A History of Applicant Support in the 2012 Round of the New gTLD Program

ICANN Policy Development Accelerator

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PILOT TERM

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Need to Know Glossary

TERM	MEANING
New gTLDs	New Generic Top-Level Domains
AGB	Applicant Guidebook
JAS WG	Joint SO/AC New gTLD Applicant Support Working Group
ASP	Applicant Support Program
ANGWG	At-Large New gTLDs Working Group
CCT	Competition, Consumer Trust, and Consumer Choice
PDP	Policy Development Process
SubPro	New gTLD Subsequent Procedures
IRT	Implementation Review Team

For assistance with acronyms and terms, please refer to the ICANN Acronyms and Terms feature: https://www.icann.org/en/icann-acronyms-and-terms

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Historical Context to the Application Support Program (1998-2010)

There has not always been a fixed set of rules for adding top-level domains (TLDs) to the Domain Name System (DNS). Prior to ICANN's establishment, Jon Postel managed the Internet Assigned Numbers Authority (IANA), which administered the assignment of Internet names, numbers, and addresses. In 1984, Postel published RFC 920 which outlined the purpose of domains, the requirements for domains, and listed the initial set of TLDs.[1] The initial set included categorical domains (.gov, .edu, .com, .mil, and .org) and also included provisions for adding country code top-level domains (ccTLDs). ICANN was established in 1998 to coordinate and oversee the DNS; this included developing policies for determining the circumstances under which new top-level domains are added to the DNS root zone.[2]

Since ICANN's establishment, there have been three opportunities to expand the DNS with new generic top-level domains (gTLDs), or any TLD that does not represent a two-letter country code (.uk, .in, .jp, .br, etc.). The first two rounds in 2000 and 2004 resulted in an additional 22 new gTLDs. The most recent round in 2012 introduced over 1,200 new gTLDs. The 2012 round also included the introduction of the Applicant Support Program. Although the round launched in 2012, the policy deliberations for the program began in 2005.

In September 2005, the Generic Names Supporting Organization (GNSO) Council requested an Issues Report on the introduction of new gTLDs to determine if the GNSO should proceed with a policy development process (PDP) on a new gTLD strategy. The Issues Report[3] found that "issues surrounding the creation of new top-level domains and the policies for undertaking that work are directly relevant to the GNSO's mission and the ICANN Bylaws'' and that the "work will have a lasting value and applicability and will establish a framework for future decision making." Later in November 2005, the GNSO Council voted to initiate the PDP on new gTLDs.[4]

The GNSO Council's New TLD Committee shared its Initial Report for Public Comment in July 2006.[5] In relation to applicant support, the committee specifically asked, "thinking about the issue of application fees for any new top level domain application, is there merit in graduated application fees to assist applicants?".[6]

The GNSO Council unanimously accepted the committee's Final Report on the Introduction of New gTLDs and submitted it to the ICANN Board in September 2007.[7] In June 2008, the ICANN Board adopted the Final Report policy recommendations and directed the ICANN organization to further develop and complete a detailed implementation plan for the ICANN Board and ICANN community to approve.[8] The Final Report included implementation guidelines establishing the early foundations of an applicant support program:

- Application fees will be designed to ensure that adequate resources exist to cover the total cost to administer the new gTLD process. Application fees may differ for applicants.

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[1] For more information on early domain requirements, read RFC 920: Domain Requirements, https://www.rfc-editor.org/rfc/rfc920
[2] For more information on the incorporation of ICANN in 1998, read the Articles of Incorporation of Internet Corporation for Assigned Names and Numbers as revised November 21, 1998, https://www.icann.org/resources/pages/articles-2012-02-25-en
[3] GNSO Issues Report: Introduction of New Top-Level Domains https://gnso.icann.org/sites/default/files/filefield_5943/gnso-issues-rpt-gtlds-05dec05.pdf
[4] For more historical context on the GNSO's proceedings, see Council Resolutions 1999 - 2019, https://gnso.icann.org/en/council/resolutions/1999-2019
[5] For the original announcement on the PDP's New TLD Initial Report, see "Comments Sought on New TLD Initial Report," https://www.icann.org/en/announcements/details/comments-sought-on-new-tld-initial-report-28-7-2006-en
[6] For the full text of comments received on the PDP's New TLD Initial Report, see https://forum.icann.org/lists/newgtlds-comments/
[7] For the full report and set of recommendation, see ICANN Generic Names Supporting Organisation Board Report: Introduction of New Generic Top-Level Domains, https://gnso.icann.org/sites/default/files/filefield_5957/council-report-to-board-pdp-new-gtlds-11sep07.pdf
[8] For the full Board Resolution accepting the GNSO Final Report on the Introduction of New TLDs, see https://www.icann.org/resources/board-material/resolutions-2008-06-26-en#_Toc76113171

- ICANN may put in place a fee reduction scheme for gTLD applicants from economies classified by the United Nations as least developed.

Following the ICANN Board's instruction, the ICANN organization produced the first draft of the gTLD Applicant Guidebook (AGB) in October 2008 for Public Comment.[9] In an accompanying explanatory Memoranda on Cost Considerations of the New gTLD Program, the GNSO noted that "*some community members expressed concern that financial requirements and fees might discourage applications from developing nations, or indigenous and minority peoples, who may have different sets of financial opportunities or capabilities [... However,] no practical method of ICANN financial assistance or fee reductions was identified for the first round of new gTLD applications*".[10] In the AGB Public Comment submissions, wider community interest began to emerge for supporting new gTLD applicants of underserved communities and developing countries.[11]

The ICANN organization revised the AGB based on public feedback and produced the second draft in February 2009.[12] However, the second version of the AGB also did not allow for any type of fee reduction.[13] In August 2009, the Governmental Advisory Committee (GAC) advised the ICANN Board of several concerns it had related to version 2 of the draft AGB. The GAC shared its concerns for a number of implementation issues, including that "*a single fee structure creates limitations, notably by skewing the market in favor of applications from the developed world and those with significant financial resources.*"

The ICANN Board considered the GAC's feedback along with the summary report of Public Comment submissions from version 2 of the draft AGB. In March 2010, the ICANN Board requested that the ICANN community form a "*Working Group to develop a sustainable approach to providing support to applicants requiring assistance in applying for and operating new gTLDs*."[14]

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[9] See "How to Apply for a New Generic Top-Level Domain Draft Applicant Guidebook Now Available for Comment | New Names will Change the Face of the Internet through Innovation, Choice and Diversity," https://www.icann.org/en/announcements/details/how-to-apply-for-a-new-generic-top-level-domain-draft-applicant-guidebook-now-available-for-comment--new-names-will-change-the-face-of-the-internet-through-innovation-choice-and-diversity-23-10-2008-en

[10] See "New gTLD Program Explanatory Memorandum: Cost Considerations of the New gTLD Program", https://archive.icann.org/en/topics/new-gtlds/cost-considerations-23oct08-en.pdf

[11] See page 17, "New gTLD Draft Applicant Guidebook: Analysis of Public Comment", https://archive.icann.org/en/topics/new-gtlds/agv1-analysis-public-comments-18feb09-en.pdf

[12] See "New gTLD Draft Applicant Guidebook, Version 2 (V2)," https://www.icann.org/en/public-comment/proceeding/new-gtld-draft-applicant-guidebook-version-2-v2-18-02-2009

[13] See Appendix B for a descriptive list of how the different versions of the AGB reference applicant support.

[14] See "Support for Applicants Requesting New gTLD Applicants," https://www.icann.org/resources/board-material/resolutions-2010-03-12-en#20

2

Developing the Criteria for Applicant Support (2010-2012)

Following the ICANN Board's request, the GNSO Council established the Joint SO/AC New gTLD Applicant Support Working Group (JAS WG) in April 2010[15] and called for volunteers from all of the ICANN Supporting Organizations (SOs) and Advisory Committees (ACs). A large majority of participants came from the At-Large Advisory Committee (ALAC) and the GNSO. Other individuals, including several GAC members, and three ICANN Board liaisons also participated in the JAS WG.[16]

The JAS WG was initially tasked to provide recommendations "*regarding specific support to new gTLD applicants in justified cases*."[17] See Table 1 for the working group's five objectives listed in the original charter.[18]

The working group divided its work between two parallel working teams. Working Team 1 (WT1) was tasked with identifying ***how*** the net cost to applicants that fulfill appropriate criteria can be reduced, in keeping with the principle of cost recovery. Working Team 2 (WT2) was tasked with addressing issues regarding ***who*** would be entitled to special support and ***what*** the nature of the support would look like. In June 2010, the JAS WG published a snapshot[19] of its initial progress and shared it with the ICANN community for Public Comment.[20] The JAS WG continued its work and produced its Final Report in September 2011.[21] See Appendix A for an overview of events throughout the progress of the JAS WG. The JAS WG ultimately provided the following recommendations for the creation of the Applicant Support Program:

- **Timing of Support:** A full array of financial and non-financial support for approved candidates should be available in the first and all subsequent rounds of new gTLD applications.
- **Financial Support**
  - Application fee reduced to USD $47,000 from USD $185,000.
  - Installment payments allowed for application fees.
  - Relaxing or deferring of the upfront costs of the required "continuity instrument".
  - Possible creation of a development fund.
- **Non-Financial Support**
  - Assistance with the preparation of gTLD applications;
  - Facilitation of Internet Protocol version 6 (IPv6) compliance;
  - Consulting and education regarding DNS Security Extensions (DNSSEC) implementation;
  - Outreach and education efforts regarding the New gTLD Program;
  - Logistical, translation, and technical support; and
  - Establishment of Registry Service Providers in regions where none or few exist.

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[15] See "GNSO Council Minutes 1 April 2010, Item 6: Any Other Business," https://gnso.icann.org/en/meetings/minutes-council-01apr10-en.htm
[16] See "JAS WG Member Attendance Log," https://community.icann.org/display/jaswg/JAS+WG+Member+Attendance+Log
[17] See "Milestone Report, Applicant Support New generic Top-Level Domain Program: appendix A – JAS WG Charter," 11 November 2010, https://archive.icann.org/en/topics/new-gtlds/jas-milestone-report-11nov10-en.pdf
[18] See Appendix A, the JAS WG operated under its initial charter from April 2010 until the publication of its first Milestone Report. In the Milestone Report the JAS WG identified additional work to be completed and initiated a rechartering process from December 2010 - February 2011.
[19] See "Joint SO/AC Working Group on New gTLD Applicant Support Snapshot," https://archive.icann.org/en/topics/new-gtlds/jas-wg-snapshot-16jun10-en.pdf
[20] See "Public Comment: Joint SO/AC Working Group on New gTLD Applicant Support Snapshot," https://www.icann.org/en/public-comment/proceeding/joint-soac-working-group-on-new-gtld-applicant-support-snapshot-16-06-2010.
[21] See "Final Report of the Joint SO/AC New gTLD Applicant Support Working Group," https://archive.icann.org/en/meetings/dakar2011/bitcache/Final%20Report%20of%20the%20Joint%20SO_AC%20New%20gTLD%20Applicant%20Support%20Working%20Group-vid=29189&disposition=attachment&op=download.pdf

- **Support Candidate Eligibility Requirements**
  - Service to the public interest; and
  - Both a level of financial need and of financial capability.
- **Support Evaluation Process (SEP)**
  - Should take place before the standard gTLD application review.
  - Application should be evaluated by a Support Application Review Panel (SARP). The SARP should be composed of volunteers from the ICANN community and outside experts, all with knowledge of the existing new gTLD processes, potential gaming patterns and the general needs and capabilities of Support Candidates from developing economies.
  - When the SARP rejects a Support Candidate, the SARP should explain its reasons. The Support Candidate may then work to improve its application and reapply for support or may apply for a gTLD without support.
  - Support Candidates are still responsible for paying the USD $5,000 gTLD application deposit.
  - The ICANN Staff should produce a Support Candidate Guide.

The ICANN Board first considered the JAS WG Final Report in October 2011[22] and directed the ICANN organization to propose a detailed plan to implement the WG's recommendations. The ICANN organization delivered a plan to the ICANN Board and in December 2011, the ICANN Board approved the launch of the Applicant Support Program to begin in January 2012. The ICANN Board also approved the fee reduction to USD $47,000 for applicant support candidates that qualify according to the established criteria and directed the ICANN organization to amend the communications campaign as needed to incorporate the ASP.[23]

In January 2012, the ICANN organization published the final version of the New gTLD Applicant Guidebook (AGB)[24] and the New gTLD Financial Assistance Handbook.[25] The AGB references the ASP but does not provide the eligibility criteria or program details (see Appendix B for a descriptive list of how the different versions of the AGB reference applicant support). The New gTLD Financial Assistance Handbook provides the application timeline for applicant support, criteria for eligibility, evaluation fees, application process, evaluation process, evaluation criteria and scoring rubrics.

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[22] See "Approved Board Resolutions | Regular Meeting of the ICANN Board | Dakar, 28 Oct 2011, Joint Applicant Support," https://www.icann.org/resources/board-material/resolutions-2011-10-28-en#2

[23] See "Approved Board Resolutions | Special Meeting of the ICANN Board, 08 Dec 2011, Applicant Support," https://www.icann.org/resources/board-material/resolutions-2011-12-08-en#1.1

[24] See "Applicant Guidebook Version 9," https://newgtlds.icann.org/en/about/historical-documentation/matrix-agb-v9

[25] See "Applicant Support Program (ASP), New gTLD Financial Assistance Handbook," https://newgtlds.icann.org/en/applicants/candidate-support

3 The 2012 Applicant Support Program

On 11 January 2012, the ICANN organization announced it began accepting applications for new gTLDs and provided details on the ASP.[26] The ICANN organization highlighted three main elements to the program:[27]

- **Access to *pro bono* services for startup gTLD registries:** including an Applicant Support Directory[28] to connect potential applicants who wish to establish a new public interest gTLD registry in their community with organizations who wish to offer either financial or non-financial assistance.
- **Financial assistance:** Qualified applicants could receive reduced evaluation fees of USD $47,000 instead of the full USD $185,000.
- **The Applicant Support Fund:** The ICANN Board set aside USD $2,000,000 as seed funding to assist applicants. This was a seed fund to which other organizations can donate.

As directed by the ICANN Board to generate awareness and interest for the ASP, the ICANN organization included information about the program in its new gTLD communication campaign. This campaign included announcements from the ICANN organization that were shared on social media. The ICANN organization developed an ASP awareness campaign for Twitter and Facebook profile photos to encourage followers to spread awareness of the program with people from developing economies.[29] The ICANN organization developed an ASP Fact Sheet for easy distribution.[30] The ICANN organization also presented on the ASP during ICANN43 in March 2012.[31] The ICANN organization also released a podcast with the ASP manager in March 2012.

Applicants would first be evaluated by the independent Support Applicant Review Panel (SARP)[32] to determine if they qualified for applicant support; non-prevailing applicants would be excluded from the program. The SARP evaluated applicants using the criteria laid out in the Financial Assistance Handbook. The handbook notes that *"the criteria are, to a certain extent, subjective. That subjectivity is deemed necessary to enable the SARP to reach a fair result and provide the discretion to interpret the information provided to it in the best light."* The handbook defined the following three criteria sets:

- **Public Interest Benefit:** to prioritize funds for those projects that would offer demonstrable benefit to the public or suitable community group, including support for distinct cultural, linguistic, or ethnic communities, and communities with a defined social need.
- **Financial Need:** to distribute funds to those entities that lack sufficient financial resources to pay for application fees or otherwise execute their projects, or who would not be able to raise those resources through other means.
- **Financial Capabilities:** to help ensure those receiving funding will be able to manage those funds and execute this project if successful.

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[26] See "New gTLDs Update: Applications Accepted Today; New Guidebook Posted; Financial Assistance for Qualifying Applicants," https://www.icann.org/en/announcements/details/new-gtlds-update-applications-accepted-today-new-guidebook-posted-financial-assistance-for-qualifying-applicants-11-1-2012-en

[27] See "Applicant Support Program (ASP), Understanding the Applicant Support Program," https://newgtlds.icann.org/en/applicants/candidate-support

[28] See "Applicant Support Directory," https://newgtlds.icann.org/en/applicants/candidate-support/non-financial-support

[29] See "SPREAD THE WORD ABOUT THE NEW GTLD APPLICANT SUPPORT PROGRAM," https://newgtlds.icann.org/en/applicants/candidate-support/spread-the-word?fbclid=IwAR2q1olUmdDbxne7GkXonQGWbYIn58Y815s11xOKzDf2EElX3RnrfJgrtW0

[30] See "Applicant Support Fact Sheet," https://newgtlds.icann.org/en/applicants/candidate-support/applicant-support-fact-sheet-20feb12-en.pdf

[31] See "New gTLD Applicant Support Program," for the audiocast of the ICANN43 presentation on ASP, https://archive.icann.org/en/meetings/costarica2012/node/29721.html

[32] For more information on the members of the 2012-2013 SARP, see "ICANN Acknowledges Members of the Support Applicant Review Panel," https://newgtlds.icann.org/en/announcements-and-media/announcement-28may13-en

To meet the threshold for support, support applications must score at least:

- 5 of 9 points on Public Interest Benefit criteria
- 3 of 5 points on Financial Need criteria
- 1 of 2 points on Financial Capability criteria

Applicants had until 12 April 2012 to submit their completed financial assistance applications and new gTLD applications. ICANN received three applications for support under the ASP. They came from DotKids Foundation Ltd (.KIDS) in Hong Kong, Nameshop (.IDN) in India, and Ummah Digital Ltd (.UMMAH) in Gambia. The SARP results were first released on 12 March 2013.[33] An updated version of the SARP results was released on 20 March 2013:[34]

Table 1: SARP Determination For Financial Assistance

Applied for String	Applicant Name	Criteria 1: Public Interest Benefit	Criteria 2: Financial Need	Criteria 3: Financial Capabilities	Overall Results
.KIDS	DotKids Foundation Ltd	Met Criteria	Met Criteria	Met Criteria	Met Criteria
.IDN	Nameshop	Did Not Meet Criteria	Did Not Meet Criteria	Did Not Meet Criteria	*Did Not Meet Criteria*
.UMMAH	Ummah Digital Ltd	Did Not Meet Criteria	Met Criteria	Met Criteria	*Did Not Meet Criteria*

[33] See "Applicant Support Program Update, 12-March-2013," https://newgtlds.icann.org/en/applicants/candidate-support/sarp-results-12mar13-en.pdf
[34] See "Applicant Support Program Update, 20-March-2013," https://newgtlds.icann.org/en/applicants/candidate-support/sarp-results-20mar13-en.pdf

4

Overview of ICANN Community Discussions Following the 2012 Applicant Support Program

The At-Large Advisory Committee (ALAC): At-Large New gTLDs Working Group

The At-Large New gTLDs Working Group (ANGWG) was the earliest ICANN community group formed to discuss the 2012 ASP[35]. As part of an ICANN Advisory Committee and not a Supporting Organization, the ANGWG and ALAC cannot develop policy. Their discussions focused on the issues they identified with the implementation of the 2012 ASP, and they published a theory formation paper that outlined a number of proposals.[36] The ANGWG identified several potential reasons for the low turnout of the ASP, namely:

- **Outreach:** The outreach efforts focused on developing regions were done through electronic means (website, Twitter, Facebook, etc.), which may not be the most effective medium for advertisement in these regions.
- **Timing:** There was not enough time given to adequately inform or prepare potential applicants before the ASP was launched.
- **Financial Challenges:** The costs of translation, consulting services, travel logistics, and attracting capital likely remained a barrier to entry for applicants of developing regions.
- **Local Challenges:** The lack of locally-sourced registrars, technical experts, and business models disadvantaged applicants from least-developed countries.

The ANGWG believed that "*all of these issues could have been addressed* [...] *with enough communication and a longer time horizon for potential emerging market applicants.*" The ideas presented by the ANGWG were subsequently reflected in ALAC Statements submitted in response to Public Comment proceeding to the PDP that would be chartered by the GNSO following these types of community conversations.[37] In this regard, it is useful to remember that Public Comment is an important, required step in the GNSO policy development process. This means that all Public Comment submissions to a GNSO PDP must be considered by the PDP working group that is tasked with developing the relevant policy.

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[35] See "At-Large New gTLDs Working Group (ANGWG)" home page, https://community.icann.org/pages/viewpage.action?pageId=2263793

[36] See "Paper: Theory Formation," https://community.icann.org/display/atlarge/Paper%3A+theory+formation

[37] See Appendix D, At-Large Advisory Committee (ALAC)

Competition, Consumer Trust, and Consumer Choice (CCT) Review Team

In addition to specifying the role and responsibilities of each of the Supporting Organizations and Advisory Committees, the ICANN Bylaws also contain important mechanisms that include the periodic formation of ICANN community-led review teams which assess ICANN's performance in reaching its commitments and assist with the conduct of ICANN's mission.[38] For example, the Competition, Consumer Trust, and Consumer Choice (CCT) Review is required to "*assess the effectiveness of the [New gTLD Program's] application and evaluation processes, as well as the safeguards put in place by ICANN to mitigate issues involved in the introduction or expansion of new gTLDs.*"[39] The CCT Review Team was formed in 2015 and comprised members appointed by the GNSO, ALAC, Governmental Advisory Committee (GAC), and the Country Code Names Supporting Organization (ccNSO).

To assist the CCT Review Team with its work, the ICANN organization produced a Program Implementation Review Report documenting the ICANN organization's experiences in executing the 2012 New gTLD Program. The ICANN organization identified applicant support as a topic for potential improvement and highlighted particular issues of importance:

- **Research**: The ICANN community may wish to research globally-recognized procedures (e.g. World Bank programs), as well as the needs and obstacles of target markets, for possible adaptation in future implementations of the Applicant Support Program.
- **Transparency**: The SARP for the 2012 ASP was an independent panel that largely defined its own processes; in the future, consideration can be given to leveraging procedural practices used for other panels, including the publication of process documents and documentation of rationale.

Like the ANGWG, the CCT Review Team sought to understand why there were so few applications from the developing world to the 2012 ASP. The ICANN organization engaged a consultant to research and produce an exploratory report about the limitations of the 2012 New gTLD Program in the "Global South".[40] After reviewing the various reports produced as well as the Public Comment submissions to its initial findings, the CCT Review Team published its Final Report, which contained four recommendations related to applicant support:

- **Recommendation 29**: Set objectives/metrics for applications from the Global South.
- **Recommendation 30**: Expand and improve outreach into the Global South.
- **Recommendation 31**: The ICANN organization to coordinate the *pro bono* assistance program
- **Recommendation 32**: Revisit the Applicant Financial Support Program.

Review Teams cannot make policy recommendations, which is a role reserved exclusively for ICANN's Supporting Organizations (such as the GNSO for gTLD policy), but Review Team outcomes nevertheless still need to be considered by the ICANN Board. In March 2019, the ICANN Board approved the CCT Review Team's recommendations 30 and 31 (directed at the ICANN organization),[41] and directed that recommendations 29 and 32 be forwarded to the GNSO for consideration[42], including the then-ongoing GNSO New gTLD Subsequent Procedures PDP Working Group, which will be discussed in Section 2 of this module.

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[38] See Bylaws Section 4.6 "Specific Reviews," https://www.icann.org/resources/pages/governance/bylaws-en/

[39] See "Genesis and Mandate," https://community.icann.org/pages/viewpage.action?pageId=58727320

[40] See "New gTLDs and the Global South: Understanding Limited Global South Demand in the Most Recent new gTLD Round and Options Going Forward," https://community.icann.org/download/attachments/58735925/New%20gTLDs%20and%20the%20Global%20South%20--%20Understanding%20Limited%20Demand%20and%20Options%20Going%20Forward%2010-31-16.docx?version=1&modificationDate=1481599337000&api=v2

[41] See "2019-03-01 - ICANN Board Resolution - CCT Final Report and Recommendations," https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-special-meeting-of-the-icann-board-01-03-2019-en#1.a

[42] See "Final CCT Recommendations: Board Action (1 March 2019)," https://www.icann.org/en/system/files/files/resolutions-final-cct-recs-scorecard-01mar19-en.pdf

The Generic Names Supporting Organization (GNSO) - New gTLD Subsequent Procedures Discussion Group

Prior to its decision to launch a PDP, the GNSO Council created the New gTLD Subsequent Procedures Discussion Group in June 2014.[43] This discussion group was charged to reflect on the experiences gained from the 2012 New gTLD round and identify a recommended set of subjects that could form the basis for work on subsequent new gTLD rounds. The discussion group included members from various GNSO Stakeholder Groups, the ALAC, the GAC, and several gTLD applicants from the 2012 round.[44]

The Applicant Support Program was one of the discussion group's topics, initiated by members who had also participated in the ANGWG.[45] Like the ANGWG and the CCT Review Team, the Subsequent Procedures Discussion Group identified several reasons that may have contributed to the limited number of applications for the 2012 ASP, including:

- **Outreach**: The lack of, or otherwise inadequate, outreach efforts for the ASP.
- **Timing**: There was a short trajectory from the time of the relevant report from the ICANN community-led JAS WG to implementation of the recommendations, and the launch of the ASP.
- **Financial Challenges**: The lack of financial support (beyond the application fee reduction) for other aspects of the program, like objections, string contention resolution, post-delegation operations, and other expenses associated with running a gTLD registry.
- **Disqualification Concerns**: The punitive measures introduced to prevent gaming of the ASP may have discouraged possible applicants.

Following the discussion group's work and in accordance with GNSO PDP rules,[46] the GNSO Council requested an Issue Report analyzing the discussion group's suggestions for the ASP and other New gTLD Program adjustments. The ICANN organization produced a Preliminary Issue Report that was published for Public Comment and revised as a result of public input. The GNSO Council then considered the Final Issue Report in its deliberations about whether to initiate a PDP.

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[43] See "GNSO Council Resolutions 1999 - 2019, 20140625-2," https://gnso.icann.org/en/council/resolutions/1999-2019#20140625-2

[44] See "2. DG Members" for a membership list of the New gTLD Subsequent Procedures Discussion Group, https://community.icann.org/display/DGNGSR/2.+DG+Members

[45] See the New gTLD Subsequent Procedures Discussion Group Meeting Transcript, 08 September 2014, https://gnso.icann.org/sites/default/files/filefield_46483/transcript-new-gtld-subsequent-08sep14-en.pdf

[46] See ICANN Bylaws "Annex A: GNSO Policy Development Process," https://www.icann.org/resources/pages/governance/bylaws-en/#annexA

5

New gTLD Subsequent Procedures Policy Development Process Working Group

SubPro PDP Working Group Approach

Within its ICANN Bylaws-defined remit to manage all gTLD policy development work by the community, the GNSO Council decided unanimously to initiate a PDP on New gTLD Subsequent Procedures (commonly referred to as "SubPro").[47] The SubPro PDP Working Group was tasked to analyze the topics noted in the Final Issue Report and determine whether changes should be made to the existing policy recommendations that had governed the 2012 New gTLD Program round.[48] If the SubPro PDP Working Group determined that adjustments were necessary, it was to produce new policy recommendations and implementation guidance. Because policies affecting gTLDs can only be developed through a GNSO PDP, it is important to also note that, in cases where there is already existing consensus policy (such as for the 2012 New gTLD Program), those existing policies continue to govern future implementation unless they are changed through the relevant PDP (in this case, SubPro).[49]

In accordance with the SubPro PDP Working Group charter[50] and the call for volunteers,[51] over 250 members and observers from across the ICANN community joined the working group.[52] As with all GNSO PDP working groups, their deliberations were conducted primarily through weekly conference calls,[53] regular email exchanges on a public mailing list,[54] and working sessions held during ICANN Public Meetings.

Under the GNSO PDP Manual, PDP working groups are encouraged to solicit early input from the other ICANN Supporting Organizations and the Advisory Committees.[55] The SubPro PDP Working Group received input from the ALAC, GAC, and other ICANN community groups on the topic of applicant support.[56]

To manage the extensive scope of work and the large number of issues for discussion, the SubPro PDP Working Group co-chairs divided the work into a set of "Overarching Issues" (to be addressed by the working group in plenary sessions) and five separate work tracks:[57]

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47 See GNSO Council Resolutions 1999 - 2019, 20151217-1, https://gnso.icann.org/en/council/resolutions/1999-2019#20151217-1

48 See "Final Report: Introduction of New Generic Top-Level Domains," https://gnso.icann.org/en/issues/new-gtlds/pdp-dec05-fr-parta-08aug07.htm

49 See ICANN Bylaws "Article 11: Generic Names Supporting Organization," https://www.icann.org/resources/pages/governance/bylaws-en/#article11

50 See "Working Group (WG) Charter, New gTLD Subsequent Procedures," https://gnso.icann.org/sites/default/files/filefield_48475/subsequent-procedures-charter-21jan16-en.pdf

51 See GNSO Council Resolutions 1999 - 2019, 20160121-2, https://gnso.icann.org/en/council/resolutions/1999-2019#20160121-2

52 See "WG Members & Mailing List Archives," for a membership list of the SubPro PDP Working Group, https://community.icann.org/pages/viewpage.action?pageId=58001978

53 See 1. WG Meetings "New gTLD Subsequent Procedures PDP Home," https://community.icann.org/display/NGSPP/New+gTLD+Subsequent+Procedures+PDP+Home

54 See "The Gnso-newgtld-wg Archives," https://mm.icann.org/pipermail/gnso-newgtld-wg/

55 See Section 10 "GNSO PDP Manual," https://gnso.icann.org/sites/default/files/file/field-file-attach/annex-2-pdp-manual-24oct19-en.pdf

56 See Appendix D

57 For the full itemized list of Work Track topics see pages 8-12 of "Initial Report on the new gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)," https://gnso.icann.org/sites/default/files/file/field-file-attach/subsequent-procedures-initial-overarching-issues-work-tracks-1-4-03jul18-en.pdf

Table 2: Work Tracks

Overarching Issues	Addressed issues of continuing procedures, predictability, community engagement, TLD types, submission limits, and application rounds
Work Track 1	Addressed issues related to overall process, support, and outreach • e.g., **Support for Applicants from Developing Countries**
Work Track 2	Addressed legal and regulatory issues.
Work Track 3	Addressed issues related to string contention, objections, and disputes.
Work Track 4	Addressed Internationalized Domain Names and technical and operational issues.
Work Track 5	Addressed geographic names at the top-level. This fifth Work Track was added in 2018.

The SubPro PDP Working Group (including the Work Track 1 team) engaged regularly with the GAC and ALAC during ICANN Public Meetings to ensure that ICANN community views from outside the working group were also considered in their deliberations. A monthly newsletter was produced to inform the ICANN community about the progress of the working group and its work tracks.[58]

Work Track 1 Deliberations on Applicant Support

The SubPro PDP Working Group's Work Track 1 Team[59] developed preliminary recommendations to improve the Applicant Support Program in subsequent rounds. Its deliberations took into account ideas that had been put forward previously by the original SubPro Discussion Group and prior Public Comment proceedings.[60] The Work Track 1 discussions sometimes resulted in follow up questions for which the working group would seek ICANN community feedback.

The following list of topics illustrates the issues and solutions that were part of the deliberations for Work Track 1:

Outreach/Timing: Work Track 1 discussed the challenge presented by the limited extent and timing of outreach about the 2012 ASP and what it considered a lack of targeted promotion or awareness of the program in developing regions.

- **Proposed Solution:** For the best chance of reaching deserving applicants, ASP-related outreach should be expanded geographically and conducted earlier than in the previous round. To improve awareness, ICANN should engage with experts who understand relevant regional issues and markets, as well as other ICANN communities and potential industry partners in underserved regions.[61]
- **Unresolved Question:** Whether there are particular locales or groups that should be the focus of outreach for the ASP (e.g., indigenous tribes on various continents).

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[58] See Additional Information, PDP New gTLD Subsequent Procedures, https://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures
[59] See "Work Track 1 Members & Mailing List Archives," https://community.icann.org/pages/viewpage.action?pageId=60493239
[60] See Appendix D
[61] See "Initial Report on the new gTLD Subsequent Procedures Policy Development Process," https://gnso.icann.org/sites/default/files/file/field-file-attach/subsequent-procedures-initial-overarching-issues-work-tracks-1-4-03jul18-en.pdf

Disqualification Concerns: Work Track 1 acknowledged that the strict rules imposed to prevent "gaming" of the 2012 ASP may have contributed to the low participation rate. For example, if a 2012 ASP applicant did not meet the qualifying criteria, their gTLD application was disqualified from the New gTLD Program without appeal, which could be a substantial risk for a new gTLD applicant.

- **Proposed Solution:** To avoid discouraging potential applicants, those who do not meet the requirements of the ASP should be provided the opportunity to pay the additional application fee and transfer their application to the relevant evaluation process.29
- **Unresolved Question:** How should applicants who may try to game the system be penalized?

Eligibility Criteria/Local Challenges: The suggestion that the ASP eligibility criteria be expanded beyond least developed countries[62] was raised in a November 2016 work session between members of the Asia Pacific (APAC) regional community and the SubPro PDP Working Group.[63] The Work Track 1 discussions noted that many of the issues facing these countries are not only financial, but also related to lack of necessary infrastructure, Internet connectivity, local community buy-in for a local gTLD registry, and other factors.[64] There may also be potential applicants in other regions, further along in their development than underserved or underdeveloped regions, who might nevertheless benefit from the Applicant Support Program.

- **Proposed Solution:** The so-called "middle applicant" may be more likely to apply for and succeed in receiving applicant support and should therefore not be excluded or disadvantaged in eligibility criteria or outreach efforts.
- **Unresolved Question:** How will eligibility criteria need to be adjusted to accommodate that expansion of the program?

Financial Challenges: Work Track 1 agreed with the GAC and ALAC views that financial support in the 2012 ASP did not go far enough to sufficiently encourage applicants.[65] While the application fee of USD $47,000 for successful ASP applicants was much lower than that of an application under the overall New gTLD Program, the application fee was only one of many expenses that would be incurred during the application process as well as the development and operation of a new registry.

- **Proposed Solution:** In addition to a reduction in the application fee, ASP financial support should be expanded to include application writing fees, related attorney fees, and ICANN registry-level fees.
- **Unresolved Questions:** What should the source of funding be for the ASP? If there are more applicants than funds, what evaluation criteria should be used to determine how to disperse the funds?

Non-Financial Support: Work Track 1 discussions noted that the 2012 ASP provided non-financial support in the form of an online directory to connect new gTLD applicants with pro-bono consulting services,[66] but there were no clear instructions or follow-up to confirm whether this resource was utilized. As managing a gTLD registry is a significant undertaking, and not just financially, applicants in regions with limited infrastructure and relevant technical experience may be discouraged from applying for applicant support without more specific guidance.

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[62] See "IG N: ICANN may put in place a fee reduction scheme for gTLD applicants from economies classified by the UN as least developed, GNSO Final Report Introduction of New Generic Top-Level Domains," https://gnso.icann.org/en/issues/new-gtlds/pdp-dec05-fr-parta-08aug07.htm

[63] See "APAC Space ICANN57," https://icann572016.sched.com/event/8czw/apac-space

[64] See the New gTLD Subsequent Procedures PDP Working Group Meeting Transcript, 30 January 2017, https://community.icann.org/display/NGSPP/2017-01-30+New+gTLD+Subsequent+Procedures+PDP?preview=/63156626/64065836/Transcript%20New%20gTLD%20Sub%20Pro%2030%20Jan%202017.pdf

[65] See Appendix D

[66] See "Applicant Support Directory, Pro Bono Services for gTLD Startup Registries," https://newgtlds.icann.org/en/applicants/candidate-support/non-financial-support

- **Proposed Solution:** The Work Track 1 team suggested that the ICANN organization should expand non-financial support to include mentoring opportunities for running a gTLD registry to build in-house expertise and help ensure long term viability.
- **Unresolved Questions:** How can the learning curve be improved? How to best ensure the availability of local consulting resources?

After two and a half years of work, both within its work tracks and as a working group, the SubPro PDP Working Group published its progress on Work Tracks 1-4 in an Initial Report for Public Comment with the goal of assessing whether their preliminary recommendations and guidance were supported by the ICANN community.[67] The findings and questions from Work Track 1 on the topic of applicant support were published as part of the Initial Report.

SubPro PDP Working Group Deliberations Following the Initial Report

The SubPro PDP Working Group received many ICANN community contributions in the form of Public Comment submissions to its Initial Report. As is the practice for GNSO PDPs, the working group met regularly to consider the feedback received and deliberate on whether changes should be made as a result to their initial recommendations.

On the topic of applicant support, the ICANN community generally agreed with the working group that the ASP should *"continue to be open to applicants regardless of their location as long as they meet other program criteria"* and that *"outreach should not only target the Global South, but also consider the 'middle applicant'."*[68] There was also ICANN community agreement that outreach should begin earlier to create more awareness of the ASP, and that applicants should have the option to transfer their application to the mainstream process if they failed to meet the ASP eligibility criteria.[69] However, while there was some agreement on the working group's initial recommendations, Public Comment submissions also yielded concerns and alternative ideas.

Based on its consideration of ICANN community input, the working group amended its initial recommendations on a variety of topics, several of which are highlighted below. For a full list of the SubPro PDP Working Group's final applicant support recommendations and their rationale, please refer to Appendix C of this module.[70]

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[67] See the Public Comment on "Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)," https://www.icann.org/en/public-comment/proceeding/initial-report-on-the-new-gtld-subsequent-procedures-policy-development-process-overarching-issues--work-tracks-1-4-03-07-2018

[68] See "Initial Report on the new gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)," https://gnso.icann.org/sites/default/files/file/field-file-attach/subsequent-procedures-initial-overarching-issues-work-tracks-1-4-03jul18-en.pdf

[69] See the New gTLD Subsequent Procedures PDP Working Group Meeting, 29 July 2019, https://community.icann.org/display/NGSPP/2019-07-29+New+gTLD+Subsequent+Procedures+PDP

[70] See Appendix C

Gaming: In the Public Comment submissions, the gTLD Registries Stakeholder Group (RySG), ALAC, and the ICANN organization each expressed their concerns that the working group's preliminary applicant support recommendations did not include penalties to prevent gaming.[71]

- **Proposed Solution:** The working group agreed with a proposal from the ALAC, which suggested that if the SARP believed that there was willful gaming then an application transfer should not be permitted.[72] This provision was added to the working group's recommendations.

Auctions: Several ICANN community groups expressed concern about auctions in subsequent rounds, including their fairness for ASP applicants who would not have the same financial capabilities as regular applicants to win an auction. The working group considered the GAC position that *"auctions of last resort should not be used to resolve contention between commercial and non-commercial applications,"*[73] but ultimately could not agree to eliminate auctions entirely.

- **Proposed Solution:** After extensive deliberation and solicitation of further ideas,[74] the working group eventually came to agreement with a secondary proposal from the ALAC that the ASP should provide its applicants with a bid multiplier or similar mechanism that would apply if their gTLD conflicts with another and enters into an auction of last resort.

Registry Fees: Work Track 1 initially recommended that ASP financial support should be expanded to include ICANN registry-level fees. However, opinions within the SubPro PDP Working Group diverged in later discussions, as there were concerns that this financial assistance would go too far to support new registries that may otherwise be unsustainable.[75]

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[71] See Public Comment Archives, Initial Report on the New gTLD Subsequent Procedures PDP, https://mm.icann.org/pipermail/comments-gtld-subsequent-procedures-initial-03jul18/

[72] See "ALAC Statement on the Initial Report on the NewgTLD Subsequent Procedures PDP" https://community.icann.org/pages/viewpage.action?pageId=88573813&preview=/88573813/102140772/AL-ALAC-ST-0918-03-01-EN.pdf

[73] See "GAC Input SubPro Initial Report," https://mm.icann.org/pipermail/comments-gtld-subsequent-procedures-initial-03jul18/attachments/20181008/b6855874/GACInputSubProInitialReport-0001.pdf

[74] See the Public Comment on "Supplemental Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4)," https://www.icann.org/en/public-comment/proceeding/supplemental-initial-report-on-the-new-gtld-subsequent-procedures-policy-development-process-overarching-issues--work-tracks-1-4-30-10-2018

[75] See the New gTLD Subsequent Procedures PDP Working Group Meeting, 26 March 2020, https://community.icann.org/display/NGSPP/2020-03-26+New+gTLD+Subsequent+Procedures+PDP

- **Proposed Solution:** After further deliberation and ICANN community input, it was decided to remove this element of expanded financial support from the recommendations. The inclusion of application-related writing fees and attorney fees would remain in place.

Metrics: Not long after the SubPro PDP Initial Report was published, the CCT Review Team delivered their Final Report to the ICANN Board, which included Recommendation 29: *"set objectives/metrics for applications from the Global South."*[76] The ICANN Board passed this recommendation to the SubPro PDP Working Group to consider. Public Comment submissions also reflected the desire for clearly defined goals for the ASP and metrics to measure its success.

- **Proposed Solution:** The working group believed it was appropriate to have clear objectives and metrics and collected several data points that could potentially be used, but ultimately could not define what "success" meant for the ASP.[77] The working group believed that this task would instead be best assigned to a dedicated Implementation Review Team (IRT) that makes use of diverse regional experts who *"understand the unique nature of financial and non-financial support for those in need."*[78]

In addition, the IRT would also be responsible for developing other implementation elements of the ASP, including *"elements related to outreach, education, business case development, and application evaluation."*[46] For example, while the working group agreed that outreach about the ASP should be expanded and conducted at least six months prior to the start of the application submission period, the IRT would need to develop the outreach strategy in practice. The working group also believed that the IRT should determine how to allocate financial support if the number of qualified applicants exceeded available funds.[46]

After nearly three years of deliberations, including input from Public Comment, during ICANN Public Meetings, and working group discussions, the SubPro PDP Working Group came to consensus on a number of recommendations. Applicant support was one of 41 substantial topics addressed by the SubPro PDP Working Group and covered in 24 of the 300+ policy affirmations, recommendations, and implementation guidance contained in the working group's Final Report. These applicant support-related outputs can be found in Appendix C. The SubPro PDP Final Report was delivered to the GNSO Council for approval in January 2021.

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[76] See "Competition, Consumer Trust, and Consumer Choice Review Final Report," https://www.icann.org/en/system/files/files/cct-rt-final-08sep18-en.pdf

[77] See ICANN70 At-Large Policy Session 3 "Applicant Support: What Does Success Look Like?" https://icann.zoom.us/rec/play/Mcj55B1cspjUkToBr4fsYtg7qO0umf4Q65Nj0rCVeT3MM6jABafaVCf1AFmCwBwBNHQzrQzw98Ra2nEE._g5nVCqm9OvCfhD3?startTime=1616599920000&_x_zm_rtaid=h2jpR4EXRTCG7IG383uziw.1661273728700.bad0739f23b2d82084b4425055dabf07&_x_zm_rhtaid=863

[78] See "Final Report on the new gTLD Subsequent Procedures Policy Development Process," https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-20jan21-en.pdf

Appendix A

Summary of Key Events in the Progress of the Joint SO/AC New gTLD Applicant Support (JAS) Working Group

1 April 2010: GNSO Council approves proposal for Joint SO/AC New gTLD Applicant Support Working Group

10 May 2010: Adoption of JAS WG Charter by participating SOs and ACs

Objective 1: To identify suitable criteria that new gTLD applicants must fulfill to qualify for dedicated support. The criteria may be different for different types of support identified in line with Objective 2 and 3 below.

Objective 2: To identify how the application fee can be reduced and/or subsidized to accommodate applicants that fulfill appropriate criteria to qualify for this benefit, in keeping with the principle of full cost recovery of the application process costs.

Objective 3: To identify what kinds of support (e.g. technical assistance, organizational assistance, financial assistance, fee reduction) and support timelines (e.g. support for the application period only, continuous support) are appropriate for new gTLD applicants fulfilling identified criteria.

Objective 4: To identify potential providers of the identified kinds of support as well as appropriate mechanisms to enable support provisioning.

Objective 5: To identify conditions and mechanisms required to minimize the risk of inappropriate access to support. Agreed within WG, pending GNSO Council and ALAC adoption.

16 June 2010: JAS WG publishes a snapshot of its work plans and progress.

WG includes initial proposals for applicant support and a series of principles that are recommended to guide the community as the support process is finalized.

23 June 2010: JAS WG presentation during ICANN38: Reducing Barriers to New gTLD Creation in Developing Regions

JAS WG provides an overview on its charter and work plan for developing applicant support program criteria. WT1 and WT2 members present initial findings and proposals. Open question and answer session with JAS WG.

28 October 2010: ICANN Board Resolution on New gTLD Applicant Support

ICANN Board thanked JAS WG for their work and encouraged continued community input on guidelines for implementation. Board also stressed that any applicant support program must have a sustainable funding model.

11 November 2010: JAS WG publishes its first Milestone Report

WG met the initial goals and milestones outlined in the May 2010 charter. WG lists additional work for consideration by the ALAC and GNSO. WG provides the following recommendations:

- Kinds of support that should be offered: cost reduction support; sponsorship and other funding support; modifications to the financial continued operation instrument obligation; logistical support; technical support for applicants in operating or qualifying to operate a gTLD; and exception to the rules requiring separation of the Registry and Registrar function.
- applicants entitled to receive support: main criterion for eligibility should be financial need.
- proposed constraints on aid: series of principle to guide the community as the support process is finalized

December 2010 - February 2011: JAS WG updates its charter

ALAC and GNSO separately develop new charters for the additional work identified in the November 2010 Milestone Report.

Common Work Items:

1. Propose criteria for financial need and a method of demonstrating that need. Financial need has been established as the primary criterion for support. The group should seek out expert advice in this area, especially given the comparative economic conditions and the cross-cultural aspects of this requirement.
2. Propose mechanisms for determining whether an application for special consideration should be granted and what sort of help should be offered;
3. Propose methods for applicants to seek out assistance from registry service providers.
4. Propose methods for applicants to seek out assistance from other top-level domain consultants, translators, and technicians, in the application for, and administration of, a new top-level domain)
5. Design mechanisms to encourage the build out of Internationalized Domain Names (IDNs) in small or underserved languages.

Items approved only by ALAC

1. Propose mechanism(s) for revenue income and other asset management to support new gTLD applicants who meet the criteria as established in objective a). This effort can include recommendations for managing any auction income, beyond costs, for future rounds and ongoing assistance;
2. Investigate the options for ICANN or third parties to facilitate or coordinate the assistance identified in ALAC item 1).
3. Investigate the options for ICANN or third parties to facilitate or coordinate the assistance identified in Common work item 4).
4. Establish methods for coordinating cooperation among qualified applicants, and assistance volunteered by third parties.
5. In cooperation with ICANN Staff and donor experts establish policies and practices for fundraising and for establishing links to possible donor agencies. This activity may include assisting in the establishment of initial relationships with any donor(s) who may be able to help in first round with funding

May 2011: JAS WG publishes Second Milestone Report

To qualify for eligibility under this program applicants must meet all three criteria:

- Demonstrate service to the public interest, including one or more of the following characteristics,
  - Support by and/or for distinct cultural, linguistic and ethnic communities
  - Service in an under-served language
  - Operation in an emerging market or nation in a manner that provides genuine local social benefit
  - Sponsored by non-profit, civil society and non-governmental organizations in a manner consistent with the organizations' social service mission(s)
  - Operated by local entrepreneur, providing demonstrable social benefit in those geographic areas where market constraints make normal business operations more difficult
- Demonstrate financial capabilities and need
- NOT have any of the following characteristics
  - From a governmental or para-statal applicant
  - TLD string explicitly based, and related to, a trademark (ie. a "dot brand" TLD)
  - TLD string that is, or is based on, a geographic name
  - Sponsors or partners who are bankrupt or under bankruptcy protection
  - Sponsors or partners who are subject of litigation or criminal investigation
  - Otherwise incapable of meeting any of the Applicant Guidebook's due diligence procedures

Types of support recommended: cost reductions, staggered fees, partial refund from any auction proceeds, other forms of financial support, non-financial support from ICANN, support from third parties facilitated by ICANN, directory and referral service only for eligible applicants, and IPv6 support.

20 June 2011: ICANN Board Resolution on the Approval of the New gTLD Program

Board authorizes the President and CEO to implement the new gTLD program which includes the following elements:

4. **a program to ensure support for applicants from developing countries**, with a form, structure and processes to be determined by the Board in consultation with stakeholders including:
   a. consideration of the GAC recommendation for a fee waiver corresponding to 76 percent of the USD $185,000 evaluation fee,
   b. consideration of recommendations of the ALAC and GNSO as chartering organizations of the Joint Applicant Support (JAS) Working Group,
   c. designation of a **budget of up to USD $2 million for seed funding**, and creating opportunities for other parties to provide matching funds, and
   d. the review of additional community feedback, advice from ALAC, and recommendations from the GNSO following their receipt of a Final Report from the JAS Working Group (requested in time to allow staff to develop an implementation plan for the Board's consideration at its October 2011 meeting in Dakar, Senegal), **with the goal of having a sustainable applicant support system in place before the opening of the application window**;

13 September 2011: JAS WG publishes Final Report

Timing of Support: Full array of financial and non-financial support for approved candidates should be available in the first and all subsequent rounds of new gTLD applications.

Financial Support: Application fee reduced to USD $47,000 from USD $185,000; Installment payments allowed for application fees; Relaxing or deferring of the upfront costs of the required "continuity instrument"; and Possible creation of a development fund.

Non-Financial Support: Assistance with the preparation of gTLD applications; Facilitation of IPv6 compliance; Consulting and education regarding DNSSEC implementation; Outreach and education efforts regarding the New gTLD Program; Logistical, translation and technical support; and Establishment of Registry Service Providers in regions where none or few exist.

Support Candidate Eligibility Requirements: Service to the public interest; and Both a level of financial need and of financial capability.

Support Evaluation Process (SEP)

- Should take place before the standard gTLD application review.
- Application should be evaluated by a Support Application Review Panel (SARP). The SARP should be composed of volunteers from the ICANN community and outside experts, all with knowledge of the existing new gTLD processes, potential gaming patterns and the general needs and capabilities of Support Candidates from developing economies.
- When the SARP rejects a Support Candidate, the SARP should explain its reasons. The Support Candidate may then work to improve its application and reapply for support or may apply for a gTLD without support.
- Support Candidates are still responsible for paying the USD5,000 gTLD application deposit.
- The ICANN Staff should produce a Support Candidate Guide.

24 October 2011: JAS WG presentation during ICANN42: Developing Regions and New gTLD Program

JAS WG presents an overview of the Final Report followed by a public question and answer session. The presentation covered: terminology clarification, why support should be provided, timeline of activities, Final Report structure, Final Report highlights, and next steps.

28 October 2011: ICANN Board Resolution on Joint Applicant Support

Board receives the Final Report of the Joint Applicant Support Working Group, convenes a Board working group to implement its proposals, and directs the President and CEO to propose a detailed plan that could be discussed at a special meeting in December 2011.

8 December 2011: ICANN Board Resolution on Applicant Support

Board directs staff to finalize the implementation plan for the launch of the Applicant Support Program in January 2012, approves the fee reduction to USD $47,000 for Applicant Support candidates, and directs staff to amend the communications campaign to incorporate the Applicant Support Program.

11 January 2012: The ICANN organization publishes New gTLD Financial Assistance Handbook

Handbook provides the applications timeline for applicant support, criteria for eligibility, evaluation fees, application process, evaluation process, evaluation criteria and scoring rubrics.

Appendix B

Mentions of Applicant Support in the New gTLD Applicant Guidebook Over Time

Version and Date	Text
Version 1 October 2008	No reference to possible resources for applicant support
Version 2 February 2009	No reference to possible resources for applicant support
Version 3 October 2009	No reference to possible resources for applicant support
Version 4 May 2010	No reference to possible resources for applicant support
Version 5 November 2010	**Section 1.2.10 Resources for Applicant Assistance** A variety of support resources are available to gTLD applicants. More information will be available on ICANN's website at http://www.icann.org/en/topics/new-gtldprogram.htm. *Footnote:* The Joint SO/AC New gTLD Applicant Support Working Group is currently developing recommendations for support resources that may be available to gTLD applicants. Information on these resources will be published on the ICANN website once identified.
Version 6 April 2011	**Section 1.2.10 Resources for Applicant Assistance** A variety of support resources are available to gTLD applicants. More information will be available on ICANN's website at http://www.icann.org/en/topics/new-gtldprogram.htm. *Footnote:* The Joint SO/AC New gTLD Applicant Support Working Group is currently developing recommendations for support resources that may be available to gTLD applicants. Information on these resources will be published on the ICANN website once identified.

Version 7 **May 2011**	**Section 1.2.10 Resources for Applicant Assistance** A variety of support resources are available to gTLD applicants. For example, ICANN may establish a means for providing financial assistance to eligible applicants, as well as providing a webpage as an informational resource for applicants seeking assistance, and organizations offering support. More information will be available on ICANN's website at http://www.icann.org/en/topics/new-gtldprogram.htm. *Footnote:* The Joint SO/AC New gTLD Applicant Support Working Group is currently developing recommendations for support resources that may be available to gTLD applicants. Information on these resources will be published on the ICANN website once identified.
Version 8 **September 2011**	**Section 1.2.10 Resources for Applicant Assistance** A variety of support resources are available to gTLD applicants. For example, ICANN is establishing a means for providing financial assistance to eligible applicants, through a process independent of this Guidebook. In addition, ICANN will maintain a webpage as an informational resource for applicants seeking assistance, and organizations offering support. More information will be available on ICANN's website at http://www.icann.org/en/topics/new-gtld-program.htm. *Footnote:* The Joint SO/AC New gTLD Applicant Support Working Group is currently developing recommendations for support resources that may be available to gTLD applicants. Information on these resources will be published on the ICANN website once identified.
Version 9 **January 2012**	**Section 1.2.10 Resources for Applicant Assistance** A variety of support resources are available to gTLD applicants. Financial assistance will be available to a limited number of eligible applicants. To request financial assistance, applicants must submit a separate financial assistance application in addition to the gTLD application form. To be eligible for consideration, all financial assistance applications must be received by **23:59 UTC 12 April 2012**. Financial assistance applications will be evaluated and scored against pre-established criteria. In addition, ICANN maintains a webpage as an informational resource for applicants seeking assistance, and organizations offering support. See http://newgtlds.icann.org/applicants/candidatesupport for details on these resources

Appendix C

Summary of Applicant Support-Related Outputs and Rationale from the Final Report on the New gTLD Subsequent Procedures Policy Development Process

Reading Appendix C: Different Types of SubPro Working Group Outputs:		
"Affirmation" Affirmations indicate that the Working Group believes that an element of the 2012 New gTLD Program was, and continues to be, appropriate, or at a minimum acceptable, to continue in subsequent procedures.	**"Recommendation"** Recommendations often address *what* the Working Group recommends takes place, as opposed to how it should take place. Recommendations typically use the term "must," indicating that the recommended action is required to take place and/or necessary for the New gTLD Program.	**"Implementation Guidance"** Implementation guidance commonly refers to *how* a recommendation should be implemented. Implementation guidance typically uses the term "should" indicating that the Working Group expects the action to take place, noting that there may exist valid reasons in particular circumstances to not take the recommended action exactly as described.

Applicant Support-related excerpts from the SubPro PDP Final Report	
Topic 13: Communications	**Recommendation 13.2:** The Working Group believes that an effective communications strategy and plan is needed to support the goals of the program referenced in Affirmation 6.1. Accordingly, the Working Group recommends that the New gTLD communications plan must be developed with timeliness, broad outreach and accessibility as key priorities. The communications plan must be targeted to achieve the goals of the New gTLD Program as articulated. **The plan must include a Communications Period commensurate in length to achieve those goals.** **Implementation Guidance 13.3:** For timeliness, the Working Group believes that for the next subsequent round, **the Communications Period should begin at least six (6) months prior to the beginning of the application submission period**. Essentially, the communications plan should be commensurate with the time needed to perform elements like the non-exhaustive list below: • **Outreach related to Applicant Support** • Establishing and allowing interested parties to engage in the RSP pre-evaluation process **Rationale for Recommendation 13.2 and Implementation Guidance 13.3:** The Working Group was in wide agreement that the New gTLD Program's communications plan should serve the goals of raising awareness about the New gTLD Program to as many potential applicants as possible around the world and making sure that potential applicants know about the program in time to apply. To serve this objective, the Working Group determined that the focus should be on timeliness, broad outreach, and accessibility. As a result, the Working Group focused on specific suggestions that would further those high-level goals. Public comment received was largely supportive of the Working Group's preliminary outcomes and accordingly, they have been carried forth as implementation guidance in this report.

Topic 15: Application Fees	**Affirmation 15.1:** Subject to Implementation Guidance 15.2 below, the Working Group affirms that as was the case in the 2012 round, all applications in subsequent procedures should pay the same base application fee regardless of the type of application or the number of applications that the same applicant submits. This would not preclude the possibility of additional fees in certain circumstances, as was the case in the 2012 round of the program (e.g., Community Priority Evaluation, Registry Service Evaluation Process, etc.). The Working Group notes that as was the case in the 2012 round, successful candidates for the Applicant Support Program will be eligible for a reduced application fee. **Rationale for Affirmation 15.1:** The Working Group considered different perspectives on whether a single base fee should apply to all applications (with the exception of successful applications for Applicant Support), or whether different fees may be appropriate for certain application types or applicants, for example IDNs, applications for IDN strings in multiple scripts, .Brands, all community applications, only community applications with non-profit intentions, or in the case of applicants who apply for multiple strings. In addition to considering proposals from Working Group members and input received through public comment, the Working Group reviewed GAC Consensus Advice in the Nairobi Communiqué (2010) which stated the following with respect to fees in the 2012 round: "instead of the currently proposed single-fee requirement, a cost-based structure of fees appropriate to each category of TLD would a) prevent cross subsidization and b) better reflect the project scale, logistical requirements and financial position of local community and developing country stakeholders who should not be disenfranchised from the new TLD round." With respect to this Advice, the Working Group noted that the fee structure included a single base fee, but also included additional fees for certain circumstances where additional costs were incurred, therefore avoiding excessive cross-subsidization. At the same time, given the numerous factors that could apply to each application that could impact the cost of processing, the Working Group agreed that it is not possible to categorize applications in a way that would have a corresponding simple fee structure based on cost of processing. Further, the Working Group considered that the Applicant Support Program was established to assist applicants that might otherwise be excluded from the program due to the cost of the application fee. The Working Group has provided recommendations to enhance the Applicant Support Program so that it better serves this goal in subsequent procedures. Ultimately, the Working Group did not come to any agreement to recommend charging different fees for different types of applications and further, did not agree on a feasible path for implementing such an approach; as discussed during deliberations for Topic 4: TLD Types, the Working Group is cognizant of the unintentional impacts and potentially inappropriate incentives created by the establishment of different application tracks. Therefore, the Working Group recommends maintaining the single base fee charged in the 2012 application round.

Topic 15: Application Fees	**Recommendation 15.7:** In the event that an application fee floor is used to determine the application fee, excess fees received by ICANN must be used to benefit the New gTLD Program and not any other ICANN program or purpose; that includes one or more of the following elements of the New gTLD Program: a. a global communication and awareness campaign about the introduction and availability of new gTLDs; b. long-term program needs such as system upgrades, fixed assets, etc.; **c. Applicant Support Program**; d. top-up of any shortfall in the segregated fund as described below; or (e) other purpose(s) that benefits the New gTLD Program. **Rationale for Recommendation 15.7:** The Working Group agreed that if the use of an application fee floor (see explanation above) results in additional surplus, these funds must be placed in a segregated fund that is only used for the benefit of the New gTLD Program. In this regard, just as the New gTLD Program must not use funds from other sources, fees collected through the New gTLD Program should not be used to fund other programs or initiatives. The Working Group lists appropriate uses of excess fees collected that benefit the New gTLD Program.

Topic 16: Applications Submissions Period	**Recommendation 16.1:** The Working Group recommends that for the next application window and subsequent application windows, absent "extenuating or extraordinary" circumstances, **the application submission period must be a minimum of 12 and a maximum of 15 weeks in length**. **Rationale for Recommendation 16.1:** TheThe Working Group believes that the application submission period should be long enough to provide a fair opportunity for all prospective applicants to submit an application, including newcomers to the program, those submitting community-based applications, and those applying for Applicant Support. The Working Group further notes that there is a link between the effectiveness of outreach and communications efforts prior to the application window and requirements for the length of the window itself. Namely, if ICANN's communications and outreach efforts are effective prior to the point at which the window opens, prospective applicants will be prepared to apply and will therefore need less time to actually submit the application. Similarly, if processes and systems are predictable and accessible and customer support is readily available, less time may be required to apply. The Working Group anticipates that its recommendations regarding Topic 2: Predictability, Topic 13: Communications, Topic 14: Systems, and Topic 17: Applicant Support will assist in improving the applicant experience, but notes that further consideration of these program elements may need to be given before the length of the application submission period is finalized in the implementation phase. In the 2012 round, there was a three (3) month application submission period specified in the Applicant Guidebook, meaning a three month window between the time that TLD applicants were able to enter the application system to the end of the time period in which applications would be accepted. While members of the Working Group had different opinions on the exact period of time that the window should be open, the Working Group ultimately agreed to recommend an application submission period of no less than 12 and no more than 15 weeks in length in order to be fair to all prospective applicants and to ensure predictability.

Topic 17: Applicant Support	**Recommendation 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. 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.

Topic 17: Applicant Support	**Rationale for Recommendation 17.1:** The Working Group believes that financial assistance should continue to be provided to eligible applicants in subsequent procedures in order "to serve the global public interest by ensuring worldwide accessibility to, and competition within, the new gTLD Program,"106 as was the case in the 2012 round and also recommends additional elements to include as part of financial assistance that were not part of the Program in 2012. The Working Group further supports ICANN's facilitation of non-financial pro-bono assistance to applicants in need. The Working Group emphasizes that ICANN must conduct outreach and awareness-raising activities during the Communications Period to both potential applicants and prospective pro-bono service providers to ensure the success of this initiative. The Working Group believes that the high-level Applicant Support Program eligibility requirements from 2012 remain appropriate, namely that applicants must demonstrate financial need, provide a public interest benefit, and possess the necessary management and financial capabilities.107 The Working Group notes that the program was available to applicants regardless of location in the 2012 round and believes that this should continue to be the case, as there are prospective applicants in need of assistance around the world that may want to launch TLDs serving the public interest or an underserved community. The Working Group notes that CCT-RT Recommendation 31 states: "The ICANN organization to coordinate the pro bono assistance program." This recommendation is directed at the ICANN organization. The ICANN Board accepted the recommendation contingent on a recommendation from the New gTLD Subsequent Procedures PDP Working Group that the pro bono assistance program continue. Recommendation 17.1 provides guidance that the Applicant Support Program's pro bono assistance program should continue in subsequent procedures along with other elements of the program. **Recommendation 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. **Rationale for Recommendation 17.2:** The Working Group recognizes that the costs of applying for a TLD extend beyond the application fee and that these additional costs could be uncertain and prohibitive for applicants with limited financial resources. Therefore, the Working Group recommends that the Applicant Support Program provide financial assistance to cover additional fees associated with the application process. **Recommendation 17.3:** The Working Group recommends that ICANN improve outreach, awareness-raising, application evaluation, and program evaluation elements of the Applicant Support Program, as well as usability of the Program, as proposed in the implementation guidance below.

Topic 17: Applicant Support	**Implementation Guidance 17.4:** Outreach and awareness-raising activities should be delivered well in advance of the application window opening, as longer lead times help to promote more widespread knowledge about the program. Such outreach and education should commence no later than the start of the Communications Period. **Implementation Guidance 17.5:** A dedicated Implementation Review Team should be established and charged with developing implementation elements of the Applicant Support Program. In conducting its work, the Implementation Review Team should revisit the 2011 Final Report of the Joint Applicant Support Working Group as well as the 2012 implementation of the Applicant Support program. **Implementation Guidance 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. **Implementation Guidance 17.7:** The Working Group supports Recommendation 6.1.b in the Program Implementation Review Report, which states: “6.1.b: Consider researching globally recognized procedures that could be adapted for the implementation of the Applicant Support Program.” **Implementation Guidance 17.8:** In implementing the Applicant Support Program for subsequent rounds, the dedicated Implementation Review Team should draw on experts with relevant knowledge, including from the targeted regions, to develop appropriate program elements related to outreach, education, business case development, and application evaluation. Regional experts may be particularly helpful in providing insight on the development of business plans from different parts of the world.

Topic 17: Applicant Support

Implementation Guidance 17.9:
The dedicated Implementation Review Team should seek advice from experts in the field to develop an appropriate framework for analysis of metrics to evaluate the success of the Applicant Support Program. The Working Group identified a non-exhaustive list of potential data points to support further discussion in the implementation phase. The Working Group anticipates that the dedicated IRT will consider how these and other potential metrics may be prioritized:

- Awareness and Education:
  - number of outreach events and follow up communications with potential applicants
  - level of awareness about the New gTLD Program/Applicant Support Program
  - number of enquiries about the program/level of interest expressed/ number that considered applying
  - number of applicants
    - first-time applicants versus repeat applicants
    - applicants submitting a single application versus portfolio applicants
    - applications based on pre-existing trademarks
  - diversity and distribution of the applicant pool: geographic diversity, languages, scripts
- Other Elements of Program Implementation:
  - number of ICANN staff members and contractors supporting the Applicant Support Program
  - number of service providers offering pro-bono assistance and value of assistance offered/provided
  - number of applicants accessing/using pro-bono assistance
  - number of approved applicants for financial assistance
  - number of applicants who received bid credits, multiplier, other and were successful in auction
  - the value of the bid credits, multiplier, other
  - number of applicants who withdrew from auction
  - number of applicants who entered in to a business combination or other forms of joint ventures
  - length of time before any change of ownership occurred
- Success of Launched gTLD:
  - The number of registrants of domain names registered in “regional” TLDs (e.g., TLDs focusing mainly on a local, limited market), keeping in mind that there are other barriers for registrants in developing countries to access domain names, such as inability to access online payment services and a lack of local registrars.
  - The number of domain names registered in “regional” new gTLDs compared to the number of Internet users in such regions. These numbers could be compared with the same numbers for Internet users and “regional” new gTLDs in developed regions such as Europe and North America.

Topic 17: Applicant Support	**Implementation Guidance 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. **Rationale for Recommendation 17.3 and Implementation Guidance 17.4-17.10:** The Working Group believes that there are opportunities for improvement in the outreach, awareness-raising, application evaluation, and program evaluation elements of the Applicant Support Program, as well as usability of the program, and suggests that a dedicated IRT should be formed to focus on implementation of the Applicant Support Program. The Working Group considered why there were a very limited number of applicants to the Applicant Support Program in the 2012 round and that only one applicant ultimately met the program criteria to receive assistance. The Working Group believes that in the 2012 application round, the main factor was that there was a limited amount of time available to conduct outreach for the program in between finalization of Applicant Support Program details and launch of the application window. The Working Group reviewed and discussed recommendations contained in the report "New gTLDs and the Global South: Understanding Limited Global South Demand in the Most Recent new gTLD Round and Options Going Forward" by AMGlobal, which focuses on recommendations for the New gTLD Program to more effectively reach prospective applicants in the Global South and developing economies. While this report does not specifically discuss the Applicant Support Program, the Working Group notes that the recommendations from the report may still be applicable as the Global South and developing economies were and continue to be targets of the Applicant Support Program. The AMGlobal Report emphasizes the importance of timely and effective outreach and communications regarding the New gTLD Program to better reach potential applicants in the Global South and emerging markets. The Working Group believes that similar conclusions can be made about the Applicant Support Program. The Working Group considered that ALAC Advice to the ICANN Board has emphasized the importance of outreach in the implementation of the Applicant Support Program. Observations by Working Group members from the 2012 round and community input reinforce the necessity of making sure that information about the Applicant Support Program is accessible to the target audience. The Working Group agrees that outreach and awareness-raising activities are critical to the success of the program, and notes in particular that it is important to create awareness about different possible business models for operating a TLD. The Working Group notes that CCT-RT Recommendation 30 states: "Expand and improve outreach into the Global South." This recommendation is directed at the ICANN organization. The relevant Board Resolution mentions that the Subsequent Procedures Working Group may want to work on a definition of the Global South. Recommendation 17.3 and associated implementation guidance focus on the importance of improved outreach consistent with the CCT-RT recommendation on this topic, although the Subsequent Procedures recommendations do not focus exclusively on the "Global South" or attempt to define this term.

Topic 17: Applicant Support	**Rationale for Recommendation 17.3 and Implementation Guidance 17.4-17.10, continued:** The Working Group believes that an important potential target of the Applicant Support Program are those located in struggling regions that are further along in their development compared to underserved or underdeveloped regions, because they may be better positioned to operate a TLD and may operate in a market that is more prepared for TLD expansion compared to potential applicants in underserved or underdeveloped regions, but at the same time may also require assistance in applying for a TLD. Therefore, the Working Group recommends that outreach efforts and application criteria target prospective applicants from these areas, noting that further work may be needed in the implementation phase to define the target population. The Working Group agrees with the Program Implementation Review Report that globally recognized procedures, for example from the World Bank, could potentially be adapted for use in the Applicant Support Program. The Working Group encourages the dedicated IRT to conduct further work to identify such procedures in the implementation phase. The Working Group emphasizes that it is important for the dedicated IRT to consult with relevant experts in the implementation of the Applicant Support Program in order to ensure that best practices are followed and knowledge about the target regions is appropriately leveraged. The Working Group believes that the dedicated IRT should additionally work with experts to develop metrics to evaluate the success of the Applicant Support Program. The Working Group notes that CCT-RT Recommendation 29 states: "Set objectives/metrics for applications from the Global South." This recommendation is directed at the Subsequent Procedures PDP and GNSO. The ICANN Board passed this recommendation through with the suggestion that the PDP could work with ICANN org on defining "Global South" or agree on another term to describe underserved or underrepresented regions or stakeholders in coordination with ICANN org. The Working Group notes that ICANN org is currently undertaking work to define and standardize usage of terminology related to underserved and underrepresented regions in ICANN org's work, with a focus on consistently using terminology across programs. The Working Group expects that the Implementation Review Team will continue to follow this work as it develops and draws on any applicable takeaways, as appropriate, in the implementation of the Applicant Support Program. Without exclusively focusing on the Global South, the Working Group has considered possible metrics to define success of the Applicant Support Program, which avoids focusing solely on the number of applicants that are approved by the Applicant Support Program. This approach is in recognition that in some circumstances, potential applicants may not see a new gTLD as a priority, their locale may lack sufficient infrastructure to support a gTLD, or there may be other factors that prevent their pursuit of a gTLD.

Topic 17: Applicant Support	**Rationale for Recommendation 17.3 and Implementation Guidance 17.4-17.10, continued:** This non-exhaustive list provided in Implementation Guidance 17.9 may serve as a starting point for discussion as the dedicated IRT consults with experts in the implementation phase regarding metrics to evaluate the success of the Applicant Support Program. The Working Group considered that in subsequent rounds it may be the case that there are not sufficient funds available to provide fee reductions to all applicants that meet threshold scoring requirements. The Working Group reviewed the 2012 approach to this issue as well as public comments received on the Working Group's Initial Report, but did not come to an agreement on any specific recommendations in this regard. The Working Group believes that this topic should be considered further by the dedicated Implementation Review Team. **Recommendation 17.11:** The Working Group supports Recommendation 6.1.a in the Program Implementation Review Report, which states: "Consider leveraging the same procedural practices used for other panels, including the publication of process documents and documentation of rationale." **Rationale for Recommendation 17.11:** The Working Group agrees with the Program Implementation Review Report conclusion that lessons learned from the implementation of other New gTLD Program evaluation panels should be applied, where applicable, to the SARP. As noted in the Program Implementation Review Report, possible areas of improvement include publication of processes, format of the final report, and documentation of rationale for decisions. **Recommendation 17.12:** ICANN org must develop a plan for funding the Applicant Support Program, as detailed in the Implementation Guidelines below. **Implementation Guideline 17.13:** 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.103 The amount of funding available to applicants should be determined and communicated before the commencement of the application round. **Implementation Guideline 17.14:** ICANN org should seek funding partners to help financially support the Applicant Support Program, as appropriate. **Rationale for Recommendation 17.12 and Implementation Guidance 17.13 and 17.14:** There will need to be a clear plan in place for funding the Applicant Support Program. ICANN will need to evaluate the extent to which funds will be provided from the ICANN org budget and if additional funding is needed, should consider additional funding sources.

Topic 17: Applicant Support	**Recommendation 17.15:** If an applicant qualifies for Applicant Support and is part of a contention set that is resolved through an ICANN Auction of Last Resort, a bid credit, multiplier, or other similar mechanism must apply to the bid submitted by that applicant. **Implementation Guidance 17.16:** Research should be conducted in the implementation phase to determine the exact nature and amount of the bid credit, multiplier, or other mechanism described in Recommendation 17.15. Research should also be completed to determine a maximum value associated with the bid credit, multiplier, or other mechanism. **Implementation Guidance 17.17:** If the applicant getting Applicant Support prevails in an auction, there should be restrictions placed on the applicant from assigning the Registry Agreement, and/or from any Change of Control for a period of no less than three (3) years. This restriction seeks to prevent gaming of the Applicant Support Program whereby an applicant transfers its ownership of a registry to a third party in exchange for any form of financial gain. However, assignments that become necessary for the following reasons shall be permitted: • Assignments due to the TLD being unable to meet its financial obligations and unable to secure financing or restructure operations to carry out operations in the short-term • Assignments due to death or retirement of a majority shareholder • Assignments due to EBERO • Assignments to affiliates or subsidiaries • Assignments required by competition authorities All assignments after such time shall be governed under the then-current Registry Agreement standard provisions; provided that any Assignment or Change of Control after the third (3rd) year, but prior to the seventh (7th) year, shall require the applicant to repay the full amount of financial support received through the ASP Program, including application fees and any bid credit, multiplier, or related benefits, plus an additional ten percent (10%).

Topic 17: Applicant Support	**Rationale for Recommendation 17.15 and Implementation Guidance 17.16 and 17.17:** By definition, applicants qualified to receive Applicant Support have demonstrated that they have limited financial resources available to apply for a TLD. Applicants with limited financial resources are expected to be disadvantaged when participating in auctions of last resort. The Working Group agreed that applicants qualified for Applicant Support should receive some form of special treatment in contention sets with standard applicants. The Working Group considered a proposal from the ALAC submitted through public comment on the Initial Report that an applicant qualified to receive Applicant Support should be given priority in any string contention set, and not be subjected to any further string contention resolution process. There was insufficient support within the Working Group to move forward with this proposal. The Working Group reached agreement that rather than giving absolute priority to Applicant Support recipients, it is more appropriate to increase the chances of applicants qualified to receive Applicant Support winning at auction. The Working Group therefore recommends applying a bid credit, multiplier, or other similar mechanism for bids submitted by such applicants to increase their chances of success at auction. The Working Group suggests that in the implementation phase, appropriate expertise and research should be leveraged to determine the exact nature and amount of the bid credit, multiplier, or other similar mechanism as well as the maximum value associated with the bid credit, multiplier, or other mechanism. To reduce the risk of gaming, the Working Group suggests additional restrictions on assigning the Registry Agreement and/or Change of Control for those registry operators that have benefited from a bid credit, multiplier, or similar mechanism. **Recommendation 17.18:** Unless the Support Applicant Review Panel (SARP) reasonably believes there was willful gaming, applicants who are not awarded Applicant Support (whether "Qualified" or "Disqualified") must have the option to pay the balance of the full standard application fee and transfer to the standard application process. Applicants must be given a limited period of time to provide any additional information that would be necessary to convert the application into one that would meet the standard criteria (e.g., showing how the applicant for financial and other support could acquire the requisite financial backing and other support services to pass the applicable evaluation criteria). That said, this limited period of time should not cause unreasonable delay to the other elements of the New gTLD Program or to any other applicants for a string in which its application may be in a contention set.

Topic 17: Applicant Support	**Rationale for Recommendation 17.18:** In the 2012 round, unsuccessful candidates for the Applicant Support Program were not able to transfer their applications to the standard application process. If they were found to be ineligible for the Applicant Support Program, this decision marked the end of the application process for a new gTLD for that round. In public comment and Working Group discussions, a number of groups and individuals raised the concern that candidates who would have been a good match for the Applicant Support Program may have been deterred in the 2012 round because of this limitation. The Working Group agreed that given low application rates for Applicant Support in the 2012 round, it would be beneficial to adjust program rules to be more inviting to prospective candidates in the target groups. The Working Group believes that the opportunity to transfer an application is an important part of the equation to attract eligible applicants. The Working Group's recommendation extends this option to any Applicant Support candidates who are not awarded Applicant Support, whether "Qualified" or "Disqualified". The Working Group notes ICANN org's concerns about this programmatic change, in particular that if there are no penalties or other mechanisms to prevent gaming and further, no geographic location criteria, it is more likely that there will be many ASP applications, which could impact costs to process applications and to fund applicants who do qualify, as well as the impact on program timelines. In considering how to address this concern, the Working Group included in the recommendation that if the SARP reasonably believes there was willful gaming, application transfer should not be permitted. The Working Group discussed additional potential measures to reduce the risk of gaming, for example a quick look mechanism like that discussed under Topic 31: Objections. The Working Group suggests that further consideration may be given to gaming prevention measures in the implementation phase. **Recommendation 17.19:** The Financial Assistance Handbook or its successor, subject to the changes included in the above recommendations, must be incorporated into the Applicant Guidebook for subsequent rounds. **Rationale for Recommendation 17.19:** The Working Group believes that in support of transparency and predictability, the Financial Assistance Handbook should be published as part of the Applicant Guidebook.

Appendix D

Concurrent ASP Conversations and Contributions to SubPro PDP

Group	Focus	Contributions to SubPro PDP - Applicant Support
At-Large Advisory Committee (ALAC)	In accordance with ICANN's Bylaws, the ALAC has the duty to understand, represent, and advocate for the best interest of Internet end users worldwide. While the ALAC does not develop policies directly, it works to publicize, analyze, and provide policy advice on proposed ICANN policies and decisions that accurately reflect the views and needs of individual Internet users at regional and global levels. At-Large New gTLDs Working Group (ANGWG) • Study the reasons for the low uptake of applications from developing regions and propose ways this can be remediated in future rounds. Consolidated Policy Working Group (CPWG) • Develop At-Large policy comments and advice relating to new gTLD subsequent procedures and Applicant Support.	ALAC Statements in Public Comments were considered by the SubPro PDP Working Group in their deliberations. ANGWG • Paper: Theory Formation (22 June 2013) ALAC Public Comments • ALAC Statement on the Preliminary Issue Report on New gTLD Subsequent Procedures (22 October 2015) • ALAC Statement on GNSO Community Comment 2 (CC2) (23 May 2017) • ALAC Statement on the Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4) (03 October 2018) • ALAC Statement on GNSO New gTLD Subsequent Procedures Draft Final Report (29 September 2020) • APRALO Statement on GNSO New gTLD Subsequent Procedures Final Outputs for ICANN Board Consideration (01 June 2021) ALAC Advice to the ICANN Board on Subsequent Procedures (16 April 2021) Members of the At-Large Advisory Committee joined the SubPro PDP Working Group to provide their input.

Group	Focus	Contributions to SubPro PDP - Applicant Support
Governmental Advisory Committee (GAC)	In accordance with ICANN's Bylaws, the GAC considers and provides advice on the activities of ICANN as they relate to concerns of governments, particularly matters where there may be an interaction between ICANN's policies and various laws and international agreements or where they may affect public policy issues. The Board must take GAC advice on public policy matters into account, both in the formulation and adoption of policies. GAC Underserved Regions Working Group (USRWG) • Increase participation and engagement from underserved regions during future new gTLD rounds. • Expand outreach efforts and financial support for underserved regions.	GAC Communiques and Statements in Public Comments were considered by the SubPro PDP Working Group in their deliberations. GAC Communiques - Consensus Advice relating to SubPro/CCT • ICANN56 Helsinki (30 June 2016) • ICANN64 Kobe (14 March 2019) • ICANN66 Montreal (06 November 2019) GAC Communiques - Issues of Importance relating to SubPro/ASP • ICANN67 (16 March 2020) • ICANN68 (27 June 2020) • ICANN69 (23 October 2020) • ICANN70 (25 March 2021) • ICANN71 (21 June 2021) GAC Public Comments • GAC Comment on GNSO Community Comment 2 (CC2) (23 May 2017) (reference to CCT Draft Report Comment) • GAC Comment on the Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues & Work Tracks 1-4) (03 July 2018) • GAC Comment on GNSO New gTLD Subsequent Procedures Draft Final Report Public Comment (29 September 2020) • GAC Comment on GNSO New gTLD Subsequent Procedures Final Outputs for ICANN Board Consideration (01 June 2021) Members of the Governmental Advisory Committee joined the SubPro PDP Working Group to provide their input.

Group	Focus	Contributions to SubPro PDP - Applicant Support
Competition, Consumer Trust, and Consumer Choice (CCT) Review Team	The Review Team for the CCT Review examines (A) the extent to which the expansion of gTLDs has promoted competition, consumer trust and consumer choice and (B) the effectiveness of the New gTLD Round's application and evaluation process and safeguards put in place to mitigate issues arising from the New gTLD Round. Regarding the 2012 Applicant Support: • Identify inequities in the process and whether some regions were favored over others. • Examine whether outreach and support sufficiently met the needs of applicants in the Global South.	Materials produced to assist the CCT Review Team in their work would also inform the SubPro PDP Working Group's deliberations. • ICANN org Report: Program Implementation Review (29 January 2016) • AMGlobal Consulting Report: "New gTLDs and the Global South" (31 October 2016) The CCT Review Team's recommendations were considered both by the Board and the SubPro PDP Working Group. • CCT Review Final Report Recommendations 29-32 (08 September 2018)

Group	Focus	Contributions to SubPro PDP - Applicant Support
Generic Names Supporting Organization (GNSO)	The GNSO is responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains. Such policies are made via the GNSO policy development process (PDP), detailed in Annex A of the ICANN Bylaws. New gTLD Subsequent Procedures Discussion Group • Reflect on the experiences gained from the 2012 New gTLD round. • Identify a recommended set of subjects (including on the topic of Applicant Support) to change or adjust for subsequent new gTLD procedures.	The issues identified by the GNSO SubPro Discussion Group would be the starting point for the SubPro PDP Working Group's deliberations on Applicant Support. • Final Issue Report on New gTLD Subsequent Procedures (05 December 2015) Members of the GNSO's Stakeholder Groups and Constituencies contributed toward the SubPro PDP by joining the PDP Working Group as well as providing their respective inputs via Public Comment. All submissions (regardless of affiliation) to the following Public Comments were considered in the SubPro PDP: • Public Comment: GNSO Community Comment 2 (CC2) on New gTLD Subsequent Procedures PDP (22 May 2017) • Public Comment: Initial Report on the New gTLD Subsequent Procedures PDP (Overarching Issues & Work Tracks 1-4) (26 September 2018) • Public Comment: Supplemental Initial Report on the New gTLD Subsequent Procedures PDP (Overarching Issues & Work Tracks 1-4) (21 December 2018) • Public Comment: GNSO New gTLD Subsequent Procedures Draft Final Report (30 September 2020) • Public Comment: GNSO New gTLD Subsequent Procedures Final Outputs for ICANN Board Consideration (01 June 2021)