Subsequent Procedures Implementation Review Team ASP Sub-Track

Meetings #17, #18, #19

Applicant Support Program



21 May 2024, 18:30-20:00 UTC 22 May 2024, 14:00-15:30 UTC 23 May 2024, 15:00-16:30 UTC

Objectives & Agenda

- Review Public Comments received on the draft ASP Handbook.
 - a. Discuss considerations for public comments received.
 - b. Present and discuss applicable changes to the draft ASP Handbook resulting from comments received.



Public Comments Received on the ASP Handbook

Agenda Item #1



ASP Handbook Public Comment Summary Report

Published on 15 April 2024

Section 2: Submissions

Name	Submitted by	Initials
At-Large Advisory Committee		ALAC
Business Constituency		ВС
Fédération Méditerranéenne des	Mohamed Tijani BEN JEMAA	FMAD
Associations d'Internet	•	
	Affiliation (if provided)	Initials
ndividuals:	Affiliation (if provided)	Initials
ndividuals: Name	Affiliation (if provided) UASG; NPOC; NCSG	Initials
ndividuals: Name Faheem Soomro		Initials

Section 2a: Late Submissions

At its discretion, ICANN org accepted late submissions from community groups that requested additional time. These comments have been appended to this summary report.

Organizations and Groups:		
Name	Submitted by	Initials
Governmental Advisory Committee		GAC
Non-Commercial Stakeholders Group		NCSG



Themes of Comments Received

- Readability of the ASP Handbook
- Multilingual Support
- Support Applicant Review Panel
- Comms and Outreach
- Purpose of the ASP
- Restrictions
- Program Logistics
 - Program Timeline
 Considerations
 - Evaluation Flow / Deadlines
- ASP Evaluations
 - Evaluation Phase 1
 - Eligible Entity Criteria
 - Financial Categories
 - Deposit
- ASP Funding Plan

- Support Available to Applicants
 - Level of Fee Reduction
 - Non-financial Support
- Other
 - Post Program Evaluation
 - Terms and Conditions
- Additional Handbook Changes



Readability of the ASP Handbook



Readability of the ASP Handbook - Comments Received

• ALAC:

In subsection 5.1, all references to internal or external information (e.g. OFAC, UDRP, ACPA, etc.) should be hyperlinked to their authoritative sources.

NCSG:

- We have run sections of the Next Round Applicant Support Handbook through Readability Scoring Systems and found its text to be on par with the New York Times, namely, "Extremely Difficult."
- To that end, let's make this document clear, understandable, easily readable and accessible to the indigenous peoples, Global South commercial and noncommercial entities, associations, INGOs and NGOS, and others we hope will come forward... We urge ICANN Staff to rewrite this Handbook and help it become as accessible as our marketing program for New gTLDs.

• <u>BC</u>:

The BC appreciates the work that has gone into the ASP handbook. The handbook is quite detailed and dense. In addition, it has a number of acronyms and procedures that may not be well known within the communities targeted by the ASP. The BC suggests that the ASP contain a step-by-step applicant check list to facilitate understanding.



Readability of the ASP Handbook - ICANN org Implementation

- ICANN org worked on improving the readability and accessibility of the ASP Handbook by simplifying language where feasible as a part of public comment updates.
 - It is important to balance this task with the need to include necessary information and details on the program.
- It should also be noted that as a part of communications, outreach, and capacity development, ICANN org plans on providing more simplified information on the ASP for entities interested in applying.
- ICANN org will also be providing a User Guide on the ASP Application System for interested applicants.



Readability of the ASP Handbook - Handbook Changes

Proposed Handbook changes:

- Hyperlinks added where available.
- Footnotes removed and added to main text.
- Added colored text boxes to highlight important information.
- ICANN org conducted a review of ASP Handbook language for simplification of terminology and sentence structure where feasible.
- Criteria tables have been updated for readability and to match the application questions and required documentation as listed in the ASP Application System.



Multilingual Support



Multilingual Support - Comments Received

ALAC:

 Regarding subsection 7.3, we would like to clarify whether applicants answering clarifying questions could do so in languages other than English.

• Faheem Soomro:

 It is suggested to have multilingual customer support to assist applicants in understanding the application process better and addressing any language barriers they may face.

• GAC:

 The GAC also highlights that complementary actions will need to be taken to ensure that the ASP handbook can be fully utilized, including, but not limited to, providing the handbook in a variety of languages.



Multilingual Support - ICANN org Implementation

- ICANN org notes that English is the authoritative language for all ICANN business and that all applications, as well as for the main round, must be submitted in English.
 Following the standard for the New gTLD Next Round program, ICANN org added clarification in the ASP Handbook that applications must be submitted in English.
- The ASP Handbook will be translated into the other UN languages.
- ICANN Global Support provides multilingual support for phone calls using a 3rd party vendor providing live interpretation service, and support for cases received in language using machine translations to understand the request, and provides responses to cases in English only.



Multilingual Support - Handbook Changes

Proposed Handbook change:

 Text added to clarify that English is the authoritative language for ASP applications, in line with the New gTLD Program: Next Round.



Support Applicant Review Panel (SARP)



Support Applicant Review Panel (SARP) - Comments Received

ALAC:

 Currently, the draft Code of Conduct and Conflicts of Interest Guidelines are intended for the Next Round's Applicant Guidebook subsection 4. Code of Conduct Violations refers to subsection 1.4.2, which is still pending. A look at the same subsection in the 2012 Applicant Guidebook does not reveal an explicit mechanism for applicants to submit concerns (if any) to ICANN.org.

• BC:

The BC did not find support in the SubPro report for the outsourcing of the applicant support review panels. The BC notes that the ICANN community is made up of members who have significant experience in the areas that are to be outsourced. The BC questions whether incurring an expense of this nature conflicts with the goals of the ASP program, and creates an expense that draws money from the program.

• GAC:

The GAC believes that a globally representative SARP (Support Application Review Panel) will be crucial to delivering a successful ASP. Section 7 states that the third-party vendor responsible for convening SARPs "should also have the capability to formulate SARPs that are diverse in terms of geography, language, race/ethnicity, and gender". This is essential, and the GAC suggests the SubPro IRT ASP sub-track working group recommend a minimum requirement in regards to geography – specifically, a minimum of one evaluator from each of ICANN's globally recognized region 2 – as well as establishing minimums for language, race/ethnicity and gender thresholds on the SARPs.



Support Applicant Review Panel (SARP) - ICANN org Implementation

- Regarding Conflicts of Interest: ICANN org appreciates this comment and will look further into this issue as work proceeds on this topic.
- Regarding the use of a third-party vendor: Since the SubPro ODA, ICANN org has been planning to use an independent third-party vendor to conduct the ASP evaluation.
 - SubPro ODA: "The SubPro Final Report implies that the Support Applicant Review Panel (SARP) would be constituted similarly to the 2012 round, as a community-based panel. Though none of the outputs explicitly call for this. ICANN org proposes a contracted vendor as the SARP to avoid conflicts of interest."
 - o In addition, the <u>research on other globally recognized programs</u> (pp. 40-41) indicated that best practices include independent, objective evaluation drawing upon diverse panelists to ensure an appropriate breadth of expertise.
- Regarding diversity of the SARP panelists: In the SARP RFP, ICANN org referenced the CCWG definition of diversity. Though, the RFP submission period has closed, ICANN org certainly considers and prioritizes the proposed diversity of the SARP panelists in its review of proposals received.
 - For the CCWG definition of diversity please see the Diversity section on page 9 of the <u>Cross Community Working Group on Enhancing ICANN Accountability</u>
 (<u>CCWG-Accountability</u>) <u>WorkStream 2's Final Report</u>, also shown on following slide



Support Applicant Review Panel (SARP) - ICANN org Implementation

CCWG definition of diversity

"Recommendation 1: SO/AC/groups should agree that the following 7 key elements of diversity should be used as a common starting point for all diversity considerations within ICANN:

- Geographic/regional representation
- Language
- Gender
- Age
- Physical Disability
- Diverse Skills
- Stakeholder group or constituency"

Communications and Outreach



Communications and Outreach - Comments Received (1/2)

ALAC:

We understand and support the call made in the (Draft) ASP Handbook to potential ASP applicants to submit their applications for Applicant Support as early as possible. However, we are also cognizant of the overall time remaining until the opening of the ASP application period (targeted for some time in Q4 of 2024) to not only create awareness of the ASP but to do so by way of outreach to parts of the world where potential candidates for ASP reside, and with sufficient details of the ASP in order for such candidates to consider participating and preparing their ASP applications for submission.

• <u>GAC</u>:

The GAC welcomes the aim to have a 12 month application submission period for the ASP, which will allow applicants to have time to complete their applications and draw on assistance in doing so, for example through pro bono services.
Outreach and promotion of the ASP (through an ASP communications and outreach strategy) well ahead of the submission period will be essential to ensuring applicants are fully informed of the benefits of applying and can assess the potential to do so in advance of the opening of the submission period.



Communications and Outreach - Comments Received (2/2)

- James Kunle Olorundare, UASG; NPOC; NCSG:
 - With the start of applications for Applicant Support opening in Q4 of 2024 until Q4 of 2025, this does not leave much room for the required breath of outreach and engagement needed to sell the program across the global south where this support is most needed. It is my hope that whilst all necessary steps are put in place to kickoff outreach efforts, at least six months into the application window closing, credible outreach should still be in full swing across the global south.



Communications and Outreach - ICANN org Implementation

- The New gTLD Program: Next Round Engagement and Outreach Plan was shared with the IRT on 16 May 2024.
- ICANN org agrees on the importance of a sufficient communications and outreach period. The plan is to kick off communications and outreach 6 months prior to the opening of the ASP application submission period.
 - See the <u>SubPro Operational Design Assessment (ODA)</u> (pp. 336-337) and the <u>Next Round Implementation Plan</u> (pp. 31-34) where ICANN org has previously discussed this.
- ICANN org has a global network through regional staff that will be disseminating
 information on the ASP, in advance of the ASP application submission period opening.
 This will start at a grassroots level and move to a full campaign prior to the ASP
 application submission period beginning. Outreach will also continue through the
 ASP application submission period.



Purpose of the ASP



Purpose of the ASP - Comments Received (1/2)

- <u>Mohamed Tijani BEN JEMAA, Fédération Méditerranéenne des Associations</u>
 <u>d'Internet</u>:
 - To be successful, the ASP must support applicants from the underserved regions and communities and bring diversity in the DNS industry. Failing this goal, the program wouldn't be successful even if it supports a big number of applicants.

• GAC:

The GAC strongly recommends that section 5 of the ASP Handbook open with a statement to focus on the intent to highlight the program's global focus... "The ASP is designed to provide financial and non- financial support to qualified candidates, as defined in the criteria and indicators below. ICANN's mission is to help ensure a stable, secure, and unified global Internet and as such strongly encourages and welcomes applications from across the globe".



Purpose of the ASP - Comments Received (2/2)

GAC (continued):

- The GAC welcomes the Working Group's affirmation that "the primary Purposes of new gTLDs are to foster diversity, encourage competition, and enhance the utility of the DNS". Recalling the rationale for the Applicant Support Program (ASP) to be conceptualized to support a 'remedial' round which emanated from members of the ICANN community1, the GAC would support the addition of the term 'global geographic' ahead of diversity.
- The GAC recognises the difficulty in striking a balance between flexibility (making the program accessible and encouraging applicants to apply) and managing risk (ensuring that the ASP is not at risk of gaming). The GAC strongly recommends that focusing the ASP on global underserved regions (as defined by the GAC Underserved Regions Working Group) will prevent such gaming while keeping the ASP open and flexible. This can be achieved by including text at the opening of the section that "the ASP is intended to diversify the new gTLD application program in pursuit of ICANN's global mission and therefore organizations from across the world are encouraged to apply, noting that applications from entities in territories with a well developed DNS industry are not appropriate for the purpose of the ASP".



Purpose of the ASP - ICANN org Implementation (1/3)

- <u>SubPro Final Report</u> Affirmation 1.3: "The Working Group affirms that the primary purposes of new gTLDs are to foster diversity, encourage competition, and enhance the utility of the DNS."
 - ICANN org Communications team can help emphasize global geographic diversity in their target audience and messaging.
- Regarding ICANN's mission: It may not be appropriate to expand upon ICANN's mission statement in the ASP Handbook. The ASP Project Team will look for other opportunities to stress this point in its communications and engagement on the ASP.
- Regarding number of applicants from underserved regions as a measure of success: The <u>GGP for ASP</u> articulated metrics for success for the ASP – this is the basis for the approach in the ASP Handbook as well as the Comms and Outreach for ASP.



Purpose of the ASP - ICANN org Implementation (2/3)

- Regarding the appropriateness of applications from areas with a well developed DNS:
 There is no policy basis in the <u>SubPro Final Report</u> to restrict applicants to underserved regions:
 - Recommendation 17.1: The Working Group believes that the high-level goals and eligibility requirements for the Applicant Support Program remain appropriate. The Working Group notes, however, that the Applicant Support Program was not limited to least developed countries in the 2012 round and believes that the Program should continue to be open to applicants regardless of their location as long as they meet other program criteria. Therefore, the Working Group recommends the following language in place of Implementation Guideline N: "ICANN must retain the Applicant Support Program, which includes fee reduction for eligible applicants and facilitate the provision of pro-bono non-financial assistance to applicants in need." The revised language updates the original Implementation Guideline to:
 - acknowledge that the Applicant Support Program was in place in the 2012 round
 - include reference to pro-bono non-financial assistance in addition to fee reduction
 - eliminate the reference to economies classified by the UN as least developed, as the Program is not limited to these applicants.



Purpose of the ASP - ICANN org Implementation (3/3)

- There is, however, a policy basis to focus outreach efforts on underserved regions, and ICANN org plans to do so:
 - Recommendation 17.6: Outreach efforts should not only target the Global South, but also those located in struggling regions that are further along in their development compared to underserved or underdeveloped regions. In addition, the evaluation criteria for Applicant Support must treat those applicants similar to those currently set forth in Criteria #1, Section 4 (Operation in a developing economy) of the Financial Assistance Handbook.
 - The GNSO Guidance Process for ASP also provided a <u>guidance</u> recommendation (#1) for communications and outreach/awareness to this effect.



Restrictions



Restrictions - Comments Received (1/2)

• <u>BC</u>:

- Section 5 does not contain paragraph 17.17 of the implementation guidance. This paragraph is particularly important to prevent those who use the ASP program from transferring their applications to entities who might generally be disqualified from the ASP program. The restriction in paragraph 6.1 regarding "changes" does not prevent such a transfer, since a transfer might take place after an application has been reviewed and approved.
- Language and text in the applicant support guidebook seems to imply that every applicant will only be allowed to submit a single application and that a consulting firm can only submit one on behalf of a single entity throughout the process. For example text in the guidebook states that "Applicants are not allowed to re-apply," hence this suggests that only one application is allowed per applicant... what path is available for an applicant seeking to submit an application for an IDN variant of the same string being applied for, or an applicant desiring to submit two or more independent applications in the same round? where more than one application is permitted would there be a means of prioritizing the choice of what would be awarded support.



Restrictions - Comments Received (2/2)

James Kunle Olorundare, UASG; NPOC; NCSG.

As the Applicant Support window opens months ahead of the New gTLD application round and recipients for an award are required to be informed of the level of support to be granted them or not, it is not clear if there would be a requirement to disclose such gTLD or brand names support is being sort for. It is therefore presumed that such confidential details would not be required for disclosure in the bid to seeking Applicant support. As such the guidebook not mentioning any restrictions to the kinds of TLD to be supported, means it is open to every form of support including city TLD's.

• ALAC:

 Under Table 1 (and correspondingly in section 8), the prohibition against re-applying must state applicability to just the current round (and not imply a permanent prohibition).



Restrictions - ICANN org Implementation

- Regarding variants/multiple applications: 3 questions identified from the public comment below.
 - What path is available for an applicant seeking to submit an application for an IDN variant of the same string being applied for?
 - Please refer to the <u>IDNs EPDP Final Report</u> (pending board consideration) and how many variants you can get with one application.
 - What about an applicant desiring to submit two or more independent applications in the same round?
 - Supported applicant entities that apply to the New gTLD Program will be restricted to one gTLD application submission.
 - If an applicant can afford to apply for more than 1 gTLD string then they likely will not meet financial need criteria and therefore would not qualify for support.
 - Where more than one application is permitted would there be a means of prioritizing the choice of what would be awarded support?
 - See bullet above.
- Regarding Change of Control: See bracketed text in Section 5.6: Restrictions around change of control (pending outcome of additional work on auctions).
- There is no restriction on TLD types for applicant support. Applicants to the ASP are asked
 not to disclose their string during the ASP application submission period.



Restrictions - Handbook Changes

Proposed Handbook changes:

- Addition to Section 5.6: Restrictions: [Supported applicants' that prevail at auction may be restricted from change of control, per IG 17.17].
- Inclusion of a note in Section 5.6: Restrictions that the ASP strings may be reviewed during the objections process in the New gTLD Program: Next Round.
- Clarification added to Section 5.6: Restrictions that an applicant cannot apply twice for ASP in the same round.



Program Logistics



Program Logistics: Program Timeline Considerations - Comments Received (1/3)

ALAC:

- Does "complete applications submitted before pause on new applications" mean applications that are judged by ICANN.org as applications not having any missing information, or does it include any applications submitted with the chance of being completed through the additional request for missing information?
- o If such an applicant informs ICANN.org of its intention not to apply for a new gTLD string shortly before the gTLD application submission window opens, how would this allow for additional applications for support to be received when the ASP application period would have closed?... the timing for such notification by an ASP qualifier and the allowance for additional applications for support has to be carefully considered.
- [Regarding Section 3: Applicant Support Program Timeline] The two
 disclaimers in paragraph 3, which begin with "Though ..." should be
 properly highlighted as the factors alluded to will impact both potential
 applicants and applicants that have already submitted their ASP applications.

Program Logistics: Program Timeline Considerations - Comments Received (2/3)

• GAC:

- The GAC also recommends that no 'pause' in accepting applications is introduced during the ASP application submission period. This would be unfair to applicants preparing their applications to submit within the advertised period and as such, may distort the outcomes of the program. For example, the GAC notes that applicants who will require translation services to make their application are likely to be negatively affected in such an instance as their application process will require time for this extra step.
- The GAC emphasizes that ICANN org should make every effort to ensure Applicants know whether they have qualified for support in advance of the gTLD application submission Period. In that regard, the GAC recommends that the word 'may' be revised to 'should' in the following sentence: "In the case that an ASP applicant waiting for ASP evaluation results submits a gTLD application and pays the base gTLD application fee, the ASP applicant may should be eligible for a refund should the applicant qualify for support".

Program Logistics: Program Timeline Considerations - Comments Received (3/3)

James Kunle Olorundare, UASG; NPOC; NCSG:

- It is heartwarming to note that Applicants who apply early would not need to wait till the end of the process to be informed if they qualify for support or not. However, the import of this statement is not clear and should be worded better for clarity.
- [I]f applicants are going to receive an evaluation result within 12-16 weeks of applying and assuming this is done in Q4 of 2024, it is not totally clear how applicants applying in the weeks ending the application process impacts those who have qualified.
- [Regarding ICANN org retaining the option to extend the ASP application submission window] it would be necessary to seek clarification from the relevant authorities overseeing the ASP and the New gTLD Program.

BC:

[T]he BC is concerned about the following statement: Though, depending on the volume of ASP applications received in the final weeks of the ASP application submission period, applicants may not know whether they have qualified for support in advance of the gTLD application submission period. The BC is concerned that applicants using the ASP process will expend significant amounts of time on ASP applications, only to have the gTLD applications open without certainty about their funding. This period of time may also create an opportunity for others to "game" the system.



Program Logistics: Program Timeline Considerations - ICANN org Implementation (1/2)

- ICANN org is cognizant of the challenges ASP applicants may face around applying for support at the last minute and encourages potential applicants to apply early, both in the ASP Handbook and as a part of outreach, engagement, and capacity development.
- ICANN org is looking to mitigate the risk of ASP applicants not knowing their qualification status in advance of the New gTLD Program: Next Round by discouraging applicants from applying in the final weeks of the ASP application submission period and to shortening the deposit period to 30 days, with exceptions allowed on a case by case basis (more discussion on this in the deposit section).
- The New gTLD Program: Next Round application submission period will be open for a similar time period to the 2012 round. The current timeline anticipates a ~6 month gap between the ASP application submission period closing and the New gTLD Program: Next Round application submission period opening.
- Recognizing that some ASP applicants may need translation support for supporting documentation, the ASP does not require documentation to be translated before submission and ICANN org will provide translation services as needed (noting that this may add processing time for their application).
- Clarifying Questions (CQs) only apply to completed applications.



Program Logistics: Program Timeline Considerations - ICANN org Implementation (2/2)

- Regarding the pause on processing applications: To inform budgeting for the Next Round gTLD application fee (and ICANN org's contribution), the ASP budget and funding plan need to be confirmed in advance of the ASP application submission period.
 - If the volume of ASP applications received and/or the number of qualified applicants exceeds the available budget, ASP application processing and evaluation will need to be paused to avoid going over the budgeted amount.
 - The pause in processing applications would only come into play in the scenario that demand exceeds available budget, and the GGP for ASP has advised a methodology for resource allocation to address this scenario (see later slides on Level of Fee Reduction).
- ICANN org is currently working on a process for queuing to address the timing and impacts that may result from the scenario where demand exceeds budgeted resources.
- ICANN org notes that any modification to the ASP application submission period would be assessed based on the number of applications received, remaining available funds, and would go through the necessary internal reviews and approvals.



Program Logistics: Program Timeline Considerations - Handbook Changes (1/2)

Proposed Handbook changes:

- The Deposit was shortened to 30 days, with exceptions allowed on a case by case basis (more discussion on this in the deposit section).
- Disclaimers were highlighted in Section 3: Applicant Support Program Timeline in the ASP Handbook.
- Example scenarios were added for cases when ICANN org would consider extending the ASP application submission period, in Section 3: Applicant Support Program Timeline:
 - 1) Not enough ASP applicants have qualified (<40)
 - 2) Some ASP applications are in process, or are yet to be submitted, and budget remains for support.



Program Logistics: Program Timeline Considerations - Handbook Changes (2/2)

Proposed Handbook changes (continued):

 The Handbook has been updated to explain that the gTLD application submission period is open for 12-15 weeks (exact length TBD, this range taken from <u>Next Round Implementation Plan</u>, p. 49).



Program Logistics: Evaluation Flow / Deadlines - Comments Received (1/2)

ALAC:

- [W]e think there is a need to emphasize (as indicated by the Figure 2 Flowchart) that if an applicant fails at any evaluation category, then evaluation stops and does not proceed with the next evaluation category/categories... we suggest that the relevant sentence be amended as follows: "All ASP applicants will be evaluated against the following evaluation categories (see: Figure 2. High Level Eligibility Flowchart), where upon failure to pass one Phase 2 category will result in non-necessity to move to the next category of evaluation under Phase 2."
- Consider setting a deadline for submission of missing required documentation but give reasonable ability to request for an extension of time, as lack of a deadline or unreasonable delay by an applicant will likely impact other applicants' opportunity to also secure ASP benefits (e.g. higher % of fee reduction) in respect of their submitted applications.
- Could the indicative 12-16 weeks evaluation period be broken down further to enable an applicant to expect a result within the first x week(s) if it failed the Phase 1 General Business Due Diligence check?
- the eligibility for a refund of any prepaid supported portion of gTLD string application fees ought to be accompanied by a timeframe for such refund. This should appear either in the ASP Handbook, the AGB, or both.



Program Logistics: Evaluation Flow / Deadlines - Comments Received (2/2)

• NCSG:

- The extent and nature of permissible modifications and their respective deadlines have not been clearly outlined in Section 6 ("Applicant Support Program Application Process") of the ASP Handbook. It is essential to clarify what changes are allowed and the process for implementing them, including specific timelines.
- The NCSG recommends establishing clear guidelines for the clarifying questions process, including a fixed timeline for responses and a limitation on the number of follow-up questions. Provide examples of common queries to help applicants prepare in advance.

Faheem Soomro:

The applicant needs to provide all required documents within a designated time period. This helps ensure efficiency in the application process and gives applicants a reasonable timeframe to address any deficiencies in their submissions. It further allows us to filter out vague applications and ensure that we can proceed with a thorough evaluation.

• GAC:

The GAC... stresses the importance of providing flexibility to applicants who seek to make changes to their application through the process. For example, by using a flexible range for updating ICANN Org 'in a timely manner' of any material changes to information previously submitted on their application.



Program Logistics: Evaluation Flow / Deadlines - ICANN org Implementation (1/2)

- Phase 1 is General Business Due Diligence. Applicants indeed must pass all categories to qualify this phase. Applicants must pass Phase 1 to go to Phase 2. If an applicant makes it to Phase 2 they will have to go through the entire process, in order for applicants to understand where they did not pass and improve for future rounds.
- ICANN org would let applicants know if they do not pass Phase 1. There is anticipated to be a status to say when the application was received, when it is in review, and when the applicant's results are ready. Timing depends on many factors such as volume of applications.
- Application processing times can vary between 12 16 weeks. This encompasses the time from application submission to conditional results (prior to receiving deposit payment).
- Translations of required documents, seeking responses to clarifying questions, and/or responding to change requests will result in longer processing times (up to approximately 21 weeks, depending on the number of documents requiring translations and applicant response times).
- Applicants that qualify for the program, will be notified of their conditional approval, and will be changed to fully approved after confirmation of deposit received has posted.
- Upon receipt of the deposit, conditionally-approved applicants will be notified of their final approval, along with further instructions on financial and non-financial support.
- The number of days to submit a deposit has been updated to 30 days. Exceptions made on a case-by-case basis to ensure accurate data on the number of qualified applicants.



Program Logistics: Evaluation Flow / Deadlines - ICANN org Implementation (2/2)

- Note: Applicants can **not** submit the application until **all** of the required documents are uploaded.
- Regarding uploading additional documentation as a part of clarifying questions: applicants will be given a timeframe to respond, currently bracketed text noting six weeks. This, however, may be revisited pending the outcome of supplemental recommendation 32.1.
- Regarding change requests: Depending on the type of change, this might require an applicant's application to be re-evaluated, which may impact their spot in the queue.
- ICANN org anticipates standardizing the time period for notifying ICANN of changes across all programs and will update accordingly.
- ICANN org anticipates sharing a draft of the T&Cs to the SubPro IRT ASP Sub-Track after the AGB T&Cs are discussed with the full IRT in June.



Program Logistics: Evaluation Flow / Deadlines - Handbook Changes

Handbook Changes:

- Regarding comments on adding deadlines: ICANN org will make updates and add additional detail after the Board's consideration of supplemental recommendation 32.1 (Limited Challenge/Appeal mechanism).
- ICANN org added language to the Handbook stating that refunds will be processed as quickly and efficiently as possible. Manual processes are being defined as a part of work on the New gTLD Program: Next Round shared services, and therefore cannot yet be defined in the ASP Handbook.



ASP Evaluations



ASP Evaluations: Phase 1 Evaluation - Comments Received (1/2)

ALAC:

- We would like clarity on the following:
 - (a) whether in passing the ASP Phase 1 General Business Due Diligence check means that the ASP qualifier would not need to undergo the General Business Due Diligence check under the gTLD string application evaluation (whether in full or otherwise) and
 - (b) conversely, whether failing ASP Phase 1 General Business Due Diligence would in any way prevent an applicant from applying for a gTLD string without the support and undergoing the gTLD string General Business Due Diligence check (again).
- [W]e think it is equally important to include a reference to non-affiliation with an existing Registry Operator and/or another non-ASP gTLD application as a second criterion to be consistent with subsection 5.2.



ASP Evaluations: Phase 1 Evaluation - Comments Received (2/2)

<u>Faheem Soomro</u>:

 [Regarding Legal Compliance check] I believe there should be a channel via GAC to establish credibility for applicants with their respective country of residence.

• NCSG:

- [Regarding Background Screening/Legal Compliance Check] The thoroughness of these procedures may unintentionally exclude organizations from countries where obtaining legal documents is challenging due to intricate regulatory systems
- The NCSG recommends a consideration clause for entities facing systemic barriers in obtaining the required legal compliance documentation, allowing for contextual evaluations through local/regional third parties.



ASP Evaluations: Phase 1 Evaluation - ICANN org Implementation (1/2)

- Applicants will still need to go through the full gTLD application evaluation, meaning that General Business Due Diligence checks will need to be carried out separately. The ASP and the full gTLD application round are two separate programs, and there are also time limits on how long these checks remain valid.
- Failing phase 1 in ASP will **not** preclude an applicant from applying for a gTLD in the New gTLD Program. However, that applicant will still have to pass Background Screenings and Legal Compliance Check for the New gTLD Program: Next Round.
- ICANN org has a well established process for conducting Legal Compliance Checks. ASP is applying ICANN's general practices for how it implements Legal Compliance Checks. No documentation is required for the Legal Compliance Check. For the Background Screenings, minimal documentation is required, in line with the New gTLD Program application.



ASP Evaluations: Phase 1 Evaluation - ICANN org Implementation (2/2)

- For Nonprofits/Charitable Organizations:
 - ICANN will accept a formal document or certificate acknowledging the applicant's charitable status or a current, valid Equivalency Determination (ED) certificate completed by a qualified tax practitioner.
 - ICANN org started by looking at what relevant actors in this space do, such as NGO Source (a program of TechSoup), and ran this by the IRT, making the criteria yet more lenient than what TechSoup requires. ICANN org also included Localized Eligibility Definitions (LEDs) and ED criteria based on published resources, but adapted them to be even less stringent for ASP.



ASP Evaluations: Phase 1 Evaluation - Handbook Changes

Handbook changes:

 ICANN org added a reference to non-affiliation with an existing Registry Operator and/or another non-supported gTLD application to section 2.2.



ASP Evaluations: Eligible Entity Criteria - Comments Received (1/2)

- <u>Lawrence OlaWale-Roberts</u>, <u>Business Constituency</u> (<u>BC</u>):
 - [M]edium and large businesses from developing regions may very well require applicant support to apply for a gTLD... Small businesses from the global north that may require Applicant support for their brands and as a gTLD should also be encouraged to apply.

• NCSG:

While the criteria for eligible entities are thorough, the insistence on extensive documentation and the need to prove direct social impact or public benefit may pose difficulties for smaller non-profits or newly formed social enterprises, especially those with limited resources... To address this, the NCSG suggests introducing more flexibility in the documentation requirements and considering alternative ways of demonstrating impact and benefit that are easier for recently established indigenous groups and smaller entities, particularly those from the Global South.



ASP Evaluations: Eligible Entity Criteria - Comments Received (2/2)

- Mohamed Tijani BEN JEMAA, Fédération Méditerranéenne des Associations d'Internet:
 - Only one of the 5 possible entries to the ASP concerns applicants from the global south and 4 of them permit the support for applicants from the global north. And even the one that concerns applicants from global south is not exclusive to the underserved regions and countries.

ALAC:

- [Recommendation f]or the inclusion of other conditional considerations to accommodate situational hardships due to ongoing political crisis/instability that perpetuates political and policy changes, forcing the relocation of businesses to other jurisdictions (e.g. in Myanmar, Afghanistan)
- [Recommendation f]or ICANN org to provide a template to guide better any "Narrative Statement" requested of an applicant.



ASP Evaluations: Eligible Entity Criteria (1/5) - Relevant Policy Inputs

- ICANN org does not have a policy basis to restrict to certain geographies per the <u>SubPro Final Report</u> (see below):
 - Rec 17.1: Implementation Guideline N from 2007 states: "ICANN may put in place a fee reduction scheme for gTLD applicants from economies classified by the UN as least developed." The Working Group recommends that as was the case in the 2012 round, fee reduction must be available for select applicants who meet evaluation criteria through the Applicant Support Program. The Working Group further recommends new types of financial support for subsequent procedures that were not part of the Program in 2012, specifically, coverage of additional application fees (see Recommendation 17.2) and a bid credit, multiplier, or other similar mechanism that applies to a bid submitted by an applicant qualified for Applicant Support who participates in an ICANN Auction of Last Resort (see Recommendation 17.15 and Implementation Guidance 17.16 and 17.17). In addition, the Working Group recommends that ICANN facilitate non-financial assistance including the provision of pro-bono assistance to applicants in need. Further, ICANN must conduct outreach and awareness-raising activities during the Communications Period to both potential applicants and prospective pro-bono service providers.



ASP Evaluations: Eligible Entity Criteria (2/5) - Relevant Policy Inputs

- Rec 17.1 (continued): The Working Group believes that the high-level goals and eligibility requirements for the Applicant Support Program remain appropriate.
- The Working Group notes, however, that the Applicant Support Program was not limited to least developed countries in the 2012 round and believes that the Program should continue to be open to applicants regardless of their location as long as they meet other program criteria. Therefore, the Working Group recommends the following language in place of Implementation Guideline N: "ICANN must retain the Applicant Support Program, which includes fee reduction for eligible applicants and facilitate the provision of pro-bono non-financial assistance to applicants in need." The revised language updates the original Implementation Guideline to:
 - acknowledge that the Applicant Support Program was in place in the 2012 round
 - include reference to pro-bono non-financial assistance in addition to fee reduction
 - eliminate the reference to economies classified by the UN as least developed, as the Program is not limited to these applicants.



ASP Evaluations: Eligible Entity Criteria (3/5) - ICANN org Implementation

- In a situation where there are extenuating circumstances, such as a crisis or instability, ICANN org will assess those on a case by case basis, acknowledging that such cases are not always easy to assess.
- Although ICANN org is sympathetic to such cases, and takes the principle of inclusivity very seriously, such priorities must be balanced against the risk of gaming, presenting the challenge of where to draw the line.
- A "narrative statement" shall apply in such cases (noted on handbook changes slide 58).



ASP Evaluations: Eligible Entity Criteria (4/5) - ICANN org Implementation

Most businesses in developing countries would classify as micro or small.

- According to the World Bank, small and medium enterprises (SMEs) account for 90% of the private sector among developing countries (see World Bank paper: <u>Targeted SME Financing and Employment Effects</u>).
- According to the International Labour Organization (<u>ILO</u>), self-employed business owners, micro- and small- enterprises account for the majority of employment worldwide:
 - 93.9% of employment share in **low income countries** is in self-employed, micro-, or small-enterprises.
 - 90.4% of employment share in **lower-middle income countries** is in self-employed, micro-, or small-enterprises.
 - 56.3% of employment share in upper-middle income countries is in self-employed, micro- or small-enterprises.
- ICANN org discussed including "medium" with the ASP Sub-Track, but came to a
 compromise of increasing the threshold for small. "Medium" and "Large" are more
 likely to be able to get a bank loan. See also: ILO dynamic infographic that
 breaks the data down by country.



ASP Evaluations: Eligible Entity Criteria (5/5) - ICANN org Implementation

- The focus so far has been on creating clear, objective criteria to reduce SARP subjectivity in its evaluation. ICANN org aims to give as much direction as possible so they know the rules. Too much flexibility, and the results may go against the aims of ASP.
- In the ASP Handbook as it stands, there is already flexibility for non-profits/charities/equivalents to prove themselves with an Equivalency Determination (looser than the one defined by TechSoup, see slides above) (ASP Handbook, Section 5.5.1).
- For Indigenous/tribal peoples' organizations, there are two pathways to proving status (ASP Handbook, Section 5.5.3).
- Similarly, for Social Impact or Public benefit micro- or small- sized business, there are three different paths to prove their status (ASP Handbook, Section 5.5.4).
- Documentation is based on existing programs that recognize nonprofits or social enterprises for tax purposes, and is **only** necessary if entities do not already have official designation from their government (see <u>ASP Sub-Track Meeting #6</u> for the discussion, and see the Draft ASP Evaluation Criteria document from that call <u>here</u>).



ASP Evaluations: Eligible Entity Criteria - Handbook Changes

Handbook changes:

- A narrative statement template for Financial Need / Financial Stability has been added to the Handbook in Appendix 1.
- The following language has been added to the Handbook in Section 5.5.5:
 Eligible Entities Micro- or small-sized business from a less-developed economy:
 - "Extenuating circumstances to accommodate situational hardships that force relocation of business will be assessed on a case by case basis and will require a narrative statement outlining the extenuating circumstances."



ASP Evaluations: Financial Categories - Comments Received (1/2)

Phyo Thiri Lwin, NetMission.Asia:

- [F]inancial need and financial stability are a bit confusing. It would be nice if it can revise with a clear sentence structure.
- Although ASP is the support program for financially and non-financially, the question is "why is it looking for financial stability because it is support program in the section 5.4?

NCSG:

 it is not indicated to what extent providing a funding plan would affect the applicant's chances in comparison with those who are able to provide audited account statements.



ASP Evaluations: Financial Categories - Comments Received (2/2)

ALAC:

- a better distinction between Financial Need and Financial Stability is needed. A reference to "financial hardship" in both makes it confusing, if not contradictory
- It should be noted that an ASP qualifier still undergoes the same Financial Capability Check - which also considers financial stability - during its gTLD string application, just as with any non-ASP applicant. It would be unfair to subject an ASP applicant to
 - (a) any duplicative financial stability check and
 - (b) having to undergo such a check for ASP evaluation ahead of other non-ASP applicants during the gTLD string application process
- [Recommendation f]or ICANN org to provide a template to guide better any "Narrative Statement" requested of an applicant.
- Consider renaming "remaining discounted New gTLD Program base application fee" to "unsupported portion of the New gTLD Program base application fee" to improve readability and understanding
- Consider reworking 'Financial Stability' to say 'Establishing Financial Means"



ASP Evaluations: Financial Categories - ICANN org Implementation

- ICANN org agrees with there being a difference between financial stability and the full financial evaluation.
- The <u>SubPro Final Report Rec 17.1</u> states: "[...] The Working Group believes that the high-level goals and eligibility requirements for the Applicant Support Program remain appropriate. [...]" (Rec 17.1, referenced in full in slides above).
- Since ASP is happening sooner than the New gTLD Program, and to reduce the inequity of putting an ASP applicant through a full financial evaluation up to 18 months prior than any gTLD applicant, ICANN org proposed a less stringent eligibility requirement.
- Considering supported applicants will need to pass a full financial evaluation during the gTLD Program application process, the ASP aims to prepare supported applicants for success by conducting a financial stability evaluation during the ASP.



ASP Evaluations: Financial Categories - Handbook Changes

Proposed handbook changes:

- Renaming "remaining discounted New gTLD Program base application fee" to "unsupported portion of the New gTLD Program base application fee" (throughout)
- Updated to remove "financial hardship" language from the Financial Stability to avoid confusion.

For discussion with the IRT:

- Regarding Financial Need: The cost of the subsidized base gTLD application fee ([X%] of the [\$X] USD fee) is greater than [5-20] percent of the organization's annual revenue.
 - Propose updating this recognizing that the micro and small business thresholds (<\$5M USD) run contrary to the 20% rule (e.g., if discounted gTLD application fee is ~\$50K then the annual revenue could not exceed ~\$250K). Also, **subsidized** fee is too small to align with micro and small business thresholds.
- Renaming "Financial Stability"



ASP Evaluations: Deposit - Comments Received

ALAC:

- [W]e recommend that... the deposit be required to be paid only by the end of the ASP application period, equally for all ASP qualifiers.
- We think there is a need to:
 - (a) Clarify that the US\$2,500 deposit sought for the (impending) gTLD string application is required only once
 - (b) Reconsider the 90-day limit on payment of the deposit, in light of the potential difficulties experienced by many countries (think Global South or Asia) in effecting US\$ transfers within 90 days.
 - (c) Clarify if the paid-up deposit is refundable if the ASP qualifier decides not to proceed with its gTLD string application and the timeframe contemplated by ICANN org for such refund.

• <u>GAC</u>:

 The GAC also recommends consideration be given to eliminating the application deposit, in line with a commitment to eliminate fees for applicants across the board.



ASP Evaluations: Deposit - ICANN org Implementation

- Providing a deposit speaks to financial stability and also provides a stake for supported applicants to show they are serious about applying for a gTLD.
- Having the deposit come at the end for all applicants could impact the availability of support, as applicants would not be fully approved until the deposit is received. This could result in less committed applicants taking up the spots of others.
- Having the deposit come at the end for all applicants would also result in differentiated timing requirements for payment. For instance an applicant who applied early would have a comparatively longer amount of time to submit their deposit, whereas an applicant who applied towards the end of the ASP application submission period may have only a very short time to submit their deposit.
- To address concerns about the timing of when applicants know they are qualified, the 90-day limit on payment of the deposit will be changed to 30 days, with the allowance of exceptions on a case by case basis.
- ICANN org replies in the affirmative that the US\$2,500 deposit toward the gTLD string application is required only once.
- The paid-up deposit is refundable if the ASP qualifier decides not to proceed with its gTLD string application. Timing for refunds is still under development as a part of shared services, and therefore is not ready to incorporate into the handbook.



ASP Evaluations: Deposit - Handbook Changes

Handbook Changes:

- The deposit payment period will be changed to 30 days.
 - Text added to Section 3: Applicant Support Program Timeline: "Exceptions to this timing may be made on a case-by-case basis. If an applicant has qualified for support but does not intend to submit a gTLD application, it is critical for that applicant to communicate this to the ASP as quickly as possible so that support can be made available for other eligible applicants."
- The following language has been inserted in Section 6.1: Changes to ASP Applications:
 - "If an applicant qualifies for support, but no longer intends to submit a gTLD application, they are required to notify ICANN org via the ASP Application System. The ASP deposit submitted to ICANN org can be refunded once ICANN org receives notification that the supported applicant no longer intends to submit a gTLD application."



ASP Funding Plan



ASP Funding Plan - Comments Received

ALAC:

- o If, as we assume, the ASP Fund is limited, the program gives a bias and distinct advantage to any early applicants... To address this inequity, we recommend... for the ICANN Board to fund the ASP to the extent that it covers all qualified applicants to the same degree no matter when they applied during the 12-month application window.
- [T]he ICANN Board should be amenable to enlarging the budgeted ASP Fund to the extent that all ASP applicants, no matter when they submitted their ASP applications during the ASP application period should be entitled to and receive the same percentage of application fee reduction and evaluation fee reduction.
- Mohamed Tijani BEN JEMAA, Fédération Méditerranéenne des Associations d'Internet:
 - It's not fair that all applications are evaluated in case of exhaustion of the allocated fund (not yet known). The fund should be sufficient to support all the qualified applicants after evaluation of all applicants.



ASP Funding Plan (1/3) - Relevant Policy Inputs

The ASP needs to have a funding plan per the <u>SubPro Final Report</u> (see below):

- IG 17.10: The dedicated Implementation Review Team should consider how to allocate financial support in the case that available funding cannot provide fee reductions to all applicants that meet the scoring requirement threshold.*
- Rec 17.12: ICANN org must develop a plan for funding the Applicant Support Program, as detailed in the Implementation Guidelines below.
 - <u>IG 17.13</u>: ICANN org should evaluate whether it can provide funds (as they did in 2012) or whether additional funding is needed for the Applicant Support Program in subsequent rounds... The amount of funding available to applicants should be determined and communicated before the commencement of the application round.



ASP Funding Plan (2/3) - Relevant Policy Inputs

- The <u>GGP recommendations</u> asked the ASP to communicate results efficiently and make sure that support is distributed equally:
 - <u>GR 9</u>: ICANN org should develop a flexible, predictable, and responsive Applicant Support Program in order to communicate the results of evaluation process and allow applicants to know their range of support allocations as early as possible in a transparent manner.
 - O GR 7: In the scenario that there is inadequate funding for all qualified applicants in the Applicant Support Program, the recommended methodology for allocating financial support should be for ICANN org to allocate limited funding by way of fee reduction equally across all qualified applicants, while not hindering the efficiency of the process.



ASP Funding Plan (3/3) - ICANN org Implementation

- In order to determine the amount from cost-recovery and the gTLD application fee, the ASP needs to have budget assumptions.
- To inform budgeting for the Next Round gTLD application fee (and ICANN org's contribution), the ASP budget and funding plan need to be confirmed in advance of the ASP application submission period.
- Total volume of ASP applications received will also inform future gTLD rounds in terms of necessary budget, capacity, etc.
- The GGP Recommendations advise that we should not wait until the end to communicate results as well as the level of support (as it would disadvantage applicants to not know sooner).
- The percentage fee reduction will be distributed equally across all qualified applicants.



ASP Funding Plan - Handbook Changes

 ASP Funding Plan to be developed, appended to the Handbook, and brought to the IRT ASP Sub-Track once ready, pending Board consideration.



Support Available to Applicants



Support Available to Applicants: Level of Fee Reduction - Comments Received

- Mohamed Tijani BEN JEMAA, Fédération Méditerranéenne des Associations d'Internet
 - The minimum fee reduction shouldn't be less than the reduction proposed for 2012,
 so, I propose... it becomes "A 75-85% reduction in"

• GAC:

- The GAC strongly recommends that a 50% application fee reduction is not considered to be a minimum, only going up to 85% in the event that "support funds remain available", but rather that significant efforts are made to provide further financial support should there be a number of successful applicants that exceed the financial package pre-determined by ICANN.
- The GAC advocates for the SubPro IRT ASP sub-track working group and ICANN Org to review the potential for eliminating an application fee, rather than a fee reduction. If this is not possible, the GAC strongly recommends an 85% application fee reduction or higher, to further encourage and support groups from underserved regions to apply through the program.

• <u>BC</u>:

Since it is anticipated that the next round would closely follow the criteria laid out in the 2012 round, it would be expected that the rebate in cost of the fee reduction for Qualified ASP applicants granted in the coming round be at the level of the 2012 round or better due to inflation. The global south aspirants will benefit better from a fee reduction of at least 70% to 85%.



Support Available to Applicants: Level of Fee Reduction (1/5) - Relevant Inputs

- The <u>GNSO Guidance Process (GGP) Final Report</u> recommended:
 - Guidance Recommendation 7: In the scenario that there is inadequate funding for all qualified applicants in the Applicant Support Program, the recommended methodology for allocating financial support should be for ICANN org to allocate limited funding by way of fee reduction equally across all qualified applicants, while not hindering the efficiency of the process. In this context the working group agreed to assume, for the sake of equity, that one application equaled one string. This recommendation is made in the context of no additional funding being made available. However, the group recommends that ICANN org give high priority to and make every effort to provide additional funding so that all successful applicants are supported
 - Guidance Recommendation 8: To mitigate the risk that the allocation of support under the Applicant Support Program could be diluted to the point of being unhelpful, ICANN org should designate a minimum level of support each qualified applicant must receive, and develop a plan if funding drops below that level.



Support Available to Applicants: Level of Fee Reduction (2/5) - Relevant Inputs

 (continued) Guidance Recommendation 9: ICANN org should develop a flexible, predictable, and responsive Applicant Support Program in order to communicate the results of evaluation process and allow applicants to know their range of support allocations as early as possible in a transparent manner.



Support Available to Applicants: Level of Fee Reduction (3/5) - Relevant Inputs

- The GGP for ASP indicated that its <u>Guidance Recommendations 7, 8, and 9</u>
 "should be interpreted as interdependent" with the idea of ensuring a funding plan if there are more applications than expected, and allowing applicants to know about their results in a timely manner.
- The minimum level of support was recommended to ensure that support would not be diluted to the point of being unhelpful.



Support Available to Applicants: Level of Fee Reduction (4/5) - ICANN org Implementation

- Although the GGP recommended a minimum level of support, it did not specify the amount - this was left to the discretion of ICANN org.
- ICANN org is budgeting for up to 85% fee reduction for up to 40 applicants.
- ICANN org's original range was between 75-85% (see <u>SubPro ODA</u>, p. 334). The ASP Sub-Track advised for a minimum of 50%, in line with the GGP for ASP guidance recommendation to set a minimum level of guaranteed support.
- Based on Public Comment feedback, the minimum percentage fee reduction could be raised, although this would limit the number of applicants that could be supported. See next slide for scenario estimates.

Note: The ASP fee reduction applies to the base gTLD application fee and subsequent gTLD evaluation fees (exactly which ones is under consideration).



Support Available to Applicants: Level of Fee Reduction (5/5) - ICANN org Implementation

Estimated number of applicants at different levels of support.

Level of Fee Reduction	50%	75%	85%
Estimated Number of Supported Applicants	68	45	40

Estimates may be adjusted depending on base gTLD application fee.

Support Available to Applicants: Level of Fee Reduction - Handbook Changes

For discussion with the IRT:

- Should the range of support return to 75-85%?
 - Or a minimum level of support at 70%?
- ICANN org welcomes the SubPro IRT ASP Sub-Track's further input in light of the public comments received on this topic.



Support Available to Applicants: Non-financial Support - Comments Received

- James Kunle Olorundare, UASG; NPOC; NCSG:
 - The need to have... [information on the] Auction bid credit/multiplier

• NCSG:

[T]here is still uncertainty regarding the eligibility criteria and the process for accessing specific forms of support, such as bid credits, multipliers, and reduced Registry Operator fees... To address this, it is essential to clearly define all forms of support and establish transparent criteria early in the process, facilitating better planning and preparation for applicants.

• <u>GAC</u>:

The GAC also strongly supports reduced or waived base Registry Operator fees, should the supported applicant prevail in the gTLD program evaluation and proceed to contracting and delegation. In that regard, the GAC recalls its ICANN77 and ICANN79 Communique Advice to consider substantially reducing or eliminating ongoing ICANN registry fees for successful applicants for at least five years.

• <u>BC</u>:

 Recommendation 17.1 specifically states that applicant support include professional fees, such as attorney's fees, related to the preparation of an application. This section appears to limit professional help to truly "pro bono" services.



Support Available to Applicants: Non-financial Support - ICANN org Implementation

- Regarding the Bid Credit/Multiplier: ICANN org will add detail around bid credit/multiplier as it becomes available. This is dependent on ongoing research and on the Auctions topic for the Next Round.
- Eligibility criteria is to qualify for support. Only once an applicant qualifies (pending Supplemental Recommendation 17.2), can they gain access to non-financial support. That package is bracketed as ICANN org cannot yet confirm this prior to Board consideration at ICANN80. Support is available for qualified applicants, with the exception of Application Counselors—which are available for all gTLD applicants.
- Regarding reduced or waived Registry Operator fees: this is one of ICANN org's proposals for Supplemental Recommendation 17.2 based upon research conducted <u>Survey of Globally Recognized Procedures for Financial Assistance Programs</u>, pp. 43-44, presented at ICANN78 Prep Week). Note that supplemental Rec 17.2 is pending Board consideration.
- Regarding Professional Services fees: Recommendation 17.1 is a summary of the ASP which includes reference to Rec 17.2, which was not adopted by the Board. There is a supplemental Rec 17.2 pending Board consideration.



Other



Other - Comments Received

Terms and Conditions:

- James Kunle Olorundare, UASG; NPOC; NCSG:
 - The DRAFT New gTLD Program: Next Round Applicant Support Handbook looks good apart from... the need to have section 8 completed so as to be able to review and complete T&C

Post Program Evaluation:

- <u>Lawrence OlaWale-Roberts, Business Constituency (BC)</u>:
 - Successful Applicants according to the GGP recommendations are to have their progress tracked after a period of 3 years. The guidebook should explicitly mention signing up for this review as a criteria for accessing applicant support.



Other - ICANN org Implementation

Terms and Conditions:

 ICANN org appreciates this comment and is working on the Terms & Conditions section of the ASP Handbook, pending discussion of the AGB T&Cs with the full IRT.

Post Program Evaluation:

This language was included in the ASP Handbook (Section 9.3: Program Evaluation and Reporting): "To provide for continual improvement of the program, applicants that receive support will be required to participate in future research relating to the impacts of the ASP and effects of fee reductions."



Additional Handbook Changes made

Changes made not based on specific Public Comment feedback



Additional Handbook Changes / Discussion Topics (1/3)

Additional Handbook Changes:

- Section 5.3: Financial Need: "Describe in a narrative statement how funding support from ICANN would enable the applicant to apply for a gTLD and why paying the full base gTLD application fee presents a financial hardship. The answers should correspond with your financial documentation and description of funding and revenue sources. (See Appendix 1 for a narrative statement template.)"
- Additional clarity about certified translations has been provided in Appendix:
 Translation of Supporting Documentation.
- Overall edits to improve readability and accessibility to diverse audiences.
 - Considering removing criteria tables. Instead we could:
 - move criteria to an outline format (1; 1a; 1b; 1c, etc.) to improve readability and allow for easy referencing; AND
 - add an appendix mapping ASP Application System questions to criteria, indicators, and required documentation (see <u>AGB Module 2 example</u>)



Additional Handbook Changes / Discussion Topics (2/3)

Additional Handbook Changes:

- Updated SARP Research description:
 - "The SARP may review the applicant's website, social media accounts, principal place of business, annual reports, governing documents, and information pertaining to applicable proxy and/or localized eligibility definitions in relation to the eligibility criteria and indicators."
- ASP Application Submission Period Closing Date: It may be better to indicate the reasons why we may adjust the closing date in the FAQs rather than in the Handbook. Saying that the closing date might change (paused earlier or extended later in edge case scenario) could be confusing. Thoughts?



Additional Handbook Changes / Discussion Topics (3/3)

Additional Handbook Changes:

- Forms of Payment: added an appendix on submitting the deposit. Per ASP-IRT question during Meeting #18, staff checked on other payment processes. The Registrar Billing FAQs indicate:
- "The preferred payment methods are Automated Clearing House (ACH) or wire transfer, as they are the most secure, expeditious, and traceable.
 - Payments can also be made by check in USD (U.S. dollars) and credit card (Visa, MasterCard, Discover, and American Express).
 - Other third-party money transfer services can be used for transferring payments to ICANN provided the deposit is to the ICANN bank account listed on the ICANN invoice."

Additional Discussion Topics:

Next step to determine launch date for ASP.



Proposed Next Steps



ASP Handbook Next Steps

- Clean updated ASP Handbook and redline comparison version to be shared with IRT Friday, 24 May 2024.
- Feedback from the ASP IRT Sub-Track to be provided on list by EOD 23:59 UTC on Wednesday, 29 May 2024.
 - Aim to publish v2 of the handbook on the <u>ASP website</u> the first week of June.
- ICANN org will also work to update the <u>Public Comment review tool</u> with the ICANN org response to the comments received based on our discussion with the ASP IRT Sub-Track in the coming weeks.
- Additional updates will be made as dependencies clear up, some of which will occur during ICANN80.
 - ICANN org will continue to work on readability/accessibility of the ASP Handbook in the interim, including some more significant structural changes (not substantive).
 - Updates once ready will be brought to the ASP IRT Sub-Track for review and discussion.

