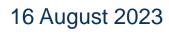
ALAC Proposal for Subsequent Procedures Recommendation 17.2 on Applicant Support

Update/Consultation with the At-Large CPWG

Justine Chew ALAC Liaison to the GNSO





Background

At ICANN77, ICANN Board signaled likely non-adoption of

"SubPro Rec 17.2: The Working Group recommends **expanding the scope of financial support** provided to Applicant Support Program beneficiaries **beyond the application fee to also cover costs such as** application writing fees and attorney fees **related to the application process**."

Why? ICANN Board's concerns are 2-fold:

- "Complete": Scope of financial support to be offered is non-exhaustive (i.e. "such as"); and
- 2. 'Arm's Length': Question of fiduciary duty in requiring ICANN to pay third party service providers, whose work ICANN is essentially evaluating, either directly or indirectly.
- Since ICANN77, GNSO Council Small Team on SubPro
 - Working on how to resolve Board's concerns
 - Now open to receiving proposal from ALAC for consideration



ALAC Proposal on Rec 17.2

Bases

- Essential: ASP is very much needed
- Rec for reduction in application fees stands (this is outside of Rec 17.2)

Completeness

- Holistic: Not only get qualified applicants "through the door" but also to provide some buffer to survive/succeed
 - Support <u>throughout</u> application and evaluation processes up to "approval
 - Preferably, support for post-approval stage as well
- Service providers well versed with:
 - ASP Criteria: public interest benefit, financial need, financial capabilities
 - TLD operations: technical & non-technical, eg. business models, marketing, registrar-reseller relationships, back-end RSP
 - ICANN processes & policies, New gTLD application process
 - Applicant's operating jurisdiction: legal

Arm's Length

No payment to service providers directly



Holistic Applicant Support Program

Full slate of ASP services

<u>Pre-Application Submission &</u> <u>Application Submission Phases</u>

- Consultant: DNS/TLD business model advice
- Consultant: operations, marketing, branding, sustainability planning
- Legal: US & Local
- Consultant: Program Expertise in ASP, Communitybased TLDs & CPE, Application Writing
- Consultant: Selection of Registry Back-end Service Provider
- Consultant: DNSSEC, IPv6 Compatibility
- Consultant: IDN Implementation, IDN Variant Management
- Consultant: Translation

Evaluation Phase

- Consultant: Program expertise, legal support for filing / defending
 - Challenges
 - Appeals
- Consultant: Program expertise, legal – developing enforceable PICs/RVCs
- Consultant: Community Priority Evaluation (CPE)

PDT, Approval & Contracting

 Legal: contracting with ICANN, Registry Back-end Service Provider, etc

+ Additional financial & non-financial support

- Evaluation Fees / Filing fees: Extended evaluations, Objections, CPE
- Bid credit for ICANN Auctions of Last Resort
- Contractually built-in entitlement to apply for a reduction, waiver or deferring of payment of annual registration fees based on circumstances



ALAC Proposal on Rec 17.2: Two options

Option:	1: ASP Incubator	2: Reimbursement
Run by:	Third party operator (not New gTLD Program Operator)	ICANN Org New gTLD Program Operator
Expected services:	 Full slate of services by pro-bono service providers Operator to attract, vet & manage globally dispersed pro-bono service providers Operator to effectively match service providers with applicants Confidentiality to be built-in 	 Whatever slate of services by service providers ICANN org to call for globally dispersed service providers Applicants to select service providers themselves – no-matching by ICANN Confidentiality to be demanded by applicant themselves
Access:	No \$ transaction with successful ASP applicant	Lump sum \$ reimbursement to successful ASP applicant with production of receipts (i.e. payment already made by applicant)
Availability:	Throughout the program, limited only by availability of service providers	One-off payment, capped at US\$[x]
Supplements and/or Tie-ins:	 Evaluation Fees / Filing fees: Extended evaluations, Objections, CPE Bid credit for ICANN Auctions Built-in entitlement to apply for reduction, waiver, deferring of annual reg fees (ICANN Grant Program) 	Bid credit for ICANN Auctions(ICANN Grant Program)
Key Difference:	ASP Fund largely utilized for incubator operation but benefit likely more impactful	ASP Fund largely preserved for successful applicant, but benefit likely less impactful



Which of
Option 1: ASP Incubator or
Option 2: Reimbursement
do you think might be
better for ASP applicants?



Thank you for your participation & input to the ALAC for the GNSO

