2024 |

Please note that the draft of the new Base Registry Agreement will go out for Public Comment separately in Q1 2025 and then again with the entire AGB in May 2025. It is expected that discussions with the IRT on the topic will begin in Q4 2024.

Vendor Engagement for Policy Implementation

As noted in the [New gTLD Subsequent Procedures Operational Design Assessment](#) (SubPro ODA), “The process for growing ICANN org’s capabilities through vendors and third parties to support the New gTLD Program will take part in three phases: exploratory, selection, and long-term management.”

ICANN org has engaged vendors to assist with **Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets** and **Community Priority Evaluation (CPE)**. Additional vendor engagement for the Policy Implementation stream may continue as the program planning and design progresses.

- **Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets**
 - Current Phase: Selection
 - ICANN org worked with a vendor to conduct research on auction mechanisms that may help applicants who are awarded support through the Applicant Support Program (such as bid credits and multipliers). In addition, ICANN org worked with the vendor to assess potential methods

to prevent or strongly disincentivize private resolution of contention sets. The report was [published](#) on 3 June 2024, and ICANN org currently expects to discuss the auctions topic with the IRT by August 2024.

- **Community Priority Evaluation**

- Current Phase: Contracting

- ICANN org is working with a selection of vendors to review the definition of "community" and to assist in the development of evaluation criteria. This work is being conducted in line with the IRT timeline, and ICANN org currently expects to discuss the topic with the IRT by October 2024.