31 March 2016

Dr. Stephen Crocker
Chair, ICANN Board of Directors

Re: ALAC and GAC concerns regarding the effectiveness of the Public Interest Commitments (PICs) for sensitive new gTLDs

Dear Dr. Crocker,

On behalf of the GNSO New gTLD Subsequent Procedures Policy Development Process Working Group (PDP WG), we are writing to thank you for your letter of 21 March 2016 on concerns raised by the At-Large Advisory Committee (ALAC) and the Governmental Advisory Committee (GAC) regarding the effectiveness of the contracted Public Interest Commitments (PICs) for the GAC Category 1, Safeguard 1-8 TLDs.

We appreciate the input from the ICANN Board on this matter and its recommendation that our PDP WG should review these concerns, including a comprehensive review of PICs and other protection mechanisms used by registries as part of the PDP WG's ongoing deliberations.

We have the following comments with respect to the three options enumerated in the ICANN Board letter.

1. It was noted that the PDP's remit was on the future of New gTLDs rather than the 2012 New gTLD round.
2. Concerning the second option and the recommendation for a new Review Committee, we agree that this PDP WG charter clearly states that the Safeguard PICs are within scope and will be considered and, thus, we further agree that Safeguard PICs are within the purview of existing mechanisms (i.e., Competition, Consumer Trust & Consumer Choice Review Team (CCT-RT) and the PDP WG).
3. With respect to the third option, the PDP WG is committed to reviewing these concerns when considering the PICs/Safeguard issues in their deliberations. As we do so we will ensure that we are in communication with the CCT-RT concerning areas where we believe our work on these concerns may overlap.

Thank you again for this helpful and timely input from the ICANN Board.

Sincerely,

Stephen Coates, Avri Doria, and Jeff Neuman
Co-chairs, GNSO New gTLD Subsequent Procedures PDP Working Group

cc: Alan Greenberg, Chair, ALAC
Thomas Schneider, Chair, GAC
James Bladel, Chair, GNSO