

Statement of the Non-Commercial Users Constituency regarding the JAS Recommendation

The Non-Commercial Users Constituency (NCUC) wishes to congratulate the JAS WG on the recommendations it has made to enable the new gTLD program to become one that gives a fair chance to the developing world. As the NCUC, we have been arguing for policies in support of fairness since the time when the new gTLD policy was first being discussed in the GNSO and have continued this by active participation in the JAS WG, including having members serve as the JAS WG co-chair. We are heartened to see that this effort is now being championed by the GAC and the ALAC and want to once again lend our voice to the call for fairness.

We encourage the Board to approve all of the measures in the JAS report, and wish to single out a few that we believe need immediate approval and implementation. Without question, the fee reduction as recommend in the JAS report, where all qualified development economy applicants pay a reduced fee of \$47, 000 USD, is necessary if the new gTLD program is to be considered fair. Even charging development economy applicants \$47,000 USD will be a challenge, but we understand the need for applicants to have some degree of financial stake in the application. To require more would exclude these applicants from any chance of making an application in this round. We accept the arguments as given in the JAS recommendations that making these fee reduction is consistent with the policy recommendation of the GNSO and accept the proposals offered in that document of ways in which the reserve fund portion of the collected fees and the expectation of auction funds can be used to satisfy the requirements for a self funding new gTLD application process

We also support the suggestion in the report, as well as suggestions made by others that the continuity instrument required by applicants need to be made more affordable for the development economy applicant. The requirements in the current Application Guidebook, will be incredibly difficult for regular applicants would be a complete barrier to any applicant from a developing economy. This needs immediate redress.

Finally we urge the Board to accept the proposal in the JAS recommendation for a Board organized working group to create an ICANN Foundation that would as its first goal be able to raise and distribute funds to assist developing economies in meeting the other expenses of creating registries to serve the populations of the world's developing economies. We appreciate the seed funds offered by the ICANN Board and encourage those who have financially benefited so greatly from domain name industry and from their involvement with ICANN to contribute generously

to build on this seed once the Foundation is created. In the meantime we encourage all those who can, to publicly pledge to such a fund in anticipation of its creation.

Respectfully Submitted,

The Non-Commercial Users Constituency (NCUC)