

12 December 2022

RE: New gTLD Subsequent Procedures Operational Design Assessment

Sebastien Ducos  
Chair, Generic Names Supporting Organization (GNSO) Council

Dear Sebastien,

I am pleased to share the Operational Design Assessment (ODA), the final output of the New Generic Top-Level Domains Subsequent Procedures Operational Design Phase (SubPro ODP). ICANN org has delivered this to the Board of Directors today in accordance with the Board's [resolution](#) of 12 September 2021.

The SubPro ODP assessed the assumptions, potential risks, anticipated costs, resource requirements, timelines, dependencies, interaction with the Global Public Interest Framework, and other matters related to the implementation of the 300-plus outputs of the [Final Report](#) of the New gTLD Subsequent Procedures Policy Development Process. The outputs encompass affirmations, recommendations, and implementation guidance.

The SubPro ODP has been an open and transparent process, including three community webinars, update sessions during the ICANN74 and ICANN75 public meetings, and sessions with the Governmental Advisory Committee and the GNSO Council, in addition to regular meetings with the GNSO Council liaison. We also published four Community Status Updates, seven sets of assumptions and 13 blog posts highlighting the work tracks and progress of the ODP.

This SubPro ODA presents ICANN org's analysis, to aid the ICANN Board in its consideration of the recommendations resulting from the GNSO's New gTLD Subsequent Procedures Policy Development Process work. Should the Board adopt these recommendations, ICANN org will work with the community via an Implementation Review Team, with the SubPro ODA as an input to that work, to design and build the next round for generic top-level domains.

We have appreciated working with the GNSO Council to reach this significant milestone and look forward to continued engagement in discussions regarding the ODA and the SubPro policy recommendations.

Sincerely,



Göran Marby  
President and Chief Executive Officer  
Internet Corporation for Assigned Names and Numbers (ICANN)

# **New Generic Top-Level Domain (gTLD) Subsequent Procedures Operational Design Assessment (ODA)**

12 December 2022



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# Document Overview

The information presented in this Operational Design Assessment (ODA) encapsulates a year of work to analyze the 300-plus outputs of the Final Report on the New gTLD Subsequent Procedures Policy Development Process. Accordingly, ICANN org's analysis and assessment are extensive, which presented a challenge as to how to present that information as clearly and as succinctly as possible.

The key findings of ICANN org's analysis are generally summarized in the main body of this document (such as issues, dependencies, and operational considerations). Supplemental, detailed information and analyses are found in the appendices (such as specific analysis on each Final Report topic, or additional information regarding operational considerations and assessments).

Specifically, ICANN org has structured the ODA as follows:

- [Executive Summary](#): This section provides a high-level overview of the findings of the Operational Design Phase (ODP).
- [General Observations](#): This section provides ICANN org's general comments on the SubPro Final Report and outputs.
- [Issues](#): This section provides an overview of topics and outputs that may need additional discussion and consideration by the Board to determine if an output is implementable, operable, and in the best interest of the ICANN community or ICANN org.
- [Dependencies](#): This section provides an overview and analysis of topics that are considered dependencies to the opening of the next round.
- [Operational Considerations](#): This section provides an overview and analysis of ICANN org's assessment of operational topics, such as finance, risk, system and tools, vendors and third parties, resources and staff, and timelines.
- [Overarching Considerations](#): This section provides ICANN org's assessment of overarching topics, such as governance, communications, Applicant Support, Registry Service Provider Pre-Evaluation, the Registry Agreement, and Global Public Interest.
- [Appendices](#): The appendices include ICANN org's, [assumptions](#), [background and methodology](#) on the work of the ODP, supplemental [policy analysis](#), [topic analysis](#), overview of the [Business Process Design](#), and additional details on [dependencies](#). The appendices also contain more details on the [operational](#), [finance](#), [systems](#), [risk](#) and [Global Public Interest Framework](#) assessments. Additionally, you will find supplemental information on [vendors and third parties](#), [communication strategy](#), [timeline](#), [RSP pre-approval](#), [technical evaluation](#), and [RST processes](#), [applicant support](#), [predictability](#), [community updates and engagement](#), and [alternate proposals](#).

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## Executive Summary

On 12 September 2021, the Board directed the ICANN President and CEO to organize the resources required to begin work on an Operational Design Phase (ODP) for the [New Generic Top Level Domain \(gTLD\) Subsequent Procedures Policy Development Process Final Report](#) (SubPro Final Report) and the Affirmations, Recommendations, and Implementation Guidance (SubPro Final Report outputs) contained therein. As the SubPro Final Report outputs concerned complex operational requirements, the Board decided it would benefit from further due diligence to evaluate the impact of implementing the SubPro Final Report outputs. In the [rationale](#) for its decision, the Board noted that “initiating an ODP for the Final Report outputs is essential to inform the Board’s deliberations, including whether the recommendations are in the best interests of the ICANN community or ICANN.”

The Board rationale, in part, addressed community concerns with regard to the ODP creating a potential delay in implementation of the next round, noting that the ODP is “expected to streamline the implementation phase due to the investment in advance preparations.” The Board also saw the ODP as an opportunity to resolve additional concerns related to “address[ing] dependencies before the application window for subsequent rounds of new gTLDs opens”, as the ODP would allow for the Board to “define, clarify, and resolve [such] dependencies”.

The outcome of the ODP is this Operational Design Assessment (ODA), which is delivered to the Board for its consideration alongside the SubPro Final Report outputs, public comment on the same, and other relevant materials. ICANN org acknowledges that the Board may have additional requests for information and will provide responses as required. The ICANN community will also have the opportunity to hear from ICANN org regarding the ODA and provide any feedback via a webinar. ICANN community feedback can also be submitted via the mailing list at [subpro-odp@icann.org](mailto:subpro-odp@icann.org).

## General Observations

The SubPro Final Report outputs developed by the community through the bottom-up multistakeholder model provide the vision for the next round of the New gTLD Program. Overall, the SubPro Final Report outputs call for ICANN to develop a process for those entities interested in operating a gTLD to submit an application during a defined timeframe. ICANN org, with support from selected third-party experts and vendors, would evaluate each application to ensure that applicants meet technical, financial, and other standards developed by the community. The New gTLD Program also includes opportunities for third parties with standing to raise concerns or objections to particular applications based on certain grounds. Applications for the same or similar strings would have the option of working out a solution among competing applicants, or as a last resort, through an auction sponsored by ICANN.

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ICANN org has determined that a majority of the SubPro Final Report outputs are implementable and can be embodied in the New gTLD Program. Further, ICANN org finds that the SubPro Final Report outputs encompass mechanisms to support diversity, predictability, and innovation.

ICANN org also notes that the [assessment](#) of the SubPro Final Report outputs based on the Global Public Interest Framework, which was piloted on the ODPs for the System for Standardized Access and Disclosure and SubPro, shows that **the Global Public Interest (GPI) was central to the discussions involved in this Policy Development Process (PDP)**. The SubPro Final Report outputs addressed a range of GPI considerations, and results from ICANN org's GPI pilot framework show that more than three-quarters (78%) of the topics reference GPI terms.

## Operational Considerations and Paths to Implementation

A major component of ICANN org's work in the ODP was to conduct an analysis of the potential timeline, costs, resource requirements, systems needs, and risks related to implementation of the SubPro Final Report outputs. The analysis provided in this ODA presents ICANN org's assessment based on the goal of delivering on all 300-plus outputs of the SubPro Final Report to the maximum extent possible. An example of how this implementation would look in practice can be found in the proposed [Business Process Design](#) for future rounds of the New gTLD Program. The Business Process Design explores the major phases of the New gTLD Program. ICANN org expects that the proposed design will provide support to the eventual work of the Implementation Review Team (IRT) and a starting point for implementation of the SubPro Final Report outputs.

ICANN org did not find that all SubPro Final Report outputs were complex, in terms of resources required or difficulty of implementation. Some are straightforward. However, when combined into a sweeping design for the next round of the New gTLD Program, implementation quickly becomes complex. Additionally, in its analysis of how implementation of the next round of the New gTLD Program would be carried out, ICANN org sought to ensure that it incorporated learnings from the previous round to avoid some challenges and mitigate against others.

Upon completion of its analysis, ICANN org found that **the overall implementation cost for the next round of the New gTLD Program would be higher than the 2012 round, likely significantly so.**

ICANN org notes that there are a few reasons for this: 1) implementing the SubPro Final Report outputs, which includes ensuring that the appropriate systems, procedures, processes, and resources are all in place in time for the opening of the next application submission period—and

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to mitigate challenges faced in the past—will require considerable upfront cost; 2) inflation, including increased vendor costs; 3) added complexities in the recommendations versus the 2012 round; and, 4) the need to ensure that tools for applicant assistance and other resources are in place.

ICANN org is prepared to begin the implementation process of the SubPro Final Report outputs as directed by the Board; it is also committed to ensuring it is conducting its due diligence in consideration of the implementation of the SubPro Final Report outputs.

In this light, ICANN org presents two potential paths forward (“options”) for implementation of the SubPro Final Report outputs: 1) a single application submission period per round; and 2) cyclical application submission periods. The first is based on the majority of the analysis in this ODA; the second is explored in detail in [Appendix 19: Alternate Proposals](#).

## Option 1: One Application Submission Period Per Round

The analysis in this ODA is largely based on the assumption that ICANN org will implement all SubPro Final Report outputs to the maximum extent possible in a single, immediate next round, for which there are no submission<sup>1</sup> or processing/capacity limits. This analysis forms the basis for the first option, described below.

### Timeline

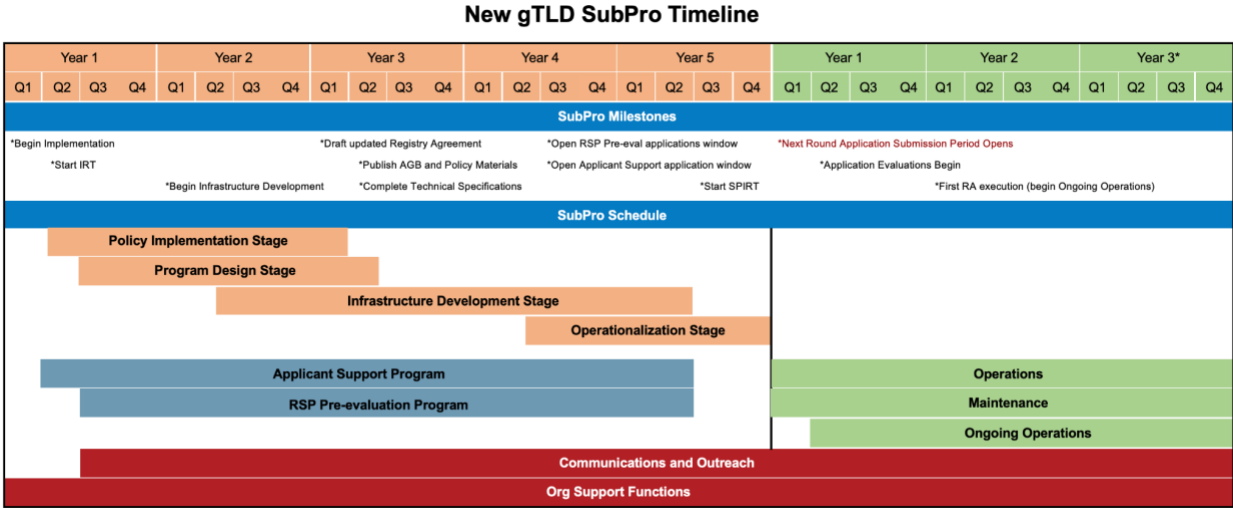
In the scenario in which ICANN org implements the SubPro Final Report outputs in a single, immediate next round, **ICANN org estimates that implementation of the next round of the New gTLD Program may take at least five years from the point that the Board directs ICANN org to begin implementation to the opening of the application submission window.** This estimate includes time for policy implementation, process design, infrastructure development as well as for communications and outreach. The estimated implementation timeline is shown in Figure ES-1. More analysis regarding the potential timeline can be found in the [Timeline](#) section.

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<sup>1</sup> Affirmation 5.1: “In the 2012 application round, no limits were placed on the number of applications in total or from any particular entity. The Working Group is not recommending any changes to this practice and therefore affirms the existing implementation.”

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Figure ES-1. New gTLD SubPro Timeline



## Cost

As noted above, ICANN org has found multiple factors that can lead to significantly higher costs for implementation of the next round of the New gTLD Program. **ICANN org estimates that the overall cost for the next round of the New gTLD Program will be approximately \$457 million, as shown in Table ES-1.**<sup>2</sup> For comparison, ICANN org estimates that as of the time of this report, the total cost to develop and operate the 2012 round was \$300 million. More analysis regarding the potential costs can be found in the [Finance](#) section.

Table ES-1. SubPro Financials

Estimated SubPro Financials	Program Costs
USD in millions	Total \$
# of Applications	2,000
New gTLD Applicant Fees	\$540.0
Applicant Support	(\$2.0)
Refunds	(\$80.7)
<b>Applicant Fees (Net of Refunds)</b>	<b>\$457.3</b>
Program Assessment (ODP)	(\$8.0)
Program Scope (Policy & IRT)	(\$6.9)
Program Development	(\$110.1)
<b>Development / Implementation</b>	<b>(\$125.0)</b>

<sup>2</sup> This is the total cost to design, implement, and process 2,000 applications, the working assumption for volume of applications based on the 2012 round.

Estimated SubPro Financials	Program Costs
USD in millions	Total \$
<b>Initial and Extended Evaluation</b>	<b>(\$57.3)</b>
<b>Quality Control and Objection Processes</b>	<b>(\$15.4)</b>
<b>Pre-delegation</b>	<b>(\$14.7)</b>
<b>Program Operations</b>	<b>(\$168.7)</b>
<b>Risk / Unforeseen Costs</b>	<b>(\$76.2)</b>
<b>Total Operating Costs</b>	<b>(\$332.3)</b>
<b>Total Program Costs</b>	<b>(\$457.3)</b>
<b>Program Excess/(Deficit)</b>	<b>(\$0.0)</b>
<b>Application Fee</b>	<b>\$ 270,000</b>

## Systems and Tools

The figures above include approximately **\$50 million for building and deploying the New gTLD Program infrastructure, including all resourcing, software licensing, and administrative overhead during implementation** (further broken down in Table ES-2). These costs would be required for developing 18 system services to support the New gTLD Program (e.g., applicant registration, application comments, background screening). For reference, spending for IT-related activities for the 2012 round was estimated at \$20–30 million, with no reusable systems functionality retained. ICANN org expects that the results of this investment would be a complete and scalable system for the entire application process workflow, which is highly automated and requires fewer human resources. More analysis regarding potential systems needs can be found in the [Systems and Tools](#) section.

Table ES-2: Cost Estimate for Software and System Development

Cost drivers	Cost est. (\$M)
Implementation headcount total	\$45.0M
Licenses during implementation	\$2.2M
Admin during implementation	\$0.3K
<b>Total implementation cost est</b>	<b>\$47.5 (\$M)</b>

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## Resources and Staffing

Regarding staffing resources, **ICANN org estimates that resource needs will peak at 125 full-time equivalents (FTEs) during the program development phase and that ongoing requirements will be at 114 FTEs.** ICANN org estimates that the first year of policy implementation and New gTLD Program design development, including supporting the IRT, will include 35 to 40 current staff working partially on the New gTLD Program, 25 to 30 dedicated new staff hired throughout the phase, and 10 to 15 contractors. Additionally, ICANN org anticipates that 50 to 60 new dedicated staff will be hired throughout the New gTLD Program and remain within the New gTLD Program for the next round and all future rounds. More analysis regarding the potential resource needs can be found in the [Resources and Staffing](#) section.

## Vendors and Third Parties

Approximately \$145 million of the total 2012 application fees was spent on vendor expenses, and a similar situation is anticipated during the next and future rounds. ICANN org expects that **more than three dozen vendors will be required to support the processes called for by the SubPro Final Report outputs.** Vendor needs are not limited to operating New gTLD Program processes but encompass all aspects of implementation and operation of the next round. More analysis regarding potential vendor needs can be found in the [Vendors and Third Parties](#) section.

## Risks

As noted above, ICANN org identified a **key risk related to unknown demand, driving uncertainty into ICANN org's analysis.** Significant financial investments could be made in advance of applications being accepted. If the number of applications is significantly less than estimates, the negative financial impact could be material. More analysis regarding risks can be found in the [Risk section](#).

## Option 2: Cyclical Application Submission Periods

The scenario above, in which ICANN org implements all SubPro Final Report outputs to the maximum extent possible in a single, immediate next round, results in an overall implementation cost significantly higher than the 2012 round. While the New gTLD Program is meant to operate on a cost-recovery basis, the total cost for implementation has a significant impact on ICANN org's financial condition and thus creates significant risk in the event demand in future rounds is lower than expected.



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The SubPro Final Report provides multiple mechanisms to help ensure predictability for the applicant in the application process (e.g., requiring the publication of all process materials before the round launches<sup>3</sup> and creating new processes for how to deal with issues that might arise via the Predictability Framework and Standing Predictability Implementation Review Team (SPIRT)<sup>4</sup>). What is not accounted for in the SubPro Final Report, however, is predictability in the demand for new gTLDs. There is a **risk that the foundational assumption that the application volume for the next round will be commensurate with the previous round (i.e., 2,000 applications) is either too high or too low.** Demand is extremely challenging to predict, and it is quite possible that ICANN org could over-invest in communication efforts, systems development, and similar costs to such a degree that those costs may never be recovered. ICANN org faced this issue in 2012 as well and it remains an open issue; one that an alternative approach to implementation may address.

As part of this exercise, ICANN org considered ways to mitigate the risk of unknown demand, and ways to gain efficiencies in the implementation timeline. Balancing a number of factors, such as cost, time, and predictability, ICANN org has developed a proposal for “Cyclical Application Submission Periods” for consideration by the Board in its deliberations on the SubPro Final Report outputs.

Under this alternative proposal, the immediate next round would be split into four application submission periods, or cycles, occurring annually. While the number of applications that can be submitted in a cycle would remain unlimited (per Affirmation 5.1<sup>5</sup>), the applications received in each cycle would be prioritized and processed based on an established capacity limit.<sup>6</sup> For example, in a scenario where processing capacity is set at 450 applications per year, ICANN org can build processing capacity for regular annual cycles of the same size. Should the volume be significantly higher, such that additional capacity would be needed to process the applications in a reasonable timeframe, ICANN org could then invest in developing the systems, tools, and capacity to process these efficiently. ICANN org notes additional resources and planning would be required for the development of such systems and tools.

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<sup>3</sup> Recommendation 12.8: “The English version of the Applicant Guidebook must be issued at least four (4) months prior to the commencement of the applicant submission period.”

<sup>4</sup> Recommendation 2.1: “ICANN must establish predictable, transparent, and fair processes and procedures for managing issues that arise in the New gTLD Program after the Applicant Guidebook is approved which may result in changes to the Program and its supporting processes. The Working Group recommends that ICANN org use the Predictability Framework detailed in Annex E of this Report as its guidance during implementation to achieve the goal of predictability in mitigating issues.”

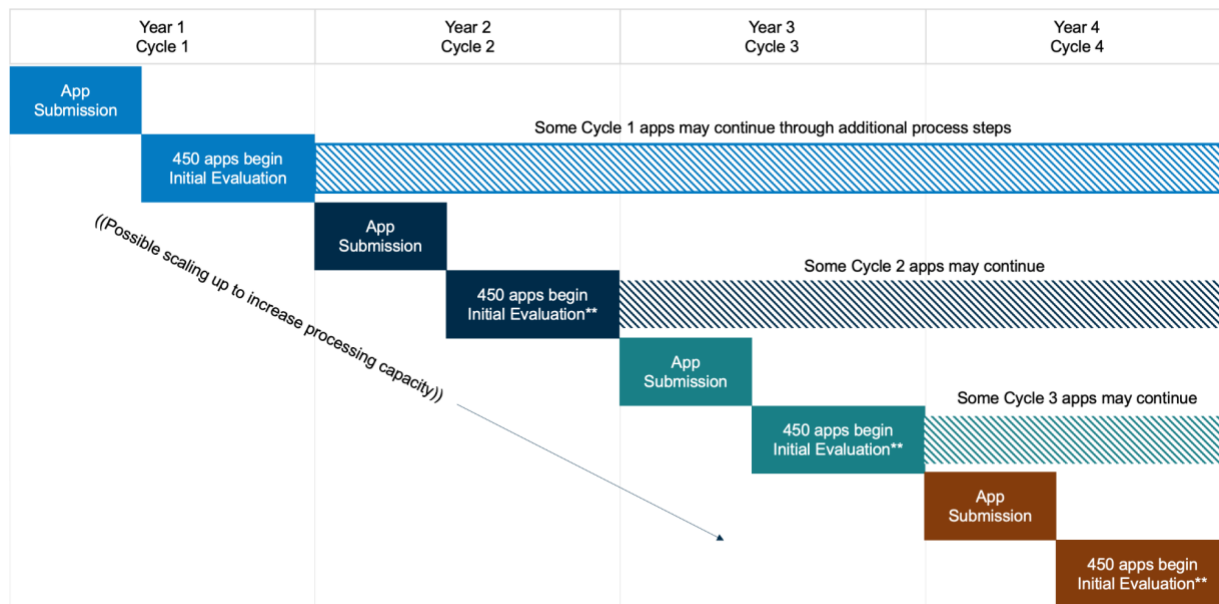
<sup>5</sup> Affirmation 5.1: “In the 2012 application round, no limits were placed on the number of applications in total or from any particular entity. The Working Group is not recommending any changes to this practice and therefore affirms the existing implementation.”

<sup>6</sup> See [Appendix 19: Alternate Proposals](#) for additional discussion of considerations including discussion of a “First Come First Served” (FCFS) approach.



Under Option 2, a round would consist of four application “cycles” over four years. Application submission periods would occur every 12 months for the four years, creating predictability for the Program and potentially moderating the influx of applications in the first cycle. The annual processing capacity limit of 450 applications would occur in tandem with each cycle.

Figure ES-2. Four Application Cycles<sup>7</sup>



When a new cycle begins, initial evaluation would begin according to priority order. For example, as shown in Figure ES-2, at Cycle 2, any remaining Cycle 1 applications (up to 450) would go into initial evaluation before any Cycle 2 applications. At Cycle 3, any remaining applications from Cycles 1 and 2 would go into Initial Evaluation before any Cycle 3 applications, and so forth.

While the substance of the rules and procedures would not change throughout the round, ICANN org notes that there may be some opportunities for process improvements between each cycle to help realize efficiencies. See [Appendix 19: Alternate Proposals](#) for a full explanation of the design components for Option 2.

## Benefits and Challenges

ICANN org notes several benefits and challenges of proceeding with Option 2.

<sup>7</sup> Note that the boxes are not drawn to time scale.

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## Benefits

ICANN org notes that this proposal would firstly allow ICANN org to design a program aligned to a specific application processing capacity per cycle. Such a design can be based on a known volume, which allows for accurate vendor requirements, specific staffing and oversight levels and could result in improved predictability for many processes. This process helps enable a transition from application rounds as unique, custom-designed occurrences to a steady state of regular program operations. The proposal may enable ICANN org to gain experience, hone processes, add functionality, and enhance the applicant experience more quickly than a large round could offer.

Additionally, the multi-year, multi-cycle structure of ongoing rounds would provide increased predictability for stakeholders. The expectation for a predictable process to the maximum extent feasible was discussed at length in the SubPro Final Report (see [Appendix 19: Alternate Proposals](#) for more discussion on this benefit). Having predictable and multiple opportunities to submit applications also provides flexibility to potential applicants to plan and prepare a robust gTLD application. This may be especially beneficial to new entrants who would need to invest more time and resources in education about the opportunities.

ICANN org also finds that clear milestones of application cycles scheduled over a period of time would likely benefit ICANN org's communications activities because ICANN org would have more time to conduct communications across a multi-year period.

## Challenges

In developing this proposal, ICANN org has noted a challenge related to establishing a processing capacity limit and to avoiding the risk that applicants would compete to submit applications all at once or during a limited time period. Accordingly, in the event that the number of applications received in a cycle exceeds the processing capacity limit, the proposal includes a prioritization draw according to the process established in the 2012 round, to determine the first batch of 450 that would be processed in the first year.

Another challenge the team considered in developing this proposal is the impact on various stakeholder groups. For instance, given the importance of supporting global participation in future rounds, the more limited the application opportunity presents the risk that those who are currently engaged in the ICANN ecosystem would have an advantage over new entrants, especially for the immediate first cycle. ICANN org finds this would need to be mitigated with the outreach and engagement strategy as well as applicant resources developed in advance of the first cycle.

In the event that more than 450 applications are received in the first cycle, this approach may reduce some of the potential efficiencies that could be achieved by processing portfolio applications, which are identical in most respects other than the applied-for string, together.

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Under this proposal, it is possible that evaluation of such groups of applications may be split into different batches of 450. However, some processing efficiencies can still be realized within the batch.

## Timing Implications

Within Option 2, ICANN org proposes to open the Application Submission Period for the next round 18 months after beginning implementation. In order to achieve this, a number of the considerations and program elements presented in this ODA may need to be adjusted. These adjustments may impact the scope and costs of the program.

Option 2 assumes a timeline 70% shorter than the timeline noted in Option 1. In order to maintain the same scope for Option 2 of addressing all outputs of the SubPro Final Report to the maximum extent possible, ICANN org will need to organize an implementation team that can operate three times faster than what was assessed in the ODA (forming the basis for the scenario in Option 1, discussed above). This additional capability will require more development, management, and administrative staff during the 18-month implementation timeline.

One other possible way to achieve an overall shorter timeline and control costs and resource requirements would be to consider changes to the implementation scope. Eliminating or deferring some of the more difficult or complex outputs from the implementation plan could shrink the overall implementation workload, thereby requiring fewer resources (staff and vendors) and less time.

## Financial Implications

The most impactful financial adjustments taken into account for Option 2 are the shorter timeline for program development and the level of investment in systems and tools for processing applications. A lower upfront investment in systems and tools lowers New gTLD Program development costs significantly from Option 1. However, due to less automation, additional staff will be required for application processing. The incremental staff will also need extra infrastructure, training, and management. See the estimated financials for Option 2 in Table ES-3.

Fluctuations in demand and/or changes in policies and processes that may occur over cycles could change the baseline application fee needed to maintain cost neutrality of the program. In order to maintain consistency in the application fee in each round, these fluctuations may drive either an excess or a deficit that will need to be assessed and possibly applied toward future rounds. See [Appendix 19: Alternate Proposals](#) for full discussion of timing and financial implications of Option 2.

Table ES-3. SubPro Financials - Option 2

<b>Estimated SubPro Financials Option 2: Batching</b>	<b>Option 2: Batching</b>
<b>USD in millions</b>	<b>Total \$</b>
# of Applications	2,000
New gTLD Applicant Fees	\$481.2
Applicant Support	(\$2.0)
Refunds	(\$72.2)
<b>Applicant Fees (Net of Refunds)</b>	<b>\$407.0</b>
Program Assessment (ODP)	(\$8.0)
Program Scope (Policy & IRT)	(\$6.9)
Program Development	(\$52.6)
<b>Development / Implementation</b>	<b>(\$67.4)</b>
Initial and Extended Evaluation	(\$57.3)
Quality Control and Objection Processes	(\$15.4)
Pre-delegation	(\$14.7)
Program Operations	(\$176.0)
Risk / Unforeseen Costs	(\$76.2)
<b>Total Program Costs</b>	<b>(\$339.6)</b>
<b>Total Program Costs</b>	<b>(\$407.1)</b>
<b>Program Excess/(Deficit)</b>	<b>(\$0.0)</b>
<b>Application Fee</b>	<b>\$ 240,600</b>

## Unresolved Issues and Dependencies

ICANN org also notes that in both Options 1 and 2 described above, some deviation from the SubPro Final Report Outputs may be required, whether due to feasibility concerns or because the Option proposed inherently differs in some ways from the SubPro Final Report. ICANN org describes these issues in more detail in the [Issues](#) and [Dependencies](#) sections.

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## Overarching Considerations

Finally, there are additional key overarching considerations and program elements (e.g., governance, communications, Applicant Support, security and stability) that underpin success of the New gTLD Program. These elements will need to be taken into account in both of the scenarios described above. Depending on the path forward for implementation, the scope of some of these elements may change (e.g., the communications strategy should be fit appropriately to the overall implementation). These elements are discussed in more detail in the [Overarching Considerations](#) section.

## Next Steps after the ODP

The ODA is being delivered to the ICANN Board for its consideration, and any work that ICANN org ultimately conducts to implement the SubPro Final Report Outputs is dependent upon the Board's action. ICANN org recognizes that the proposed actions discussed in this ODA may change and evolve during the course of implementation (which is conducted in consultation with the Implementation Review Team (IRT)) of the Board-accepted SubPro Final Report Outputs.

This ODA provides ICANN org's analysis of the SubPro Final Report Outputs and two potential paths to implement and operationalize. Option 2 as well as those additional alternative scenarios discussed in [Appendix 19: Alternate Proposals](#) offer a sampling of ways in which some issues might be addressed. However, these are not an exhaustive list and other options are certainly available. It is improbable that a “perfect” approach could be developed that addresses all concerns and risks, while being able to promptly implement future rounds.

Potential next steps may include:

1. Further discussion between ICANN org and the Board on the challenges and benefits of the different options.
2. Board consultation with the GNSO.
3. Determination of the top areas of focus that should be evaluated in developing a plan for implementation.
4. Development of one or more detailed alternate plans.
5. Development of a financial model that estimates required investment and program costs for Option 2 or a different alternate path.

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# 1. General Observations

The SubPro Final Report and its 300-plus outputs are a testament to the importance of the multistakeholder model. The SubPro Final Report outputs showcase how the ICANN community comes together to consider the future of the DNS, including how to foster diversity and innovation. The ICANN community spent several years considering a subsequent round of the New gTLD Program, and ICANN org has taken the last year to thoughtfully consider the SubPro Final Report and how it can meet the spirit of the community’s work. In that light, ICANN org has noted some general observations regarding the implementation of the SubPro Final Report outputs, based on its analysis.

First, the **implementation of the outputs should support diverse<sup>8</sup> participation in the Internet**. Affirmation 1.3 of the Final Report states that the “primary purposes of new gTLDs are to foster diversity, encourage competition, and enhance the utility of the DNS.” Ensuring diversity of participation in the Internet aligns with ICANN’s Strategic Plan objective to [e]volve the unique identifier systems in coordination and collaboration with relevant parties to continue to serve the needs of the global Internet user base.”<sup>9</sup> ICANN org finds<sup>10</sup> that the outputs include numerous mechanisms to facilitate diverse participation in the Internet, such as:

- **Internationalized Domain Names (IDNs):** IDNs are an “integral part” of the next round (Affirmation 25.1) and IDN applications should be prioritized appropriately (Recommendation 19.3). See [Overarching Considerations](#) and [Topic 25: Internationalized Domain Names](#) for more discussion.
- **Universal Acceptance (UA):** Applicants should be aware of UA challenges and have access to appropriate resources (Recommendation 11.3). See [Overarching Considerations](#) and [Topic 11: Universal Acceptance](#) for more discussion.
- **Applicant Support Program:** Financial and non-financial support should be in place for qualified applicants (Recommendation 17.1); that timely and effective outreach and communications regarding the New gTLD Program will be needed to better reach potential applicants in the Global South and emerging markets (see the rationale for Recommendation 17.3); and that the procedures and criteria for such support should be adapted to “global recognized procedures” (Implementation Guidance 17.7). See [Overarching Considerations](#) and [Topic 17: Applicant Support](#) for more discussion.
- **Global Communications:** Communications related to capacity development and technical aspects of Internet Governance should be available in languages other than English (Affirmation 13.1). At least six months should be allotted for outreach and

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<sup>8</sup> See: <https://www.icann.org/diversity-en>.

<sup>9</sup> See: <https://www.icann.org/en/system/files/files/strategic-plan-2021-2025-24jun19-en.pdf>.

<sup>10</sup> See discussions in [Appendix 5: Topic Analysis](#).

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awareness-raising (Implementation Guidance 13.3). See [Overarching Considerations](#) for more discussion.

Second, **implementation of the outputs should be constructed to achieve predictability as much as possible.** The Board noted in 2018 in a [letter](#) to the SubPro PDP WG that it is “concerned about unanticipated issues that might arise and what mechanism should be used in such cases” and that it “look[ed] forward to the outcome of [discussions on the Predictability Framework].” ICANN org notes that the outputs contain mechanisms to help ensure that implementation of future rounds of new gTLDs is predictable and operations are conducted in a “transparent” and “fair” manner, including:

- The recommended Predictability Framework is a key component of the overall governance of future rounds of new gTLDs. See more information on the Predictability Framework in the [Governance section](#), [Topic 2: Predictability](#), and [Appendix 17: Predictability](#).
- The processes presented in [Appendix 6: Business Process Design](#), which are based on the outputs, have been developed with the theme of predictability. For example, ICANN org provides a potential “optimization” of procedures related to Extended Evaluation (EE) to help ensure the processes’ predictability. See [Application Evaluation](#).
- Another key component of ensuring predictability is determining criteria for the start and end of future rounds of new gTLDs. ICANN org thoroughly analyzes potential criteria and scenarios in [Topic 3: Applications Assessed in Rounds](#).

Finally, **implementation of the outputs should allow for innovation and, by extension, increased efficiency of the application process.** For example, implementation of the outputs will lead to the institution of new developments that tend to benefit applicants and the community, including:

- The [Registry Service Provider \(RSP\) Pre-Evaluation](#) (Topic 6) will allow registry service providers to be evaluated once for the services they intend to provide to applicants and for applicants to be able to choose a pre-approved RSP as part of their application.
- The ability for .brand TLDs to change a string, as noted in Recommendation 20.8. See [Topic 20: Application Change Requests](#) for more discussion.
- The Limited Challenge/Appeal Mechanism called for in Recommendation 32.1 proposes that ICANN org “establish a mechanism that allows specific parties to challenge or appeal certain types of actions or inactions that appear to be inconsistent with the Applicant Guidebook.” See [Topic 32: Limited Challenge/Appeal Mechanism](#) for more discussion.

## 2. Issues

The Final Report outputs produced by the SubPro PDP WG have the potential to greatly improve the implementation and operation of the New gTLD Program. ICANN org determined that most of the Final Report outputs can be implemented and embodied in the New gTLD Program (see [Appendix 3: Policy Analysis](#) and [Appendix 5: Topic Analysis](#)).

ICANN org also identified a set of topics containing unresolved issues, either due to concerns regarding the feasibility of implementation, a lack of consensus recommendations, or a pending community process. For each, the Board may consider how it will address the issue and which action to take on the output (i.e., accept or reject, as applicable). Each of the issues summarized in Table 2-1 requires Board consideration and direction.

The issues are explained in full detail in [Appendix 5: Topic Analysis](#). Because these issues may require a decision by the Board before taking action on the Final Report, they are also noted in the [Dependencies section](#).

Table 2-1. Overview of Topic Issues

Topic	What is the issue?	What should the Board consider in deliberating on this issue?
<a href="#">Topic 9: Public Interest Commitments (PICs) / Registry Voluntary Commitments (RVCs)</a>	<b>Feasibility of implementation.</b> ICANN org has noted concerns around scope of outputs and whether ICANN can remain within its remit as defined by the ICANN Bylaws in enforcing outputs.	The Board may wish to consider how and whether it can accept the recommendations related to PICs/RVCs. Should the Board decide to pursue an alternative path to adopting the outputs, this could affect the timing of the launch of the next round. During implementation, ICANN org will have to assess whether it can enforce the PICs/RVCs and remain within its remit as defined by the ICANN Bylaws.
<a href="#">Topic 15: Application Fees</a>	<b>Feasibility of implementation.</b> ICANN org has concerns regarding the SubPro Final Report outputs related to the reimbursement of “excess fees.” Per Implementation Guidance 15.6: “If excess fees are collected in subsequent procedures and the cost recovery model is	As this is Implementation Guidance and as it relates to the Board’s fiduciary duties, there is an expectation that the implementation of the SubPro Final Report outputs related to excess fees will be discussed with the Board when updating the AGB, with the expectation that the IRT will be appropriately consulted.

Topic	What is the issue?	What should the Board consider in deliberating on this issue?
	followed [...] any excess fees should be returned to applicants [...].”	
<a href="#">Topic 17: Applicant Support</a>	<b>Feasibility of implementation; GNSO Guidance Process (GGP).</b> ICANN org has noted concerns related to outputs on funding, scope of financial support or assistance, and the role of a “dedicated” IRT. Additionally, the Board will need to consider any outcomes of the GGP.	<p>The Board may consider the additional guidance on Applicant Support Program-related outputs that will come out of the GGP. For example, ICANN org notes that the GGP’s establishment appears to supplant Implementation Guideline 17.5, which calls for a dedicated IRT to be focused on Applicant Support. In light of the GGP’s initiation, convening one IRT would seem to enhance efficiency, recognizing that Applicant Support is integral to other aspects of the New gTLD Program.</p> <p>Additionally, in its comments on the Draft Final Report, the Board and ICANN org raised concerns about whether and how ICANN org can appropriately cover costs, such as application writing fees and attorney fees, related to the application process. It is unclear whether ICANN org could seek external funding partners, as indicated in previous ICANN Board and ICANN org comments on the Draft Final Report.</p>
<a href="#">Topic 18: Terms and Conditions</a>	<b>Legal risk and feasibility of implementation.</b> ICANN org has noted concerns related to legal risk and uncertainty of implementing the outputs.	<p>The Board raised concerns about Recommendations 18.1 and 18.3 in its comments on the draft Final Report. These comments were not addressed in the Final Report. The Board should consider its concerns raised on the draft Final report with respect to these recommendations during its deliberations.</p>
<a href="#">Topic 23: Closed Generics</a>	<b>No consensus recommendations from the SubPro Final Report; community dialogue.</b> The lack of consensus on recommendations	<p>A Board-facilitated dialogue between a small group of individuals selected by the GNSO, GAC, and ALAC has been planned for January 2023. Should the dialogue result in</p>

Topic	What is the issue?	What should the Board consider in deliberating on this issue?
	<p>means that there is no clear path from a policy perspective and there are outstanding questions as to how to proceed with Closed Generic strings. The nature and timing of the Board’s final action on the topic depends on the outcome of the facilitated dialogue between the GAC and GNSO, and the results of any additional GNSO policy work.</p>	<p>an agreed-upon framework, the next step would be for the GNSO Council to move the framework through an appropriate PDP. Should the dialogue not result in a mutually agreed-upon framework, it may be presumed that the Board will need to decide on what the most appropriate action is, within the defined roles and respective remits of the Board, GAC, and GNSO Council.</p> <p>The Board’s final action on Closed Generics depends on the outcome of the facilitated dialogue and the results of any additional GNSO policy work. The outcome(s), if any, will need to be factored into SubPro planning, design, and implementation. Note that any action taken by the Board on the outputs is not dependent upon a resolution to the Closed Generics issue.</p>
<p><a href="#">Topic 32: Limited Appeals/Challenge Mechanism</a></p>	<p><b>Feasibility of implementation.</b> ICANN org has noted concerns related to implementation of the outputs and the timing of the next round. For example, regarding the RSP Pre-Evaluation, an applicant that fails to be designated as a “pre-evaluated” RSP could challenge that result through the limited challenge/appeal mechanism, which would need to be factored into establishing when ICANN could start accepting applications.</p>	<p>The Board may consider the following points highlighting concerns identified during this assessment with regard to operationalizing some of the outputs.</p> <ul style="list-style-type: none"> <li>● Extending a limited challenge/appeal mechanism to cover evaluation decisions made by ICANN org or third-party providers may cause unnecessary cost and delay, given the availability and purpose of Extended Evaluation.</li> <li>● The proposed scope of limited challenge/appeal mechanism covers processes that must be completed prior to the gTLD application submission period. This potentially challenges the ability to predictably plan for the opening and closing of the application submission period.</li> <li>● The broad scope of parties who/that</li> </ul>

Topic	What is the issue?	What should the Board consider in deliberating on this issue?
		<p>are recommended in the Final Report to have standing could potentially open the door to gaming or manipulating the process, including an “endless loop” of challenges beyond what is operationally manageable.</p> <ul style="list-style-type: none"> <li>• The process proposed in the Final Report for selecting the arbiter of a challenge or appeal may be a hindrance when trying to procure third-party experts to conduct elements of the Initial Evaluation.</li> </ul>
<p><a href="#">Topic 34: Community Applications</a></p>	<p><b>Legal risk and feasibility of implementation.</b> ICANN org has noted concerns related to CPE in the 2012 round and that the SubPro Final Report outputs do not address these concerns, including concerns related to significant costs, delays, and uncertainty related to legal challenges and accountability issues.</p>	<p>The Board may wish to consider how it will handle outputs related to CPE and whether it would direct ICANN org to implement the outputs while also conducting activities to attempt to account for concerns related to CPE in the 2012 round (e.g., revisiting the discussion on the definition of “community”) or to implement the outputs as written without any additional activities. Should the Board decide to pursue an alternative path to adopting the outputs, this could affect timing for the launch of the next round.</p>
<p><a href="#">Topic 35: Private Resolution / Auctions</a></p>	<p><b>No consensus recommendations.</b> Concerns around gaming with regard to private resolution of contention sets led to lack of consensus among PDP WG members on Recommendation 35.2. Disagreement around whether and how to improve on methodology of ICANN’s auctions of last resort led to a failure to reach consensus on 35.4. While ICANN org believes it can proceed with the 2012 methodology for Auctions of Last Resort, the way forward on private resolution of</p>	<p>Due to the lack of outputs addressing private resolution of contention sets, the Board may wish to review previous input and questions to identify if any additional actions should be taken on this topic. The Board may wish to consider instructing ICANN org as part of implementation to specify the bona fide requirements, including considerations on how to make them enforceable to the extent possible. The Board also could consider instructing ICANN org to seek third-party expertise in auction design to assist in determining alternative methods to disincentivize applicants from applying for</p>

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Topic	What is the issue?	What should the Board consider in deliberating on this issue?
	contention sets is less clear, as there is only implementation guidance from the 2007 Final Report.	gTLDs with the purpose of financial gain through private resolution of contention sets, including, but not limited to, private auctions.



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## 3. Dependencies

ICANN org noted in its assumptions related to the SubPro Final Report outputs that the Board will determine which topics or issues will serve as dependencies to be addressed prior to the launch of the next round. ICANN org has identified areas of work that could be considered dependencies to the opening of the next round.<sup>11</sup> The Board may wish to consider the potential dependencies identified here in their deliberations on the SubPro Final Report outputs, as these may have implications for SubPro work or the timing of the next round.

ICANN org assumes that some of these dependencies will need to be addressed or resolved in some way for ICANN org to be able to open the application submission period. These dependencies are summarized in this section and more detailed information is provided in [Appendix 4: Dependencies](#).

### 3.1. Overview

Dependencies describe steps or tasks in the SubPro work that cannot take place until another step or task is completed.

ICANN org has identified potential dependencies grouped into three general categories:

- Required actions or decisions related to Final Report Outputs (e.g., those that did not achieve consensus or where feasible implementation has not been identified).
- Required actions that must be taken or decisions that must be made by the Board prior to the opening of the next round (e.g., Advisory Committee advice or Review Team recommendations).
- Ongoing and related community work (e.g., Name Collision Analysis Project (NCAP), IDN EPDP) that could have an impact on implementation of the SubPro Final Report outputs or the opening of the next round.

The following section describes the different categories of dependencies, what actions are required, and when action should be taken. Additional information can be found in the [Appendix 4: Dependencies](#).

### 3.2. Analysis

Some dependencies may require the Board to take action or make a decision before the opening of the next round; these are described in Tables 3-1 to 3-4. The tables show when

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<sup>11</sup> Related to [Scoping Document](#) questions 10.1 - 10.6



Board action may be needed, and the dependencies are listed in sequence. Please see [Appendix 4: Dependencies](#) for more detail on these dependencies and required actions, as well as other items that the Board has already acted upon but are still in implementation.

## Dependencies Related to Final Report Outputs

Several dependencies related to Final Report outputs deal with issues where there was either no consensus or ICANN org has identified concerns with implementation. The Board may need to take action to determine the preferred path for the topic or recommendations prior to taking action on the SubPro Final Report.

In some cases, the SubPro PDP WG has reached consensus on recommendations, but ICANN org has identified concerns with implementation. For these instances, the Board’s action may be to accept or reject the recommendations or to follow an alternative proposal.<sup>12</sup>

The Board will need to consider potential alternative proposals in cases where there is no consensus. One example is the topic of Closed Generics, in which the Board will need to consider the outcome of discussions between the GNSO Council and the GAC, if applicable and adopted by the appropriate GNSO process, and implications for the next round. ICANN org’s analysis of the Closed Generic topic, recommendations, and considerations for a path forward is provided in the [Issues section](#) and in [Appendix 5: Topic Analysis](#). The potential timing of any required Board action is noted in Table 3-1.

Table 3-1. Dependencies Related to Final Report Outputs

Dependency	Reason for Dependency	Timeframe for Action
<a href="#">Topic 9: Public Interest Commitments (PICs) / Registry Voluntary Commitments (RVCs)</a>	Concerns related to implementation of Final Report outputs	Prior to action on Final Report outputs <sup>13</sup>
<a href="#">Topic 18: Terms and Conditions</a>	Concerns related to implementation of Final Report outputs	Prior to action on Final Report outputs
<a href="#">Topic 34: Community Priority Evaluation (CPE)</a>	Concerns related to implementation of Final Report outputs	Prior to action on Final Report outputs
<a href="#">Topic 35: Private Resolution /</a>	No consensus on recommendations	Prior to action on Final

<sup>12</sup> Note that some recommendations related to Topic 17: Applicant Support are subject to the GNSO Guidance Process (GGP), which the Board will also need to take into account. See [Topic 17: Applicant Support](#) as well as [Appendix 16: Applicant Support Program](#) for more information

<sup>13</sup> ICANN org notes that the Board may or may not choose to take a single action on the SubPro Final Report.

Dependency	Reason for Dependency	Timeframe for Action
<a href="#">Auctions</a>	35.2 and 35.4	Report outputs
<a href="#">Topic 15: Application Fees</a>	Concerns related to implementation of Final Report outputs	Prior to completion of Applicant Guidebook
<a href="#">Topic 17: Applicant Support</a>	Concerns related to implementation of Final Report outputs; GNSO Guidance Process (GGP)	Prior to completion of Applicant Guidebook
<a href="#">Topic 23: Closed Generics</a>	No consensus recommendations	Prior to completion of Applicant Guidebook
<a href="#">Topic 32: Limited Appeals/Challenge Mechanism</a>	Concerns related to implementation of Final Report outputs	Prior to completion of Applicant Guidebook

## Dependencies Related to Advisory Committee Advice or Review Team Recommendations

Existing advice and review team recommendations related to the New gTLD Program may need to be addressed before the next round is opened. Some advice and recommendations specifically state that the Board should consider or implement the advice prior to launch of the next round. Table 3-2 provides an overview of these items. Detailed information can be found in [Appendix 4: Dependencies](#).

Table 3-2. Dependencies Related to Advice and Recommendations

Dependency	Required Action(s)	Timeframe for Action
<a href="#">ALAC Advice on SubPro</a> <sup>14</sup>	Consider and take action on advice.	At time of taking action on the Final Report outputs
<a href="#">ALAC Advice on DNS Abuse</a>	Consider and take action on advice based on the outcome of DNS abuse work in the ICANN community. (See “DNS Abuse” dependency below)	Prior to completion of Applicant Guidebook

<sup>14</sup> For the Board’s recent clarifying questions and ALAC’s response, see: <https://community.icann.org/display/alacpolicydev/At-Large+Workspace%3A+ALAC+Responses+to+ICANN+Board+Clarifying+Questions%3A+ALAC+Advice+on+Subsequent+Procedures>.

Dependency	Required Action(s)	Timeframe for Action
<a href="#">SAC059: Response to The ICANN Board Regarding Interdisciplinary Studies</a>	Consider and take action on advice based on the outcome of NCAP Study 2.	Prior to completion of Applicant Guidebook
<a href="#">SAC114: SSAC Comments on the GNSO New gTLD Subsequent Procedures Draft Final Report</a> <sup>15</sup>	Further engagement with SSAC on clarifying questions / responses; consider and take action on advice.	Prior to completion of Applicant Guidebook
<a href="#">SSR2 Recommendation 17.1 (Framework for name collisions)</a>	Consider and take action on recommendation based on the outcome of NCAP Study 2.	Prior to completion of Applicant Guidebook
<a href="#">CCT Recommendation 14 (Incentives for anti-abuse measures)</a>	Consider and take action on recommendation based on the outcome of DNS abuse work in the ICANN community. (See “DNS Abuse” dependency below)	Prior to completion of Applicant Guidebook
<a href="#">CCT Recommendation 15 (Preventing systemic abuse)</a>	Consider and take action on recommendation based on outcome of DNS abuse work in the ICANN community (See “DNS Abuse” dependency below).	Prior to completion of Applicant Guidebook

## Relevant Community Work

The ICANN community’s current work may also inform the deliberations of the Board. Table 3-3 describes relevant efforts and potential timeframes for Board action. Detailed information on these topics can be found in [Appendix 4: Dependencies](#).

Table 3-3. Dependencies Related to Relevant Community Work

Activity	Current Action-holder	Potential Board Action(s)	Timeframe for Board Action
<a href="#">Name Collision Analysis Project (NCAP)</a>	NCAP Discussion Group	Consider any advice received related to NCAP recommendations and	Prior to completion of Applicant Guidebook

<sup>15</sup> For the SSAC Addendum to SAC114, see: <https://www.icann.org/en/system/files/files/sac-114-addendum-en.pdf>.

Activity	Current Action-holder	Potential Board Action(s)	Timeframe for Board Action
		implications for SubPro.	
<a href="#">Expedited Policy Development Process (EPDP) on Internationalized Domain Names (IDNs)</a>	EPDP Working Group	Consider recommendations and implications for SubPro.	Prior to completion of Applicant Guidebook
<a href="#">DNS Abuse</a>	ICANN Board / ICANN community	Determine what actions, if any, need to be taken regarding DNS abuse.	Prior to Opening of application submission period

### 3.3. Dependencies Risks

Risks, such as requirement changes, team turnover, legal and regulatory challenges, and disputes, could create dependencies that impact the implementation of the next round. Table 3-4 shows the exposures that ICANN org has identified that could disrupt New gTLD Program timelines or shift New gTLD Program requirements, with cost, time, legal, or reputational risks. To mitigate these risks, ICANN org anticipates ensuring there is transparent decision-making and community involvement in any outcomes.

Table 3-4. Overview of Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	Material shifting of requirements and later-than-expected decisions and outputs could drive expense.	Funding Risks	Medium	Minimal (Higher as Outputs diverge further from expectations)	Transparent decision-making and community involvement, as applicable, in any changes to requirements
2	See <a href="#">Overall New gTLD Program Risks</a>	Human Resources Risks	Medium	Low	See <a href="#">Overall New gTLD Program Risks</a>

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
3	See <a href="#">Overall New gTLD Program Risks</a>	Multistakeholder Governance and Legitimacy Risks	Medium	Low (Higher in extreme circumstance)	Transparent processes, procedures related to decision-making

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## 4. Operational Considerations

### 4.1. Finance

#### 4.1.1. Overview

Future rounds of the New gTLD Program will provide new platforms for innovation and change that will stimulate competition and increase choice for a variety of users and communities.

Significant to this effort is the investment necessary to develop an efficient and effective New gTLD Program that addresses community needs, ensures that qualified applicants are able to secure gTLDs, and remains revenue-cost neutral.

This section aims to provide insight into estimated New gTLD Program costs for progressing the implementation of the SubPro Final Report outputs, implementation, and development of the New gTLD Program to launch, evaluation of applications, and delegation of new strings to the root zone.

ICANN org conducted an analysis of New gTLD Program costs necessary for operational readiness. This assessment takes into account ICANN org's analysis on [Systems and Tools](#), [Resources and Staffing](#), and [Vendors and Third Parties](#). This analysis also takes into account general risks and timeline (see [Risk section](#) and [Timeline section](#) for more information). For additional information on ICANN org's financial assessment, see [Appendix 8: Finance Assessment](#).

### Assumptions

Some of the key assumptions and considerations that affect the overall budget model and ultimately the application fee are listed below:

- Application volume will be in line with the 2012 round, i.e., approximately 2,000 applications.
- Applicant Support Program discounts will be funded by the general application fee.
- Evaluations as part of the baseline application fee will rise in accordance with inflation and other industry trends and standards, as the services provided will be similar to the 2012 round.
- Conditional reviews will be incremental to the base fee application.
- Future rounds will include some development costs for systems and tools. Such costs may be a result of policy updates, updates based on learnings from the prior round, or a combination of both.

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## New gTLD Program Financial Structure

To ensure costs are appropriately tracked and disclosed, the financials have been organized according to five categories: 1) New gTLD Program Assessment and ODP-related Work; 2) New gTLD Program Scope; 3) New gTLD Program Development; 4) New gTLD Program Operations; and 5) New gTLD Program Maintenance. This section provides more detail of the activities included in each category. For more detailed information on the activities performed in all the New gTLD Program phases, please see the [Timeline section](#).

### New gTLD Program Assessment and ODP-related Work

ICANN org estimated that the resources needed to perform the SubPro ODP would be between 32-49 Full-Time Equivalent (FTE) staff and contractors, costing between \$7-9 million. The ICANN Board approved the expenditure of up to \$9 million to perform the SubPro ODP and draft the ODA.

ICANN org began tracking resource costs in January 2022. The incurred expenses relate to existing personnel, new hires, contractors, external vendors, and shared services support. ICANN org is projecting that the post-ODA phase will run up to the Board Decision on the ODA and capture work related to Board support, community outreach, and initial planning for the New gTLD Program scope activities.

### New gTLD Program Scope (Policy Implementation and New gTLD Program Design)

The New gTLD Program scope represents the activities necessary to progress the implementation of the outputs.<sup>16</sup> This includes resolving open concerns, managing communication with the community, designing and developing the processes and systems necessary to process applications, hiring and training additional staff, and undertaking those activities that have been deemed high risk or would require extra time to complete.

### New gTLD Program Development (Infrastructure Development and Operationalization)

Costs for infrastructure development and operationalization are those necessary to complete the implementation of the application evaluation processes and systems. These costs include a global communication and outreach campaign, onboarding of evaluation panels and vendors,

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<sup>16</sup> ICANN org notes that implementation is carried out in consultation with the Implementation Review Team (IRT). See [Governance](#) for more information on the IRT as well as the Consensus Policy Implementation Framework (CPIF).

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hiring and training of additional staff, payment of certain software licenses, and securing other facilities for additional staff.

## New gTLD Program Operations (Application Processing and Ongoing Operations)

New gTLD Program operations costs are those necessary to accept and process new gTLD applications, conduct contract execution activities, and conduct pre-delegation checks of approved applicants.

## New gTLD Program Maintenance

Costs in the maintenance phase are those related to retaining key personnel, systems maintenance, and vendor relations between rounds.

### 4.1.2. Analysis

Recommendation 15.3 of the SubPro Final Report states that only “actual costs directly related to the implementation of the New gTLD Program” should be included in the application fee. ICANN org will include all costs associated with the next round from the New gTLD Program assessment and ODP-related work through New gTLD Program maintenance as the basis for the cost recovery model and application fee. Furthermore, the application fee will incorporate fixed and variable application evaluation costs, and unforeseen and risk event costs. Once the round is closed, costs for future round assessment and development will be captured as New gTLD Program assessment and ODP-related work and applied to the next round’s application fee.

## Cost Accounting and Procurement

The New gTLD Program will follow ICANN’s Procurement and Cost Accounting Guidelines and support the guidelines’ principles of openness and transparency. For example, the guidelines consider that:

- Purchases are made in compliance with ICANN’ Bylaws and compliant with disbursement policies.
- Vendors and service providers are selected fairly and objectively with the highest ethical standards and appropriate levels of disclosure. Please see the [Vendors and Third Parties section](#) for more information on vendor management.
- Selection procedures are established in advance of any specific decisions in order to ensure fairness and transparency.



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In addition, the guidelines ensure that ICANN accurately tracks and reports on revenue and costs related to the New gTLD Program so that appropriate management decisions can be made. Independent auditor reporting on New gTLD Program's cost tracking and reporting ensures accountability to the community and further builds institutional confidence in the New gTLD Program.

The guidelines ensure that the budget has been appropriately developed to facilitate cost reporting for the New gTLD Program and ensure that costs are allocated to various organizational activities based on documented, easily recalculated, and verified methodologies.

## Application and Other Fee Considerations

A gTLD baseline fee is required from all applicants. ICANN org proposes collecting the entire application fee upon submission. This approach would avoid a situation in which the applicant submits an application, then may not have the resources to continue through evaluation and delegation. This approach also ensures all costs are covered. The fee is set to ensure that the New gTLD Program is fully funded and revenue neutral and is not subsidized by existing ICANN funding sources, i.e., gTLD registries and registrars, ccTLD contributions, and Regional Internet Registry (RIR) contributions. The baseline fee covers all required reviews in Initial and Extended Evaluation and any reviews needed during delegation performed by prospective panelists.

Applicants may be required to pay additional fees in certain cases, where specialized process steps are applicable. Such fees include the Dispute Resolution Filing Fee, the Technical Evaluation and Technical Testing Fee (if not using a pre-approved registry service provider, see [Appendix 6: Business Process Design](#) for more information), and the Community Priority Evaluation (CPE) fee. For additional evaluation fees, the applicant will be advised of the cost before initiating the review (see [Appendix 6: Business Process Design](#) for more information on evaluations). However, in a situation where an applicant is working with a third party, such as a dispute resolution provider in the objections process, the fees are not New gTLD Program fees and will depend on the number of services required. Information about fees and refunds for the dispute resolution processes will be provided before the commencement of the application submission period (see [Appendix 6: Business Process Design](#) for more information on dispute resolution procedures).

Regarding Affirmation with Modification 15.4,<sup>17</sup> the application fee floor is not anticipated to apply to this round of TLDs, as ICANN org does not foresee that fees will fall below the 2012

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<sup>17</sup> Affirmation with Modification 15.4: "The Working Group affirms the principle of cost recovery reflected in the 2012 Applicant Guidebook: 'The gTLD evaluation fee is set to recover costs associated with the new gTLD program. The fee is set to ensure that the program is fully funded and revenue-neutral and is not subsidized by existing contributions from ICANN funding sources, including generic TLD registries and registrars, ccTLD contributions and Regional Internet Registry contributions.' For the next application round and each subsequent round, an assessment must take place prior to each round to estimate the application fee that would be necessary to achieve cost recovery. In the event that the estimated

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round. For future rounds, further discussions are necessary to set the criteria and price target that would proactively deter speculation and potential warehousing of TLDs.

## Currency Stipulations

The gTLD application fee is required from all applicants in U.S. dollars. Applicants are responsible for all transaction fees and exchange rate fluctuation. In cases where payments are made directly to third parties, currency stipulations will depend on the third party's standard procedures.

## Applicant Support Program

ICANN seeks to increase global diversity and representation across regions within the New gTLD Program through the Applicant Support Program. The Applicant Support Program assists potential new gTLD applicants seeking both financial and non-financial support. Costs to provide this service and the subsequent application fee discount to applicants will be incorporated into the baseline application fee. Please see [Overarching Considerations: Applicant Support Program](#), [Topic 17: Applicant Support](#), [Appendix 16: Applicant Support Program](#), and [Appendix 6: Business Process Design](#) for more information.

## Registry Service Provider Pre-Evaluation Program

The RSP Pre-Evaluation Program fee will be paid by registry service operators who participate in the Pre-Evaluation Program. If an applicant does not use a pre-approved RSP, that applicant will incur an additional fee for Technical and Operational Evaluation. For more information on the RSP Pre-Evaluation Program, please see [Topic 6: Registry Service Provider Pre-Evaluation](#) and [Appendix 6: Business Process Design](#).

## Unforeseen Expenses

Unforeseen and hard-to-predict costs, or risks, including potential legal fees, will be incorporated into the application fee.

## Net Excess/Deficit Considerations

The New gTLD Program is expected to be fully self-funding, as costs are not expected to

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application fee, based on the revenue-neutral principle, falls below a predetermined threshold amount (i.e., the application fee floor), the actual application fee should be set at that higher application fee floor instead. The development of the application fee must be fully transparent with all cost assumptions explained and documented..."

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exceed fees. If the estimated application fee is not sufficient to maintain the required resources between rounds, ICANN org will fund the amount necessary to retain key staff and maintain systems and will recuperate these expenses in the next round's application fee.

Regarding Implementation Guidance 15.6,<sup>18</sup> which states that excess funds should be returned to applicants where possible, ICANN org will only know if or how much excess remains when the round is closed. As this is Implementation Guidance and as it affects the Board's fiduciary duties, there is an expectation that the implementation around excess fees will be subject to discussion with the Board when updating the Applicant Guidebook (AGB), with the expectations that the IRT will be appropriately consulted. In addition, the ICANN Board will consider utilizing excess to retain capabilities for future rounds and benefit the New gTLD Program, as described in Recommendation 15.7<sup>19</sup>: "(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."

## Refunds

In certain cases, refunds of a portion of the evaluation fee may be available to applicants who withdraw applications before the evaluation process is complete. An applicant may withdraw their application at any time until it has executed a registry agreement with ICANN. The amount of the refund will depend on the point in the process at which the withdrawal is requested. ICANN org will provide a schedule of refund amounts based upon foreseeable withdrawal points in the application process in the Applicant Guidebook.

## New gTLD Program Funding

The application fees collected and the costs expended for the New gTLD Program are to be accounted for separately from ICANN org's general operating funds and will not increase ICANN's net operating budget.

ICANN org will request funding to support the cost categories in phases. The initial request will be once the Board approves the SubPro Final Report and will cover one to two years of New

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<sup>18</sup> Implementation Guidance 15.6: "If excess fees are collected in subsequent procedures and the cost recovery model is followed (i.e., the application fee floor is not implemented) any excess fees should be returned to applicants where possible in the form of a refund or a credit towards future fees, where applicable..."

<sup>19</sup> 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..."

gTLD Program Scope and New gTLD Program Development costs aligned with the fiscal year budgets. Please see [Appendix 8: Finance Assessment](#) for figures.

### 4.1.3. Finance Risks

Experience with the 2012 round of the New gTLD Program informed this content, as many of the risks faced in future rounds are similar to those previously experienced. Unpredictability in application volume and mix creates uncertainty and risk in every aspect of the New gTLD Program. ICANN org’s estimate of 2,000 applications is based on the experience in 2012, and it is unknowable if that estimate is low or high.

Significant financial investments in IT systems, hiring, vendors, and more will be made before applications are accepted. If the number of applications is significantly less than estimates, the negative financial impact could be material. The risks associated with higher-than-expected applications are more operational than financial, as shown in Table 4-1.

The risks of application volume are difficult to mitigate. Flexibility in vendor contracts and deferring investments until required (often called a “just-in-time” strategy) increase ICANN org’s options, given the uncertainty, but also increase the risk that resources may not be available if and when they are needed.

A second source of financial risk stems from unexpected external events that require ICANN org action and expenditure to address. Unforeseen legal expenses, requirement changes from new regulations, or New gTLD Program delays, which desynchronize staffing increases or capability development from demand, all run the risk of materially increasing costs.

There is an unknown risk regarding the interplay between Registries established in previous rounds and Registries established during the current (and future) rounds. ICANN org’s operational funding model assumes each Registry is additive, in terms of ICANN org revenue; any cannibalization among Registries granted between rounds could negatively affect planning assumptions.

Table 4-1. Finance Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	Lower volume of applications than planned creates a funding deficit that cannot be	Funding Risks	Medium	Medium	Flexibility in vendor contracts and deferring investments until

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	mitigated by reducing variable expenses.				required (“just in time”), increase ICANN org’s available options given the uncertainty, but also increase the risk that resources may not be available if and when needed, and delay New gTLD Program phases.

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## 4.2. Systems and Tools

### 4.2.1. Overview

ICANN org's Engineering and Information Technology (E&IT) team assessed the needs for systems and tools to support a continuously managed or multi-round gTLD application process. The assessment summarizes ICANN org assumptions, approach, method, and analysis during the ODP.

This undertaking involved relearning everything about the New gTLD Program from the ground up. ICANN org personnel who played key roles in creating the previous application and evaluation systems have departed the organization, though some individuals who played supporting roles remain. The systems developed by ICANN org to support the 2012 round application and evaluation processes are unfit for future rounds. In retrospect, ICANN org finds that these systems were poorly designed and not finished on time, ultimately leading to delays in the 2012 round as ICANN org was forced to reconfigure systems to meet the needs of processing 2,000 applications. Outside of the Naming Services portal (NSp), which is used for managing services for contracted parties, there are no systems that remain online that can handle the requirements for application submission and processing for the next round.

For ICANN org to estimate the future costs, ICANN org considered feedback from the 2012 Applicant Guidebook, the 2007 policy, the Final Report of the GNSO New gTLD Subsequent Procedures, the Program Implementation Review Report (PIRR), and the New gTLD Subsequent Procedures Operational Design Phase Scoping Document and collaborated with the various internal ICANN org functions on their envisioned processes to conceptualize features and functions. During the ODP, ICANN org collected high-level information, summarized user requirements to complete an initial systems architecture, and identified the services needed.

ICANN org identified 18 system services requiring three years of software development at a cost estimate of \$47.5M. ICANN org expects refinement of cost estimates based on finalizing the technology stack and upon receiving more detailed user requirements. It would be prudent to add a 20-percent contingency buffer to this forecast, based on identified risk factors (see the [Systems and Tools Risks section](#) below).

Please see [Appendix 9: Systems and Tools Assessment](#) to view the assumptions for this topic.

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## 4.2.2. Analysis

### Method and Analysis

ICANN org constructed an initial Systems Overview diagram that approximates the primary systems and actors (i.e., user personas) expected for the next round (see Figure A9-1), based on review of the business process design as well as discussions with business functions. In Figure A9-1, the features and functions of each system are shown at a high level and some integrations between systems are expressed. This diagram serves as a starting point for further refinement of the E&IT services forecast for development.

Next, the systems and their primary features were analyzed and described in a business-services architecture. This business-services architecture gives an overview of the ICANN org capabilities and automations as understood by the various cross-functional teams within ICANN org. This overview helps in evaluating which services exist and what components those services could be made up of (see Figure A9-2). In total, the business architecture describes 18 system services.

ICANN org analyzed each service-as-a-software engineering project grouping by size (e.g., small (S), medium (M), large (L), extra-large (XL), and double-extra-large (XXL)) and by complexity (see Table A9-3). Also, ICANN org asked a leading technological research firm to evaluate potential solution options in the marketplace. During this analysis, ICANN org conceptualized processes, identified major features, and considered various project complexities impacting its estimates. The analysis led to the E&IT assessment in the following section, which provides an estimate of costs for implementing and deploying the services expected to operationalize and support the New gTLD Program for the next round.

### Systems Overview Diagram

Figure A9-1 highlights subsystems from a system-actor perspective. High-level descriptions of these services can be found in Table A9-1. It represents a simplified view of the system actors' interactions within the system, the major features expected, and data flows across systems. The diagram is based on ICANN org's understanding of all project requirements known to date.

The diagram was used for collaboration within ICANN org to refine a shared understanding of the process narratives and was an important input for developing a business-services architecture of the E&IT services to be developed for the next round.

In summary, ICANN org envisions nine key stakeholder categories:

- New gTLD applicants
- Applicant Support Program applicants

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- Registry service providers
  - ICANN org (e.g., Global Domains and Strategy, Communications, Finance, etc.)
  - Evaluation panelists
  - Anonymous public users
  - Authenticated public users
  - External parties (e.g., Dispute Resolution Service Providers, auction houses, etc.)
  - Contracted parties

For additional details of these systems, please refer to Figure A9-1 and Table A9-1.

## Business-Services Architecture

ICANN org approached this proposed new system build by leveraging existing engineering and design patterns to express the services required in this new architecture. The result would be a complex matrix of 18 system services that make up the capabilities in the business-services architecture. Each service is cross-referenced with the original Systems Overview diagram to give visibility of shared functionality across systems. Figure A9-2 and the corresponding Table A9-2 provide analysis of the service capabilities required to operationalize the New gTLD Program, which result in those 18 system services.

The diagram provides an architecture that captures the major capabilities that ICANN org believes will have the greatest impact on application development costs during implementation. However, the architecture will likely evolve as ICANN org learns more about the business processes, procedures, and features requested.

## Project Sizing and Complexity

There is no widely accepted definition for project complexity. A project's complexity can be influenced by a variety of factors, making measurement difficult to achieve. In addition, complexity is often not a static quality. Factors come into play throughout the life of the project, so complexity is always changing. The following are common factors that ICANN org recognizes as influencing project complexity:

- Novelty of technology implemented
- Number of stakeholders
- Number of system interfaces
- Number of different roles
- Number of resources
- Knowledge of resources
- Redundancy in skillsets
- Project duration
- Team org and management
- Time zones
- System tech and tools
- Allocation of resources
- Number of requirements
- Budget constraints
- Number of detailed tasks
- Clear requirements
- Number of dependent tasks
- Lines of code
- Communications
- Changes in scope
- Risk



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**<Note>** It should be noted that most of these factors cannot easily be measured nor estimated this early into the project. Therefore, for assessment purposes, ICANN org will take a more qualitative approach to ranking projects by complexity by identifying factors per project that may be most influential and providing a brief narrative for additional context.

To assess complexity and size of the SubPro business systems, ICANN org scoped each of the 18 service projects against the above complexity factors and estimated size based on ICANN org delivery procedures. Table 4-2 describes project sizing.

Table 4-2. Number of Business Services Needed by Project Size

Project Size	Implementation Duration (range)	Service Count (Total 18)
Double-Extra Large (2XL)	18-36 months	1
Extra Large (XL)	9-24 months	5
Large (L)	4-12 months	7
Medium (M)	2-6 months	4
Small (S)	1-3 months	1

The detailed results by project are captured in [Appendix 9: Systems and Tools Assessment](#) in Table A9-3.

## E&IT Assessment

During the 2012 round, two primary systems portals were created to accept and process applications:

1. The TLD Application System (TAS), which was used for application submission, Clarifying Questions (CQs), payment info, account and contact management, and application change requests.
2. Customer relationship management (CRM) software, which was used for communications, user provisioning, payments, withdrawals, CQs, Initial Evaluation (IE), Prioritization/Draw, Continued Operations Instrument (COI), and administrative check.

In addition, internal ICANN org teams leveraged spreadsheet processing to handle eligibility management, prioritization and draw, application change request management, COI tracking, Office of Foreign Assets Control (OFAC) checks, and wire transfers.

Midway through the 2012 round, information security issues were revealed and determined to be unrecoverable. The TAS was taken offline to protect applicant data. The data was migrated to a newly developed system known as the Global Domains Division (GDD) portal. GDD has

since been renamed Global Domains and Strategy. The GDD portal handled the remainder of the application processing for the previous round, including applicant and registry portal communications; mass emails; and work tracking, such as case management, IE, Extended Evaluations (EE), CQs, CPE, Auction, COI, contracting, Pre-Delegation Testing (PDT), String Readiness Report, withdrawal, application change request, and objections.

After processing the 2012 round of applications, ICANN org replaced the GDD portal with the NSp, which remains in use today. This system supports the complex operational interactions between ICANN org and contracted registries and registrars. It was not designed to support application acceptance or processing. Rather, the tool was developed to support the large number of contracted registry operators. For the next round, ICANN org believes these two systems and their data should remain separate to maintain data security, integrity, and overall ease of use.

This assessment is based on ICANN org’s current understanding of the requirements and solution options to date. As the Applicant Guidebook is authored, ICANN org expects to refine analysis and tighten estimates accordingly. The result of this analysis is an estimated three-year software development cycle with a cost of \$47.5M.<sup>20, 21</sup> The three-year period assumes software engineering implementation team onboarding prior to starting actual development and implementation activities (i.e., during the authoring of the Applicant Guidebook) to onboard and perform initial capability development activities. Table 4-3 summarizes the results of assessment.

**Table 4-3. Cost Estimate for Software and System Development**

<b>Cost drivers</b>	<b>Cost est. (\$M)</b>
Implementation headcount total	\$45.0M
Licenses during implementation	\$2.2M
Admin during implementation	\$0.3K
<b>Total implementation cost est</b>	<b>\$47.5 (\$M)</b>

The \$47.5M<sup>22</sup> investment would include all costs for building and deploying the New gTLD Program, including all resourcing, software licensing, and administrative overhead during implementation. This cost estimate is based on information available to date and will evolve as ICANN org receives more detailed information and user requirements. Once in production, for future rounds, ICANN org expects to leverage this foundational system for large and small changes. Large changes will require scoping, requirements gathering, development, testing and

<sup>20</sup> A contingency of ±20% would give a range between \$38M–\$57M.

<sup>21</sup> For reference, the recently approved WHOIS disclosure system is classified as a Large project with an implementation budget of \$2.7M over 9 months. This is consistent with New gTLD Program ODA average cost per service of \$2.6M.

<sup>22</sup> A contingency of ±20% would give a range between \$38M–\$57M.

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release to production, while small updates will be via support change requests. For reference, spending for IT-related activities for the 2012 round was estimated at \$20–30M, with no reusable system functionality retained. For more details on cost estimates, please see [Appendix 8: Finance Assessment](#).

Before the Applicant Guidebook is complete, ICANN org will explore existing and potentially new technologies to support system development efforts, based on the systems architecture and the 18 identified services. ICANN org will follow procurement guidelines to initiate an RFI (Request for Information) and RFP (Request for Proposal) to further assess, inform, and refine its systems architecture and implementation cost estimates. These activities will directly impact complexity and sizing assessment. As the Applicant Guidebook will be developed iteratively, ICANN org will have the opportunity to develop some systems' functionality in parallel. However, ICANN org still expects three years of software development to complete the necessary systems for the next round. As the Applicant Guidebook is authored, ICANN org will continue to refine its estimates with a complete set of business processes and rules for the end-to-end service lifecycle for the New gTLD Program, including a defined technology architecture, feature requirements, and corresponding roadmap.

## Managing Project Delivery

ICANN org follows a continuous delivery approach to software engineering based on producing software in short cycles versus long cycles. By developing in short cycles, development teams can obtain testing and assessment results sooner, which improves overall cycle times and provides more reliability in estimating delivery windows. From a strategic perspective, ICANN org will work closely with internal ICANN org functions and the community to ensure products are fit-for-purpose, meet requirement expectations, and delivered according to New gTLD Program schedules.

### 4.2.3. Systems and Tools Risks

Risk categories and ratings are as provided in the [Risk section](#).

The primary risks, as shown in Table 4-4, stem from the lack of complete business and technical requirements (i.e., a complete Applicant Guidebook and associated policies), and risks associated with planning assumptions – particularly assumptions around the number of applicants, unique applied-for strings, and accommodating the differing components of multiple application evaluations. Additionally, there is substantial risk related to the inadvertent disclosure of confidential or regulatory-protected information, which may be mitigated through careful security requirements elicitation, design reviews, and testing throughout the development cycle.

Table 4-4. Systems and Tools Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	See <a href="#">Overall New gTLD Program Risks</a>	Human Resources Risks	Medium	Medium High in an extreme case)	See <a href="#">Overall New gTLD Program Risks</a>
2	Undefined or changing business requirements.	ICANN Systems and Information Security Risks	Medium	Medium (High in an extreme case)	Agile development processes and firm requirements.
3	Exposure of Personal Data (e.g., Personally Identifiable Information (PII)) and/or business confidential information.	ICANN Systems and Information Security Risks	Medium	Medium (4/High in an extreme case)	Careful security requirements and testing.

#### 4.2.4. Alternative System Approaches

The system capabilities and costs described in the [Systems and Tools](#) section above are the result of a “high-investment” approach. However, there are other possible approaches that exist on a continuum. In this section, ICANN org demonstrates the contrasting benefits and challenges of investment approaches ranked high, medium, and low. ICANN org notes that a zero-investment approach is likely impractical, largely due to the ensuing increase in human effort and cost accompanied by increases in risk and additional effort for applicants.

These proposed approaches do not change the scope of the work required to develop future rounds in the New gTLD Program, but rather how the work might be done. For example, as system capabilities are reduced, more elements of the New gTLD Program would need to be delivered manually by ICANN org staff. Accordingly, approaches with lower investment in systems would likely not result in lower *overall* costs because of the additional investment in human resources. It is also important to acknowledge that while systems can be complex and costly, they can also provide consistency and reduce the risk of human error through electronic “guardrails” that would prevent certain actions or require approval for deviations from standard processes.

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Each of the approaches described below assumes a base level of capabilities, including an accessible and secure interface, a reliable mechanism for communicating with applicants, and data protection. The most significant variable in each approach is the degree of manual operations required. This includes the degree of processing that occurs within the system, the amount and type of data stored, automation of certain processes, and the extent of automated reporting. Functions that the system does not provide would be done by people and may be processed in separate, off-the-shelf tools such as spreadsheets or project management software.

## Three Levels of Investment

The “low-investment” option is closely modeled around the capabilities available during the 2012 round. The systems available during that time were relatively basic, with many functions and capabilities conducted manually via off-the-shelf tools, such as spreadsheets and project management applications. These systems were not deemed suitable for sustained operation and were decommissioned while applications were still being processed. The off-the-shelf tools did not scale well nor were they exceedingly stable but were sufficient to complete the relevant evaluation processes for all applications. It should be noted that several applicants reported a poor experience in the 2012 round, especially with regard to uncertainty about application and round process status, future steps, timelines for the application process, and delays in decision-making.

The “medium-investment” tack provides features and functions not included in the “low-investment” approach. This approach focuses on processes that are highly repetitive, considered high-risk with regard to consistent applicant outcomes and treatment, or especially burdensome either for applicants or for staff who process applications. Because the “medium-investment” option would allow for more capabilities, its architecture would be better suited for continued investment if there is a desire to eventually reach the functionality envisioned in the “high-investment” approach. Such additional investment could be prioritized based on experience gained through processing, total application volume, and the mix of application types.

Finally, the “high-investment” option, as described in the [Systems and Tools](#) section above, aims to automate as many aspects of the New gTLD Program as reasonable. This option would not automate every process, as some workflows related to exception processing would be rare and thus not worth the effort or additional investment. Over the longer term, the “high-investment” approach would be expected to have higher efficiencies and less dependency on staff members.

The range of costs associated with these approaches varies significantly. The “low-investment” option may be in the range of \$12.5M – \$16.5M, while the “high-investment” option is likely to cost around \$47M. The “medium-investment” approach would lie somewhere in the middle.

Table 4-5 summarizes some of the benefits and challenges for each of the investment approaches.

Table 4-5. Benefits and Challenges of Different System Investments

	Low Investment	Medium Investment	High Investment
<i>Benefits</i>	<ul style="list-style-type: none"> <li>• Low initial cost commitment</li> <li>• Low system implementation risk due to reduced system capability and complexity</li> </ul>	<ul style="list-style-type: none"> <li>• Moderate cost commitment</li> <li>• Reduced funding risk</li> <li>• More information and processes in the system would generate more data for future improvement and analysis</li> </ul>	<ul style="list-style-type: none"> <li>• More easily scaled</li> <li>• Lower human resources cost</li> <li>• Highest level of consistency</li> <li>• Automation and system-enforced guardrails that improve consistency</li> </ul>
<i>Challenges</i>	<ul style="list-style-type: none"> <li>• More effort required to develop and operate manual processes</li> <li>• Highest human resources cost</li> <li>• Limited system protections against human error</li> <li>• Limited reporting capabilities to inform future rounds</li> </ul>	<ul style="list-style-type: none"> <li>• Higher initial cost</li> <li>• Requires more human resources than "high investment" option through a larger processing team, and a robust quality assurance team and processes</li> </ul>	<ul style="list-style-type: none"> <li>• Highest investment cost</li> <li>• Cannot guarantee applicant satisfaction at any cost</li> </ul>

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## 4.3. Vendors and Third Parties

### 4.3.1. Overview

Qualified vendors will play a key role in helping ICANN org meet the requirements of a sustainable New gTLD Program. ICANN org will need to rely on outsourcing to address capacity constraints and the demand for specialized expertise, which may vary from round to round.

The process for growing ICANN org's capabilities through vendors and third parties to support the New gTLD Program will take part in three phases: exploratory, selection, and long-term management. In the exploratory phase, ICANN org will determine how and when vendors will be required for different functions. In the selection phase, ICANN org will use established processes to attract, evaluate, and select qualified vendors. The long-term management phase encompasses vendor management during and between application rounds.

Currently, ICANN org does not have a centralized vendor management function. Developing such a function for the New gTLD Program could introduce standardization, minimize costs, improve operational efficiencies, create clear communication channels with vendors, and develop a long-term perspective on New gTLD Program needs. Approximately \$145 million of total 2012 application fees was spent on vendor expenses, and similar figures are anticipated during the next and future rounds. Significant portions of the New gTLD Program will require ICANN org to outsource work to vendors. Vendor needs are not limited to operating New gTLD Program processes but encompass all aspects of implementation and operation of the next round. Table 4-6 displays a non-exhaustive list of New gTLD Program work that may require outsourcing.

Table 4-6. New gTLD Program Work That May Be Outsourced

Categories	Description
Policy Implementation and Design	<ul style="list-style-type: none"><li>● Support ICANN org's work with the IRT.</li><li>● Design processes.</li><li>● Conduct one-time surveys or studies.</li></ul>
Internal Org Capacity-Building and Operationalization	<ul style="list-style-type: none"><li>● Develop systems.</li><li>● Create procedures.</li><li>● Train staff and vendors.</li></ul>
Operations	<ul style="list-style-type: none"><li>● Run New gTLD Program processes.</li></ul>
Existing Org Functions Support	<ul style="list-style-type: none"><li>● Support ongoing operations.</li><li>● Support Communications department.</li><li>● Support Human Resources department.</li></ul>

Categories	Description
	<ul style="list-style-type: none"> <li>• Support Legal department.</li> </ul>
Maintenance	<ul style="list-style-type: none"> <li>• Conduct periodic operational reviews.</li> <li>• Conduct post-mortem analysis after a round concludes.</li> </ul>

In preparing the [Vendors and Third Parties section](#), ICANN org made a number of assumptions to prepare its analysis and timeline, and define risks, including:

- A vendor management policy will be developed to manage selection and maintenance of vendors for all future rounds.
- ICANN org assumes the majority of work outsourced to vendors during the 2012 round will also be outsourced in the next round.
- For all vendors providing the same services, contracts will be as similar as possible, if not identical. For the avoidance of doubt, even though some contracts may require jurisdictional specifics, the language that defines the services provided will be identical.
- Certain services will require at least two vendors to ensure evaluation services can still be performed if a vendor has a conflict of interest for more than one application.
- Where evaluation services are provided by more than one vendor, another vendor will be needed to review results and ensure consistency of results.

## 4.3.2. Analysis

### Vendor Management

More than two dozen vendors were required to develop and operate 2012 round New gTLD Program processes (see Table 4-7). ICANN org anticipates outsourcing the same types of work to vendors in the next round. Some services, such as Emergency Back-End Registry Operators (EBERO), are still active but no longer considered part of the New gTLD Program, as they have become part of standard operations.

Overall, the total amount of work required to operate the next round has increased with the introduction of new or expanded New gTLD Program areas like the Applicant Support Program and Registry Service Provider (RSP) Pre-Evaluation Program. ICANN org expects to contract with more than three dozen vendors for the next round to manage additional work stemming from updated evaluation criteria, updated requirements, and elements of the New gTLD Program.



Table 4-7. Types of Vendors Used in 2012 Round

2012 Round Vendors	
3 Financial and Technical Evaluators <sup>23</sup>	1 Continued Operations Instrument Advisor
1 String Similarity Evaluator	3 Objection Dispute Resolution Service Providers
1 DNS Stability Evaluator	2 Rights Protection Mechanism Providers
2 Geographic Name Evaluators	3 EBERO Providers
1 Registry Services Evaluator	1 Auction Provider
1 Community Priority Evaluator	1 Pre-Delegation Testing Provider
5 Applicant Support Review Panelists	1 Prioritization Vendor
2 Background Screening Providers	

At this time, ICANN org functions requesting a vendor must provide resources to process an RFP and manage the vendor selection process. ICANN org functions do not have the capacity to concurrently conduct a high number of RFPs and manage the resulting vendor relationships. Instead of adding capacity to each function, ICANN org intends to establish a centralized vendor management function to manage these resources. This function should oversee all aspects of the New gTLD Program’s vendor needs, including assessing the need for outsourcing, vendor selection, managing day-to-day vendor interactions, monitoring performance, and maintaining resourcing capability between rounds. The vendor management team should be grown in conjunction with ICANN org’s overall efforts to scale up in preparation for the next round. Development of this function should begin no later than the start of implementation, and the function should be in place before ICANN org begins the bulk of its Vendor Selection Phase.

## Exploratory Phase

ICANN org has initially estimated outsourcing work to more than three dozen vendors. In the exploratory phase, which occurs during the implementation phase as described in the [Timeline section](#), ICANN org will go beyond its initial estimates to further analyze vendor support needs.

The exploratory phase begins with the creation of a comprehensive list of New gTLD Program elements requiring specialized expertise or additional capacity and includes working with each organizational function to understand their vendor support needs for next round work. A high-

<sup>23</sup> “Evaluators” refers to the entity carrying out the evaluation.

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level timeline will be created to help track key New gTLD Program milestones and ensure vendor selection occurs at the right time.

For example, the list of pre-approved registry service providers (RSP) must be available at least six months prior to the opening of the next round. If ICANN org decides to outsource any work for the RSP Pre-Evaluation Program, that work must be completed well ahead of the RSP application submission period.

This list of New gTLD Program processes and other round-related work will be evaluated using the following criteria:

- **Capacity** - Capacity constraints were a core risk for the New gTLD Program during the 2012 round, as a number of historical New gTLD Program processes required vendors to process high volumes of work. ICANN org anticipates that the same capacity constraints will exist in the next round and that ICANN org will have to decide between building internal capacity or contracting with vendors for individual New gTLD Program processes. Assessing capacity needs will be unique for each round and it may be prudent to outsource work instead of growing capacity, especially if ICANN org is facing time constraints.
- **Expertise** - ICANN org will also assess whether the necessary expertise to manage any given New gTLD Program process is within ICANN org's core competencies. If not, ICANN org will determine if there is a long-term benefit to developing internal expertise. Some factors to consider include whether the expertise is useful in other organizational functions or if having that internal expertise could be in the best interest of the community.
- **Risk** - ICANN org's risk exposure will be considered during this exploratory stage and includes operational and legal risk. ICANN org will compare acceptable levels of operational risk for performing tasks in-house versus contracting vendors to do the same work. ICANN org will also consider the impact of outsourcing work to vendors possessing reputation and authority within a specific field.
- **Cost** - Financial cost is another key factor in ICANN org's decision-making process. Cost estimates will be extrapolated from historical New gTLD Program process expenses, inflation, ICANN org contracts, changes in cost due to updated criteria for existing processes, and publicly available information.

A numerical rating scale will be used to provide management with an easy-to-read assessment of each criterion, with criteria weighting and mandatory minimums and maximums established before evaluating each New gTLD Program process. For example, if the cost estimate to internally evaluate applicants' financial data exceeds the allocated budget, then ICANN org may choose to outsource the work. This may be done even if risk and expertise have acceptable scores. In other cases, ICANN org may want to outsource high-risk work even if all the other scores are acceptable. To demonstrate how the numerical rating scale would look, ICANN org has created a sample table that can be found in [Appendix 10: Vendors and Third Parties](#).

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## Vendor Selection Phase

After each process and support function is evaluated using the criteria, the vendor selection phase will begin. ICANN org will be guided by its established procurement policy<sup>24</sup> and may release RFIs or Requests for Quotations (RFQs) to better inform selection criteria development. ICANN org procurement policies stipulate a number of requirements for contracts over a certain dollar amount. Typically, large contracted engagements are announced publicly<sup>25</sup> and are followed by a publicly available RFP process. While the specifics of each RFP vary based on the subject matter and the products or services being sought, the general approach will adhere to ICANN org's [procurement guidelines](#). ICANN org procurement policies stipulate conditions and requirements for contracts based on different criteria.

Each RFP will include specific requirements for the services sought, including any critical criteria that must be fulfilled. ICANN requires bidders to provide background information, including information about their parent company, a list of their top customers, and references. Bidders will be expected to demonstrate an in-depth understanding of the services sought and will be expected to propose methods, timelines, and estimated fees. Bidders have a specific timeframe to respond to the RFP and any follow-up questions. To be considered they must also demonstrate to ICANN org's satisfaction that there are no material conflicts at the time of the bid and have controls in place to ensure new or changed resources do not have conflicts. ICANN org reviews for conflicts before contracting with vendors but this matter may become relevant once applications are submitted, where a vendor may have a conflict with one or more applications. ICANN org also requires that subcontractors must be disclosed to ICANN org and approved before providing services. Prior to contracting with vendors, ICANN org checks for any applicable sanctions and requires completion of a conflicts of interest statement. Contracted vendors are required to update their Statements of Interest (SOI) at least annually throughout the life of the contract.

In some cases, a single vendor may be able to support more than one service or process. Such opportunities should be considered in overall planning to take advantage of lower administrative overhead in procurement and vendor management. There is also the potential of negotiating a more favorable contract across multiple activities.

A singular approach to contracting vendors will help ICANN org more easily reach internal goals for the New gTLD Program. ICANN org may consider contracting with a strategic sourcing vendor to assist with operating the high number of vendor requests that will need to be processed quickly. An internal team managing a large number of RFPs at once may significantly impact New gTLD Program resources and risk extending implementation timelines. ICANN org or its vendor, if contracted, would conduct all open RFPs in a standardized fashion to create

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<sup>24</sup> <https://www.icann.org/en/system/files/files/procurement-guidelines-21feb10-en.pdf>

<sup>25</sup> <https://www.icann.org/resources/pages/governance/rfps-en>

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clear expectations for the prospective vendors. In every scenario, ICANN org will develop vendor selection criteria for RFPs and draft agreements with prospective vendors.

## Long-Term Management

After contracting with vendors, the centralized vendor management function will be responsible for long-term maintenance of vendor relationships during the next round. Some examples of this work include handling contract renewals, managing additional RFPs, assessing new outsourcing needs, reviewing vendor performance, and responding to vendor feedback. ICANN org has ongoing relationships with several service providers from the 2012 round, some of which remain ICANN org vendors today. ICANN org will need to determine how to allocate existing vendor resources toward implementing and operating the next round.

ICANN org will consider maintaining the vendor management function between rounds and analyze how the function can best adhere to ICANN org's procurement policy. Additionally, maintaining this function may preserve institutional knowledge between rounds, which could aid in shortening implementation time for future rounds. Time between rounds may span several years and ICANN org's need for vendors may vary from round to round. Factors affecting ICANN org's need for vendors include total number of applications per round or variable demand in total and specific demand for various panels. ICANN org may develop internal expertise and reduce dependence on vendors over time.

In determining whether to maintain a vendor management system between rounds, ICANN org will consider the following questions:

- Is there a need to re-bid existing contracts?
- How long is the transition between rounds?
- What is the effect on institutional knowledge if the system is not maintained?
- Can any currently contracted capabilities be brought in house?
- Should vendor performance be reviewed and audited by ICANN org?

## Deliverables

ICANN org will produce a series of deliverables related to vendor management for the next round implementation. Based on the approach outlined in this section, ICANN org will generate:

- A list of services and processes that may require vendor support.
- An evaluation of the listed services and processes against the exploratory criteria.
- A description of the services and processes that will require vendor resources during implementation and operation.
- An estimate on the number, length of time, and likely cost (if possible) of vendors that will be required to support the New gTLD Program.

- A suggested approach for procurement of vendors (e.g., RFP creation, contracting terms, liability, administration, and selection).
- A potential proposal for a strategic sourcing vendor.
- An expected timeline of when vendors will need to be obtained along with an estimate of the length of time required to obtain them.

### 4.3.3. Vendors and Third Parties Risks

One of the key risks for the New gTLD Program is a critical dependency on one or a small number of vendors. ICANN org can mitigate this risk by conducting proper due diligence and using contractual provisions to assure notice and by requiring some degree of backup and succession planning among its vendors. Additionally, the use of multiple vendors performing the same or similar tasks has the benefit of providing “second opinions” in a dispute.

ICANN org will be seeking to contract vendors with specialized expertise and capabilities to support the next round of the New gTLD Program. Scarcity may drive pricing and timelines, but also poses the inherent risk of perceived or actual conflicts of interest with applicants. Other identified risks associated with contracting of vendors and third parties are presented in Table 4-8.

Table 4-8. Vendors and Third Parties Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	Loss of critical skills, knowledge, and capabilities if key personnel depart from ICANN org.	Human Resources Risks	Medium	Low	Retain institutional knowledge through strong internal documentation of processes and cross-training personnel.
2	Liability of collecting business confidential information and PII exist and are material, should they be inadvertently disclosed.	Legal Related Risks	High	Medium	Vendors may be required to operate within ICANN org’s IT systems as opposed to transferring data from ICANN org to third parties.
3	Evaluation results that are inconsistent and may be challenged by the applicant for a variety of reasons.	Legal Related Risks	High	High in an extreme case	Contracting with multiple vendors for each evaluation type increases capacity,

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
					flexibility, and provides an option for dispute resolution. Upfront panel training, documentation, and coordination can mitigate concerns with inconsistent results or applicant-facing evaluation experiences.
4	<p>Uncertainty in evaluation volume and mix creates contracting uncertainty vis-à-vis evaluation providers. Specifically, uncertainty of application volume and mix creates risk in selecting and contracting with evaluation panel providers. Vendors may increase prices and pose contract terms reflective of these uncertainties.</p> <p>As evidenced in the 2012 round, there is a long tail on a new gTLD application round. Ongoing change requests require evaluation, policy issues such as changing ownership or RSPs require certainty and ongoing resources, etc. The evaluation criteria developed for a round</p>	Funding Risks	3/Medium	3/Medium	<p>Mitigations may include development of criteria for round closure.</p> <p>ICANN org may need to scale up or down with limited notice, which may increase costs, possibly materially.</p> <p>This uncertainty is a difficult set of risks for ICANN org to manage. Flexibility in evaluation firm contracts and multiple vendors for each evaluation type increase ICANN org's available options, given the uncertainty.</p>

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	(i.e., the Applicant Guidebook) is long lived, in that it remains “the criteria” until a subsequent Applicant Guidebook is developed.				

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## 4.4. Resources and Staffing

### 4.4.1. Overview

ICANN org must ensure it has the resources required to implement and operate future rounds of the New gTLD Program. The New gTLD Program must be enabled and facilitated while minimizing the risk of disruption to the continuity of ICANN org's day-to-day operations.

The 2012 round required the addition of a significant amount of human resources to develop and execute the New gTLD Program. While some of these human resources transitioned to operational roles, a substantial number of temporary and contractor resources supported the New gTLD Program. The use of these temporary resources helped to avoid surplus hiring. Although ICANN org's capabilities have expanded from the previous round, the execution and operation of any future rounds of the New gTLD Program will require significant additional resources.

Key resource requirements include:

- Timely acquisition of sufficient human resources based on defined specialized requirements.
- Working space, facilities, and services to accommodate and enable collaboration of human resources.
- Onboarding and comprehensive training to enable human resources to work effectively on the New gTLD Program's specialized work.

A resource and planning strategy to meet these requirements is discussed in the analysis below.

In preparing the [Resources and Staffing section](#), ICANN org made a number of assumptions to prepare its analysis, timeline, and define risks, including:

- It is expected that the majority of resources will be based in Los Angeles.
- ICANN org will have resources in place for systems and tools development to be completed prior to the opening of the next application round.
- Delivery of required human resources will be synchronized with the New gTLD Program's phases.
- ICANN estimates that resource needs will peak at 125 full-time equivalents (FTE) during the implementation phase.
- Following implementation, the greatest proportion of FTEs will be focused on operations. ICANN org estimates that ongoing requirements will be at 114 FTE.



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## 4.4.2. Analysis

All ICANN org functions will be required to closely collaborate to define projected resources, determine projected needs, and enable accurate budget forecasting. This will help ensure ICANN org does not incur the organizational and financial costs of hiring and subsequently releasing permanent staff, should resource requirements be less than expected. This approach will be essential for each phase of the New gTLD Program and any subsequent rounds.

ICANN org's priority will be to ensure that resource demands are assessed to anticipate long- and short-term cyclical needs, and needs for specialized activities or capabilities that are not part of ICANN org's core operations, which may require services by vendors (i.e., contractors or consultants).

### Human Resources

Acquiring additional resources for the New gTLD Program will be phased and driven by considerations for the type of resource needed, how long the resource is required, the time to hire the resource, and time needed to onboard and train the resource to be fully operational.

Human resource needs can be classified into three categories:

- **Permanent:** Permanent hiring decisions must be based on anticipated long-term needs for the required skills and to avoid potential over-hiring. Permanent hiring typically takes an average of three months from a job posting to securing acceptance of an offer by a candidate. However, planning for the timing of hiring must also take into account the significant time needed for on-boarding and training staff to become fully operational, which can take more than six months for some positions. The time spent on training also reduces the capacity of staff conducting the training.
- **Temporary:** Temporary resources provide a flexible response to short-term and surplus needs of less than, usually, one year. Although temporary resources are typically hired and compensated directly via an agency, temporary staff responsibilities and working hours are directed by ICANN org. The process for hiring temporary resources can be completed in a matter of weeks by using existing vendors with secured agreements. While the nature of temporary work typically means less training is required, thorough onboarding is still important in ensuring the success of the resource.
- **Contract:** Contractors or consultants are engaged for specialized activities that are not part of ICANN org's core operations or capabilities. ICANN org defines the final product or deliverable expected of the contractor, but the contractor determines the actual work and hours of work. Engagements are made using ICANN org's standardized contracting process, which includes a conflict of interest review by ICANN org. These resources are addressed in the [Vendors and Third Parties section](#).

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ICANN org ensures all resource requirements are evaluated to control cost and headcount levels, and to ensure the proper allocation of resources. These measures ensure that ICANN org has adequate resources to accomplish its strategic and operational goals while also ensuring fiscal responsibility, maintaining headcount stability without disruptions to existing operations, and avoiding over-hiring.

All hiring requests are subject to review by ICANN org's respective functional executives as well as final approval by the President and CEO. Such a review includes consideration of:

- Justification for the hiring need.
- Approved project budgets.
- Clearly defined role and responsibilities to ensure long-term work as well as to avoid unnecessary overlaps and inefficiency.
- Span of control, i.e., the manageability, effectiveness, and efficiency of the number of direct reports that each manager oversees.

ICANN org seeks to improve the speed of hiring by using diverse sources of job applicants such as online career portals, select agencies and head-hunters, and staff referrals. ICANN org also revamped its online career page, which contributes to improved efficiency of hiring. ICANN org prioritizes internal hiring as part of its strategy to support career development and knowledge retention.

To ensure diversity, quality, and consistency of hiring decisions, all hiring managers undergo interviewing skills training.

The cost of hiring may include:

- Online career portal fees of \$45-70K/year.
- Recruitment agency fees of approximately 25 percent of annual salary for full time hires, and 35 percent of the hourly fee for temporary hires.

ICANN org tracks the following performance indicators to identify areas for improvement in the efficiency of hiring:

- Average time to fill a vacancy.
- Attrition percentage trend.
- Percentage of internal versus external hiring.

## Facilities

Based on projected staff need, estimated space requirements have been defined based on:

- Workstations and private office needs.

- 
- Meeting, collaboration, and co-location space needs.
  - Common areas.

ICANN org has identified an option to lease additional office space near ICANN org's Los Angeles office to accommodate additional staffing requirements, based on the assumption that the majority will be based in Los Angeles.

ICANN org is budgeting for the estimated costs for the additional space based on:

- Real estate rental costs per square foot.
- Average requirement of 150 square feet per staff member.
- One manager estimated for every six staff; and some managers in private offices.
- One-time costs per staff member, e.g., computer, phone, workstation furnishing.

Budgeting for the additional space is based on anticipated phasing of resource needs. Property lease terms typically provide limited opportunity for short-term flexibility. Real estate requirements may also need to take into account COVID-19 risk mitigation protocols.

## Onboarding and Capability Development

A structured approach to onboarding is key to ensuring new resources can efficiently acclimate, collaborate, and contribute in their role. This includes an introduction to ICANN org's culture, philosophies, processes, policies, procedures, and benefits for permanent hires. This approach fosters retention and engagement, as it helps new hires feel like a valued member of their team, which can create a commitment to ICANN org's mission and success.

Additionally, standard onboarding activities for full-time staff include:

- Provision and set-up of equipment such as laptops, and security requirements.
- Establishment of payroll and benefit information.
- Explanation and acknowledgement of key policies.
- Introductory training to provide an overview of ICANN org.
- Assignment of a dedicated ambassador (peer staff member) to help with navigating the organization and teams.
- Team introductions.
- ICANN org-wide announcement of new staff.
- Training needed to become fully operational.

### 4.4.3. Resources and Staffing Risks

Success is fully dependent on the availability of skilled human resources to implement and operate future rounds of the New gTLD Program. The obvious requirement to execute the New

gTLD Program while minimizing the risk of disruption to the continuity of ICANN org’s day-to-day operations requires the addition of a significant number of permanent and temporary staff. The justification for permanent hiring must always be based on a careful assessment of the ability to transition to long-term operational needs. The use of temporary staff where appropriate, to cover short-term needs, provides flexibility and mitigates the organizational and financial cost of over-hiring.

The greatest risk is the time required to hire and prepare recruits to be able to productively contribute to the New gTLD Program; this will require advance funding to initiate hiring in a timely way and ensure onboarding and training in readiness to contribute to the scheduled New gTLD Program needs and activities. Other identified risks associated with staffing and related resources are presented in Table 4-9.

Table 4-9. Resources and Staffing Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	Timely sourcing of human resources in a highly competitive employment environment requires longer than expected times to hire for some critical skills.	Human Resources Risks	Medium	Medium	Significant advance notice and approval of hiring needs of at least six months. Some market indicators suggest that organizations are eliminating technical staff, creating the possibility of an expanded applicant pool for ICANN.
2	Operational and new gTLD project work demands limit the availability of hiring managers to dedicate time to support recruitment, onboarding, and training. This can delay hiring and impact the quality of hiring decisions.	Human Resources Risks	Low	Medium	Clear definition of hiring requests, and timely submissions for approval of hiring requests, synchronized ahead of scheduled project phasing will be key, along with close management of the hiring process by the Talent Acquisition team, work track leads, and functional owners of the work.

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## 4.5. Timeline

### 4.5.1. Overview

ICANN org estimates five years for the implementation phase of the next round through four stages of work. In this section ICANN org describes the process for developing the timeline, timeline design considerations, the four stages of the Implementation Phase, the three stages of the Operations Phase, and timelines for programs that must be operational before opening of the application submission period. ICANN org will work to complete implementation activities simultaneously wherever possible.

ICANN org based the estimated timeline upon the information gathered during operational assessments, policy analysis of the Final Report outputs, and the business process design developed during the ODP. The timeline will be reassessed regularly after implementation work begins and individual projects and efforts are defined in more detail.

Experiences from the previous program round have informed the timeline. The 2012 New gTLD Program began operations before some key systems were ready. ICANN org refined and retooled some New gTLD Program implementation tools as it operationalized the Applicant Guidebook. This led to unexpected delays in processing and reduced predictability for applicants. To minimize the risks of this scenario recurring, all processes and tools are expected to be completed prior to the opening of the application submission period.

### Potential Impacts to Timeline

All time estimates assume that ICANN org will be able to obtain the resources needed to complete the work in a timely manner. Delays in hiring staff or selecting contractors, consultants, and vendors could impact the timeline. The entire organization will be impacted by the work of implementing and operating the SubPro Final Report outputs. Functions across ICANN org have been included in resourcing discussions that have estimated work requirements at a high level. Timing was also considered, such as whether the work would take place during the Infrastructure Development and Operationalization or Application Processing and Ongoing Operations phases. Further information can be found in the [Vendors and Third Parties](#) and [Resources and Staffing](#) sections.

The community plays an integral role in implementation of the New gTLD Program, through participation in the Implementation Review Team (IRT). The speed with which issues can be addressed by this group will impact aspects of the timeline.

ICANN org maintains several services in support of existing gTLD registries and registrars (see [Appendix 6.7: Post Contracting](#)). Many of these services will need to be updated to include new requirements identified in the outputs, including changes to existing systems, tools, and

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processes. As detailed requirements still need to be developed, these updates are expected to happen in the latter part of the Infrastructure and Operationalization stage of work.

There are a number of efforts outside of SubPro that may impact the overall timeline, each with their own unique scope and resources. This ODA focuses on the Outputs of the Final Report and outside efforts are not included within this timeline. As these efforts progress, their impact on the timeline will be assessed. These are listed in the [Dependencies section](#).

## 4.5.2. Analysis

### Structure

The timeline is organized according to two major phases: 1) implementation, which covers all efforts until the opening of the application submission period for a subsequent round of the New gTLD Program; and 2) operations, which includes the operations efforts of the New gTLD Program as well as the maintenance of systems and tools, and support of ongoing registry operator operations. More detailed timing estimates will be developed during implementation.

### Implementation Phase

The Implementation Phase is further divided into four stages:

- [Policy Implementation Stage](#): Drafting policy implementation materials, including the Applicant Guidebook, and managing and facilitating the review by the IRT.
- [New gTLD Program Design Stage](#): Identifying business process and service requirements, and creation of process flows.
- [Infrastructure Development Stage](#): Developing of new systems, tools, and capabilities needed within ICANN org to deliver the required services.
- [Operationalization Stage](#): Developing procedures for new processes and services, updating existing services, and obtaining and training staff in preparation for moving to the Application Processing and Ongoing Operations Phase.<sup>26</sup>

### Operations Phase

The Operations Phase covers all activities associated with operating the next round. It is made up of the following activities:

- [Operations](#): All aspects of running the services specific to processing of the applications described in the [Appendix 6: Business Process Design](#).

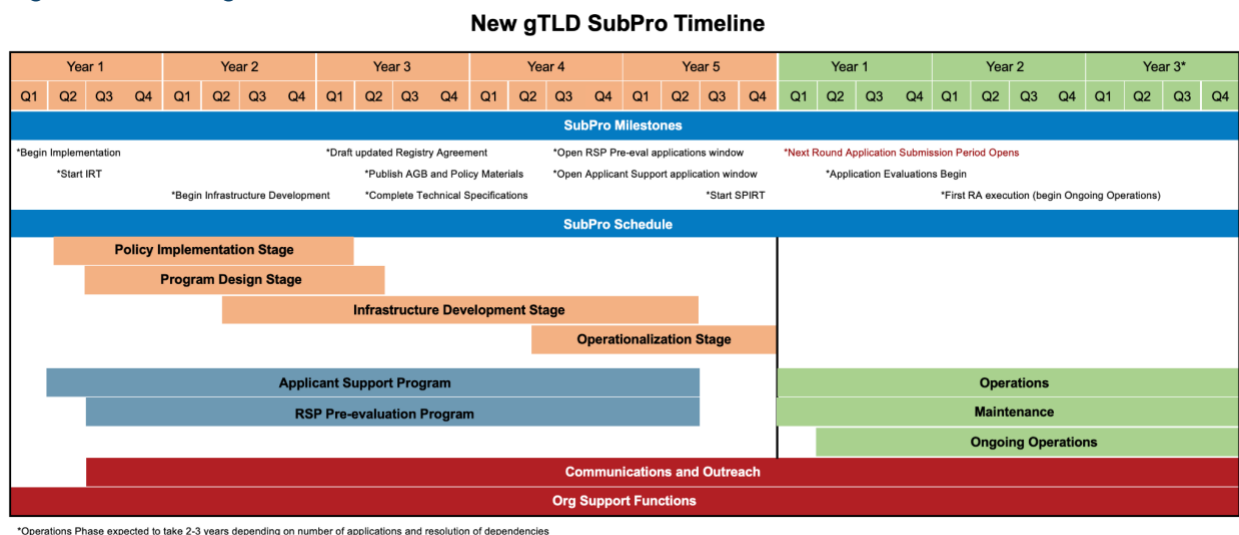
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<sup>26</sup> See [Appendix 12: Timeline](#) for an example of a service and process development lifecycle.

- **Maintenance:** All aspects of maintaining the systems, tools, and services for the New gTLD Program. This includes updates as needed throughout the round.
- **Ongoing Operations:** All aspects of running existing services that support Registry Operators.

While some tasks may take several years to complete, ICANN org expects to perform some steps in parallel to expedite progress. Taking that into consideration, ICANN org proposes an implementation phase of five years, as represented in Figure 4-1.

Figure 4-1. New gTLD SubPro Timeline



Anticipated activities in the Implementation Phase are sorted by stage as follows:

- **Policy Implementation Stage**
  - Clarification on open policy questions and other issues.
  - Management and facilitation of the IRT.
  - Developing the process for starting and supporting the Standing Predictability Implementation Review Team (SPIRT).
  - Authoring the Applicant Guidebook and other policy implementation materials.
- **New gTLD Program Design Stage**
  - Identification of detailed requirements based upon Final Report outputs, 2012 Applicant Guidebook and processes, and PIRR.
  - Creation of business processes to be included in the Applicant Guidebook.
  - Determination of best solution to address Final Report outputs.
- **Infrastructure Development Stage**
  - Identification of technical specifications for systems and tools.
  - Development of systems and tools to support business processes and services.
  - Performance testing of all systems' functionality.
- **Operationalization Stage**
  - Proceduralize services and processes and develop training materials.

- Update existing processes org-wide to accommodate expected increase in numbers of contracted registry operators.
- Hire and train operations staff.

During ODP operational assessments, estimates of the time required to complete the expected tasks were collected and are represented below. Note that many of these activities are conducted in parallel or overlap in terms of timing. Please see Figure 4-1 for more information regarding the proposed sequence for implementation activities.

Table 4-10. Time Estimates of Implementation Phase Activities

<b>Policy Implementation Stage</b>	<b>2 years</b>
<ul style="list-style-type: none"> <li>● Drafting the Applicant Guidebook and other implementation materials (estimated at 24 months)</li> <li>● Managing/facilitating IRT (estimated at 24 months based on prior IRT experience)</li> <li>● Clarifying policy questions, e.g., Closed Generics (GNSO/GAC discussion), ASP (GGP) (estimated at 24 months)</li> </ul>	
<b>New gTLD Program Design Stage</b>	<b>2.5 years</b>
<ul style="list-style-type: none"> <li>● Develop business requirements and processes and define technical specifications (estimated to complete six months after publication of the Applicant Guidebook)</li> </ul>	
<b>Infrastructure Development Stage</b>	<b>3 years</b>
<ul style="list-style-type: none"> <li>● Systems and tools development (estimated at 36 months)</li> </ul>	
<b>Operationalization Stage (Begins last year of Infrastructure Development)</b>	<b>1.5 years</b>
<ul style="list-style-type: none"> <li>● Development of procedures (estimated at 9-12 months)</li> <li>● Updates to existing processes and procedures (estimated at 6 months)</li> <li>● Hiring and training of new staff (estimated at 12 months)</li> </ul>	
<b>Applicant Support Program</b>	<b>2.75 years</b>
<b>RSP Pre-Evaluation Program</b>	<b>3.25 years</b>

Implementation work will likely take considerable time, and taking a linear approach to the time estimates in Table 4-10 would lead to a nine-year Implementation Phase. However, ICANN org has identified several potential optimizations to improve implementation outcomes. ICANN org proposes to break up the activities within each stage into smaller clusters so that the work of different stages of implementation can be done in parallel, in order to maximize efficiency. This will add some complexity to the overall management and coordination of this work, impacting the resource requirements for the New gTLD Program team. For example, work on the Applicant Guidebook could be divided into modules. As policy implementation of a module is completed, it could be handed off for business process design and infrastructure development



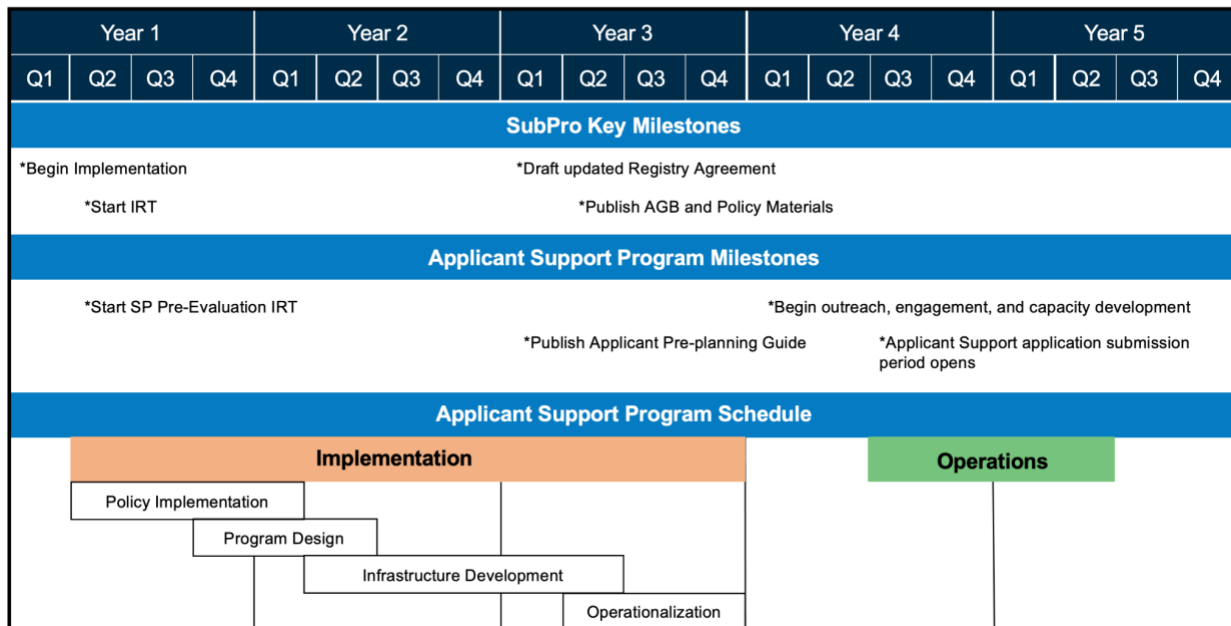
prior to completion of the Applicant Guidebook, allowing for concurrent activity to occur across the infrastructure development and operationalization stages.

## Application Support and RSP Pre-Evaluation Programs

The timeline for the opening of the next round application submission period includes separate timelines for the Applicant Support Program (ASP) and the RSP Pre-Evaluation Program. Both of these efforts are component programs of the larger New gTLD Program and are expected to launch operations approximately 18 months before the application submission period opens, in order to allow time for evaluations of their respective applicants. In the case of ASP, as shown in Figure 4-2, this is intended to allow time for applicants who do not qualify for reduced fees to attempt to obtain funding as a standard applicant. For the RSP Pre-Evaluation Program, as shown in Figure 4-3, the timing is intended to give applicants six months prior to the application submission period to identify and contract with pre-approved RSPs. Both component programs will need to complete their own Policy Implementation, Program Design, Infrastructure Development, and Operationalization stages.

Figure 4-2. Applicant Support Program Timeline

### Applicant Support Program (ASP) Timeline



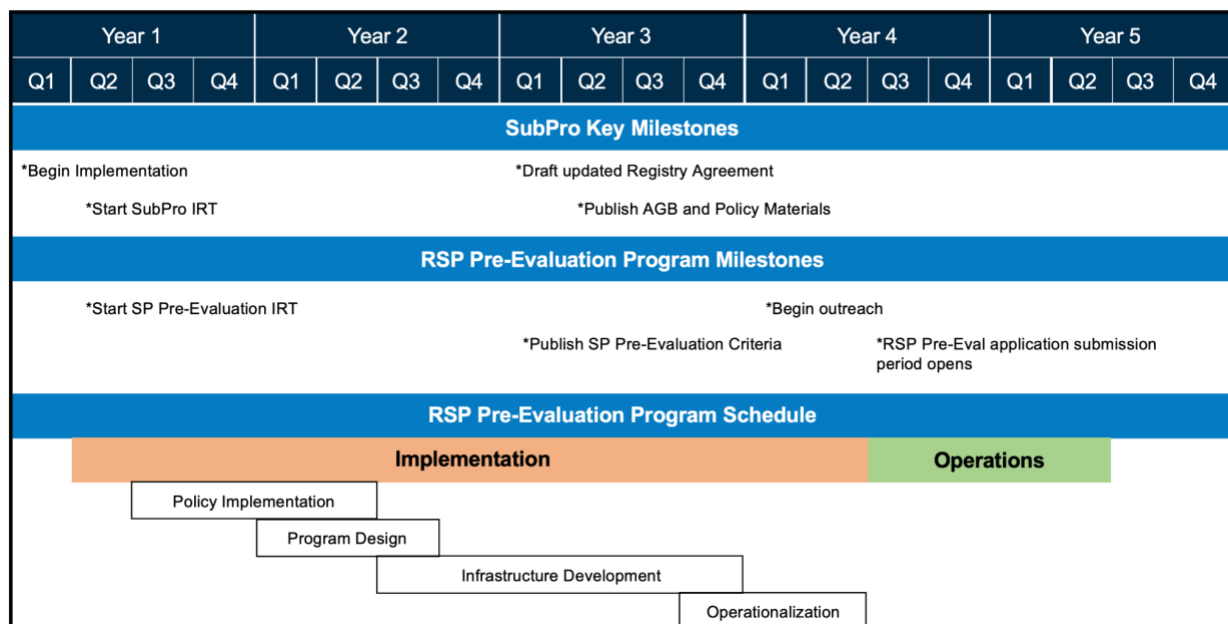
1. This schedule starts with the beginning of SubPro Implementation and ends with the opening of the Next Round Application Submission Period
2. The Applicant Support Program will follow its own timeline intended to begin operations 18 months prior to the opening of the Next Round Application Submission Period
3. In order to allow applicants sufficient preparation time, the evaluation results of the ASP are expected to be published 6 months prior to the Next Round Application Submission Period.

ASP implementation is comprised of the following tasks:

- Incorporating additional guidance on ASP from the GGP.
- Finding vendor(s) to perform research requested in the Final Report outputs, on such issues as:
  - Existing documented methods of determining financial support criteria and evaluating against those criteria.
  - Globally recognized procedures that could be adapted for Applicant Support.
  - Supporting applicants in the auction process.
- Developing criteria to assess applicants and creating a corresponding process.
- Drafting implementation materials (e.g., Financial Assistance Handbook, Applicant Pre-Planning Guide).
- Identifying technical specifications, and developing systems and tools for ASP.
- Initiating a communications and outreach campaign.
- Developing ASP procedures, hiring and training operations staff.
- Launching ASP (open application submission period).

Figure 4-3. RSP Pre-Evaluation Program Timeline

## RSP Pre-Evaluation Program Timeline



1. This schedule starts with the beginning of SubPro Implementation and ends with the opening of the Next Round Application Submission Period
2. The RSP Pre-Evaluation Program will follow its own timeline intended to begin operations 18 months prior to the opening of the Next Round Application Submission Period
3. In order to allow applicants sufficient time to contract with Pre-Approved RSPs, the evaluation results of the RSP Pre-Evaluation Program are expected to be published 6 months prior to the Next Round Application Submission Period.

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RSP Pre-Evaluation Program implementation comprises the following tasks:

- Developing criteria to assess applicants and creating a corresponding process.
- Drafting implementation materials.
- Identifying technical specifications and starting to develop systems and tools for RSP processes.
- Selecting a vendor, if needed.
- Initiating a communications and outreach campaign.
- Developing RSP Pre-Evaluation Program procedures, hiring, and training operations staff.
- Launching RSP Pre-Evaluation Program (open application submission period)

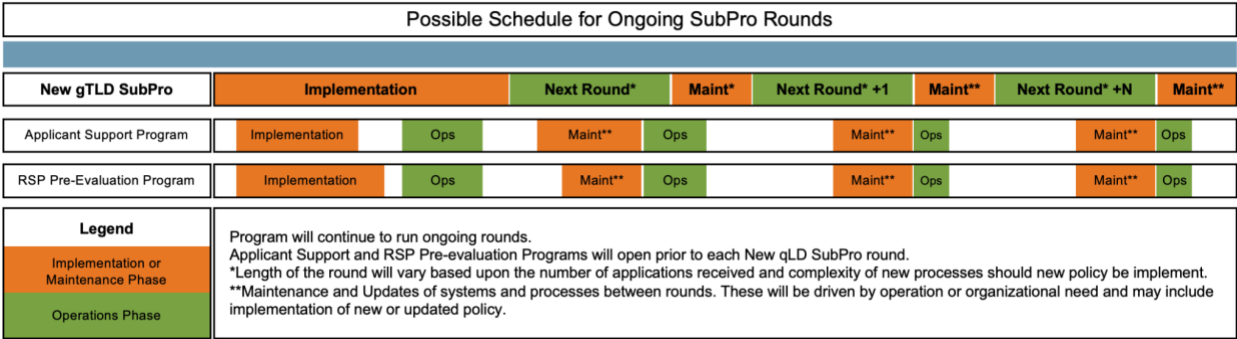
The New gTLD SubPro Timeline (see Figure 4-1) also lists two activities that reflect functions supplied by ICANN org in support of SubPro. Communications and outreach encompasses the global engagement, linguistic support, and localization strategies outlined in the [Communications, Global Engagement, and Inclusion section](#). This activity is in support of the New gTLD Program overall, including SubPro, Applicant Support, and RSP Pre-Evaluation. Org support functions encompass all activities not directly related to the drafting of policy implementation materials or development of services. This includes functions such as the hiring of staff, budget management, procuring vendors, project management, and New gTLD Program governance.

## Ongoing Rounds

The implementation work for the next round is expected to lay the foundation for future rounds. As such, implementation work for the next round incorporates requirements for supporting future rounds, and reflect the greater amount of expected planning and effort required to achieve this.

Figure 4-4 shows an example of how a series of ongoing rounds might look. Opening the immediate next round of the New gTLD Program will require the most work and initial investment of resources. Future rounds will likely require much less implementation work and largely focus on maintenance and operational improvements. However, any new policy developed in the interim will be assessed during these maintenance periods and changes to systems and processes will be made as needed. The diagram below also shows the possible timing of future Applicant Support Program and RSP Pre-Evaluation Program operations in support of future rounds. Both component programs are expected to open and conclude operations before each subsequent round.

Figure 4-4. Possible Schedule for Ongoing SubPro Rounds



### 4.5.3. Timeline Risks

The timeline presents risks on several fronts and is summarized on Table 4-11. Changes to the underlying assumptions, requirements, and scope of the project may result in lost effort (requiring work to be redone) and/or time and cost impacts. In addition, ICANN org must communicate a clear timeline to the community to reduce the risks associated with missed expectations.

Synchronization across components of the New gTLD Program is essential for its success, and the risk of cascading delays and/or failures exists, should milestones not be met. For example, the RSP Pre-Evaluation Program and the ASP must be defined, functional, and open to accept applications months before accepting new gTLD applications. Essential systems and materials, such as supporting IT systems, and relevant parts of the Applicant Guidebook supporting these component programs, must be completed prior. Global awareness initiatives must also be functioning for months prior to the application submission period.

Table 4-11. Timeline Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	See <a href="#">Overall New gTLD Program Risks</a>  Unexpected outputs or delays in community responses to outstanding IRT questions or dependent workflows can	Multistakeholder Governance and Legitimacy Risks	High	Medium (High in extreme circumstance)	Maintain consistent and clear lines of communication with the Board, the IRT, and the community regarding implementation

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	result in a change in scope and/or a delay in implementation. Uncertainty, delays, and complex decision-making processes increase the chances of this risk materializing.				progress, responses to IRT questions, and pending questions to the community.
2	Any scope, assumption, or requirement change (e.g., policy clarifications, SO/AC advice, or planning/assessment error) should be expected to have reputational, financial, and/or timeline impact.	Other Operations Risks	Medium	Medium (High in extreme circumstance)	Disciplined change management of the scope (requirements) of the project will ensure that the impact to financials and/or timeline is well understood prior to approval of the change.
3	Beginning implementation work without clear decisions on key pending areas, such as RVCs, Closed Generics, and CPE, may result in implementation delays until such decisions are resolved.	Other Operations Risks	High	Medium (Higher in extreme circumstance)	Ensuring that decisions on pending areas are resolved quickly will minimize the impact of these areas on the overall implementation timeline.

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## 4.6. Risk

### 4.6.1. Overview

This section provides an assessment of the preliminary New gTLD Program risks identified during the ODP. While best efforts were made to identify all relevant risks, not all risks can be reasonably identified at this stage due to the level of uncertainty involved. Should the ICANN Board adopt the Final Report outputs, a review of these risks will take place and a complete risk assessment will be conducted during the implementation phase. These risks will be reviewed and updated accordingly throughout each phase of the New gTLD Program. Additional risk analysis can be found in [Appendix 13: Risk Assessment](#).

### Overarching New gTLD Program Risks

Overarching New gTLD Program risks describe the higher-impact risks that are present in the sectional risks and most impact the overall New gTLD Program. There are seven ICANN risk category areas identified as overarching New gTLD Program risks and are also summarized in Table 4-12.

#### 1. Funding Risks

##### Significantly Low Application Volume

Unpredictability in application volume and mix creates uncertainty and risk in every aspect of the New gTLD Program. ICANN org's estimate of 2,000 applications is based on the experience in 2012 and it is unknowable if that estimate is low or high, potentially materially so. Significant financial investments will be made in advance of the applications being accepted (IT systems, hiring, engagement of vendors, etc.). If the number of applications is significantly less than estimates, the negative financial impact could be material.

Mitigation strategies: Funding risks are difficult to mitigate. However, maintaining flexibility in vendor contracts and deferring investments until required (i.e., using a "just-in-time" strategy) increases ICANN org's available options given the uncertainty. It should be noted though that such a strategy also increases the risk that resources may not be available when needed. Additionally, there is an associated cost to flexible vendor contracts.

#### 2. Human Resource Risks

##### Retention of critical skills and turnover

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A key risk related to human resources is the departure of essential personnel. The present macroeconomic environment and post-pandemic work preferences add uncertainty to a multi-year hiring initiative. There is also the risk that resource costs (salaries, benefits, recruiting fees, office space, etc.) will be higher than planned.

Mitigation strategies: Strong internal documentation of processes and cross-training personnel and strong emphasis on talent retention.

### 3. ICANN Systems and Information Security Risks

#### Inadvertent Disclosure of Personal and Business Confidential Information

Personal data and business confidential information is expected to be collected as a part of this process. ICANN org has experienced multiple incidents in the past where confidential information was inadvertently disclosed, creating legal costs and liability. Unforeseen IT systems risks, and other operational issues, are a possibility given newly developed IT systems.

Mitigation strategies: Careful IT systems design, including security requirements fit for purpose, and third-party testing. IT systems should be monitored during operation, and business continuity (BC)/disaster response (DR) and incident response (IR) processes should be in place and routinely tested.

### 4. Legal-related Risks

#### Disclosure of Confidential Information

Due to the liability of collecting business confidential information and personal data, there is legal risk should this information be inadvertently disclosed by ICANN org or any vendor.

Mitigation strategies: See above regarding ICANN Systems and Information Security Risks.

#### Perceived Inconsistent or Unfavorable Evaluation Results

There is also legal risk associated with application evaluation results that could be perceived to be inconsistent or unfavorable. During the 2012 round, unfavorable application evaluation and contention resolution results led to numerous formal challenges; it is reasonable to assume this will occur in future rounds (please see, for example, [Topic 34: Community Applications](#) for more information).

Mitigation strategies: Develop clear processes that are shared with the community and executed consistently. Appeals processes that result in resolution without litigation help control legal costs and reputation risks. Evaluations that are defensible and transparent will resist applicant challenges.

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## Non-Performing Vendor Disputes

ICANN org anticipates engaging a number of vendors to support New gTLD Program execution. Non-performing vendors, all variety of business disputes, and the general overhead of vendor management at the anticipated scale create risk. Non-performance or a dispute with a critical vendor could materially impact ICANN org’s ability to execute.

Mitigation strategies: Risk may be reduced via thorough due diligence, stringent contracting, and performance monitoring. Experience from the 2012 round also provides insight into how vendors may be managed to reduce risk.

## 5. Legislative or Regulatory Risks

### Regulation Change and Potential for Conflicting Global Regulation Requirements

Collecting highly regulated personal data on a global basis poses material risk. There is also risk associated with the potential for regulations to change while the New gTLD Program is ongoing. Additionally, there is risk related to the potential for conflicting global regulatory requirements. Given the highly dynamic global technology/Internet regulatory environment it is difficult for ICANN org to assess all potential legislative or regulatory risks.

Mitigation strategies: Continue monitoring of [global legislation](#) vis-a-vis privacy and personal data regulations, as well as changing systems and processes. Additionally, maintaining proactive awareness of and, where possible and appropriate, participating in emergent regulatory activities further helps ICANN org mitigate unforeseen risk.

## 6. Multistakeholder Governance and Legitimacy Risks

### New gTLD Program Delays, Execution Missteps, and Lengthy Decision-making

Significant occurrences of any overarching New gTLD Program risks could negatively impact ICANN org’s reputation and legitimacy. Risks associated with delays, execution missteps, and lengthy decision-making processes could also threaten ICANN org’s reputation and legitimacy. Perceived lack of transparency or “unfairness” could negatively impact ICANN org’s reputation.

Mitigation strategies: Include high-quality, defensible execution of published processes and timelines, as well as timely and clear decision-making.



## 7. Other Operational Risks

### Handling of Disputes

Other operational risks could form if disputes are driven to “exception” handling outside of established processes. In other words, the potential for uncertainty and risk rises if some applicants or other parties seek to resolve disputes through direct communication with executives or Board Members rather than established channels.

**Mitigation strategies:** These risks may be mitigated through consistent communications and process adherence.

### Unforeseen Macroeconomic Factors

Lingering pandemic impacts and geopolitical risks (including sanctions) are a possibility.

**Mitigation strategies:** For unforeseen macroeconomic factors, lingering pandemic impacts and geopolitical risks are difficult to mitigate. No mitigation strategy has been identified at this stage. However, ICANN org will further explore these factors and the related risks as part of the complete risk assessment during implementation.

Table 4-12. Overall New gTLD Program Risks

Overarching Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Severity of Impact	Mitigation Strategy
1	Significantly low application volume	Funding Risk	Medium	High	Flexibility in investment and vendor contracts
2	Retention of critical skills and turnover	Human Resources Risks	Medium	Medium	Strong internal documentation and cross-training of personnel
3	Personal Data and Business Confidential Information	ICANN Systems and Information	Medium	Medium High in an extreme case	Security design, requirements, and development. Systems monitoring for BC, DR, and IR

Overarching Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Severity of Impact	Mitigation Strategy
	inadvertently disclosed	Security Risks			
4	Confidential Information Inadvertently disclosed,  Perceived inconsistent or unfavorable evaluation results  Non-performing vendors disputes	Legal Related Risks	Medium	Medium  High in an extreme case	Security design, requirements, and development. Systems monitoring for BC, DR and IR  Develop clear processes, execute consistently, and share with the community.  Thorough due diligence, stringent contracting, and performance monitoring.
5	Regulation change and potential for conflicting global regulation requirements	Legislative or Regulatory Risks	Medium	Medium	Continue monitoring of <a href="#">global legislation</a> vis-a-vis privacy and personal data regulations.
6	Delays, execution missteps, and lengthy decision making	Multistakeholder Governance and Legitimacy Risks	Low	Medium	High quality, defensible execution against published processes and timelines, timely and clear decision-making
7	Exception handling	Other Operations Risks	Medium	Low	Consistent communication and process adherence

Overarching Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Severity of Impact	Mitigation Strategy
	Unforeseen factors				No mitigation strategy identified at this stage; ICANN org will further explore as part of the complete risk assessment.

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## 5. Overarching Considerations

### 5.1. Governance

#### 5.1.1. Overview

The [New gTLD SubPro Final Report](#), if approved by the ICANN Board, would require significant input and support from all levels of ICANN org throughout the various phases of the next round of the New gTLD Program. A robust governance process will be in place to develop, achieve, and sustain the objectives of the New gTLD Program. A well-defined governance framework would support predictability, accountability, transparency, and responsiveness.

This section provides an overview of the following:

- **Governance Structure:** An organizing framework would support the planning, execution, and monitoring of work from implementation through New gTLD Program operations. The SubPro governance structure was initially set up during the Policy Development Phase in 2019 to support ICANN org’s work from implementation to the opening of the application submission period. This structure could be reused to continue the work in the subsequent phase.
- **Overview of the [Consensus Policy Implementation Framework \(CPIF\) Guidelines and IRT:](#)** The objective of the CPIF is “to support predictability, accountability, transparency, and efficiency.”<sup>27</sup> Should the ICANN Board approve the Final Report outputs, ICANN org and the GNSO Council would work together to establish the IRT in line with the CPIF. To maximize productivity, effectiveness, and efficiency, this section will also provide an overview of additional mechanisms that would be used by ICANN org to manage an IRT of this complexity. The IRT is intended to be in place from the implementation phase to the opening of the application submission period, at which point the New gTLD Program enters the operations phase.
- **Predictability Framework:** An additional component of governance is the Predictability Framework. The SubPro PDP WG proposed the introduction of a Predictability Framework as a new tool to help determine appropriate mechanisms to address unanticipated issues that arise after the Board adoption of the Applicant Guidebook and the opening of the application submission period (Recommendation 2.1). The goal of the Predictability Framework is to support resolving and mitigating issues in a transparent and predictable manner (Recommendation 2.1).

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<sup>27</sup> Consensus Policy Implementation Framework (Updated December 2018)

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## 5.1.2. ICANN Board and Org Governance Structure

### Governance Structure

Several factors were considered in the design of the governance structure for the next round of the New gTLD Program, including:

1. The complex, resource-intensive, and cross-functional nature of the New gTLD Program.
2. The anticipated involvement and decision-making at multiple levels of the organization.
3. ICANN org's commitment to accountability and transparency.

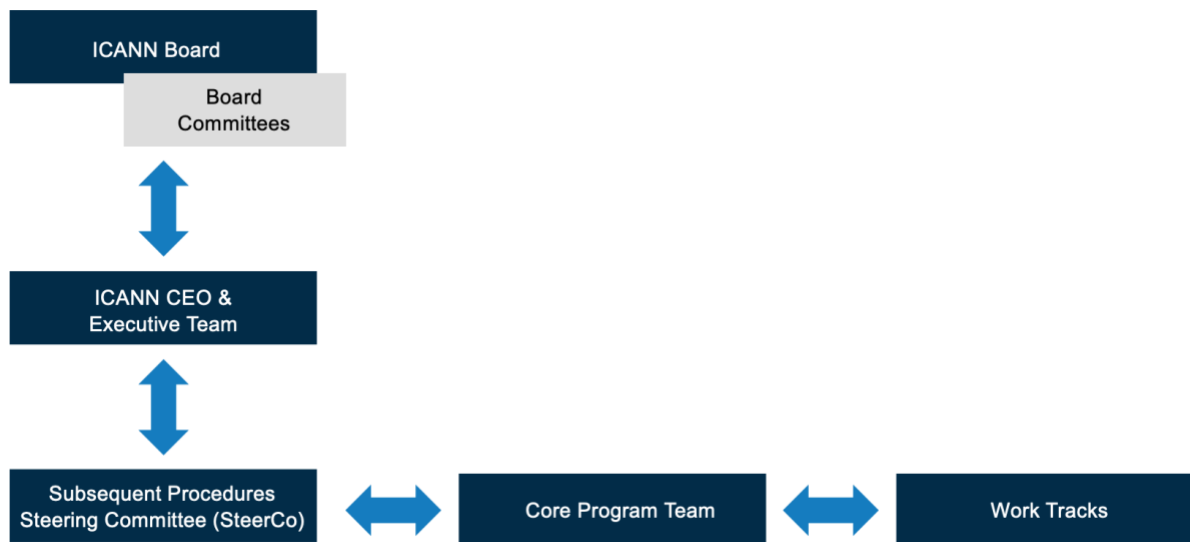
Any new governance structure must fit into the existing and interconnected relationships between the ICANN Board, the ICANN community, and ICANN org, while providing leadership and focus specific to the implementation of the next round. New committees at the Board and ICANN org executive team levels could provide oversight and decision-making authority to help ensure a smooth implementation process.

The ICANN Board may choose to consider establishing a new committee on New gTLD Subsequent Procedures to provide recommendations or advise the full ICANN Board when a decision or action needs to be taken. Other [Board Committees](#) that may provide similar advice and recommendations to the full ICANN Board include the [Technical](#), [Finance](#), and [Risk Committees](#).

ICANN org may also choose to form a similarly focused committee at the ICANN President and CEO's direction, composed of members of the ICANN org executive team, such as a New gTLD Subsequent Procedures Steering Committee (SubPro SteerCo). This committee would be led by the Global Domain and Strategy (GDS) function. Its responsibilities would be ensuring that the New gTLD Program meets its goals and provides overall strategic direction. A Senior Director for Subsequent Procedures ("the Senior Director") would be appointed as the SteerCo Chair and would be responsible for setting the vision and overall strategic direction for the project with input from the Board, President and CEO, and the SubPro SteerCo.

A Core New gTLD Program Team and the Work Track Leads would support the Senior Director. The Core New gTLD Program Team is responsible for definition and execution of the New gTLD Program's day-to-day work, while the Work Track Leads provide cross-functional support. See Figure 4-5 for an illustration of this structure.

Figure 5-1. Subsequent Procedures Governance Structure.



## Roles, Responsibilities, and Authority

Roles and responsibilities must be clearly defined in order to set expectations, ensure accountability and transparency, and enable timely decision-making. It is the responsibility of the Senior Director to ensure adherence to these roles and responsibilities.

Additionally, New gTLD Program issues that arise need to be addressed in a timely manner and at the appropriate level of authority for resolution. As part of SubPro governance, an “Issue Escalation and Resolution Process” has been developed that identifies escalation triggers, the process to escalate, and timeframes for action and resolution.

Table 4-13 identifies the roles, responsibilities, level of authority, and escalation points for the various stakeholders within ICANN (including the Board and org). Additional information can be found in the [ICANN Delegation of Authority Guidelines](#) regarding the ICANN Board and President and CEO roles.

Table 5-1. SubPro Governance Roles and Responsibilities

Role	Responsibility and Authority
<b>ICANN Board<sup>28</sup></b>	<ul style="list-style-type: none"> <li>• Holds overall accountability for the New gTLD Program and is final decision-maker.</li> <li>• Acts on policy recommendations and any advice from ICANN Advisory Committees.</li> <li>• Acts on matters brought by ICANN President and CEO.</li> <li>• Authorizes funding for projects above a specific threshold.</li> <li>• Provides fiduciary oversight of the work.</li> </ul>
<b>ICANN President and CEO<sup>29</sup></b>	<ul style="list-style-type: none"> <li>• Acts on issues escalated by SteerCo and serves as a point of escalation to the Board for issues that cannot be resolved at the SteerCo level.</li> <li>• Appoints SteerCo members.</li> <li>• Reports to the Board on New gTLD Program progress, risks, and finance.</li> <li>• Has ultimate decision-making authority within ICANN org.</li> </ul>
<b>ICANN org SubPro Steering Committee (SteerCo)</b>	<ul style="list-style-type: none"> <li>• Provides input into the overall strategic direction for the New gTLD Program.</li> <li>• Holds overall ownership of scope and timeline, strategy, risks, and finances.</li> <li>• Approves project scope and timeline changes, strategy changes, risk mitigation plan changes, and project budget allocation and re-allocations.</li> <li>• Monitors New gTLD Program progress via reports from the Senior Director and takes necessary and appropriate actions to ensure New gTLD Program success.</li> <li>• Serves as a point of escalation and decision-maker for issues that cannot be resolved by the Senior Director or the Core Team.</li> <li>• Determines strategies and recommendations on matters to be brought to the Board.</li> </ul>

<sup>28</sup> [ICANN Delegation of Authority Guidelines \(8 Nov 2016\)](#): This document identifies key roles of the Board and the Chief Executive Officer (CEO) and the delegation of authority from the Board to the CEO.

<sup>29</sup> [ICANN Delegation of Authority Guidelines \(8 Nov 2016\)](#): This document identifies key roles of the Board and the Chief Executive Officer (CEO) and the delegation of authority from the Board to the CEO.

Role	Responsibility and Authority
<b>ICANN org Core New gTLD Program Team</b>	<ul style="list-style-type: none"> <li>Collectively defines implementation and execution strategies, implementation and execution roadmap and timelines, implementation and execution requirements, activities, milestones, interdependencies, prioritization of work, and resource requirements.</li> <li>Ensures implementation and New gTLD Program execution adheres to Board-adopted policy recommendations and any other directives from Board, President and CEO, and SubPro SteerCo.</li> <li>Provides regular reporting on the status of the New gTLD Program and any projects to the Senior Director.</li> <li>Escalates any changes in scope, timeline, strategy, and budget to the Senior Director.</li> </ul>
<b>ICANN org Work Track Leads</b>	<ul style="list-style-type: none"> <li>Executes on the work at the direction of the Senior Director.</li> <li>Leads functional or cross-functional project teams to deliver on the work.</li> <li>Escalates any issues to the Senior Director.</li> </ul>

## General Reporting

As part of the governance structure, ICANN org will report implementation progress and New gTLD Program operations updates (e.g., reporting on the application process) to the Board and community on a regular basis and as needed. Reporting may occur at ICANN meetings, or as needs arise. ICANN org would determine the reporting requirements; these elements may include status, roadmaps, and issues.

### 5.1.3. Consensus Policy Implementation Framework and IRT

ICANN org implements Board-approved GNSO policy recommendations according to the guidelines established in the [Consensus Policy Implementation Framework](#) (CPIF).

The CPIF is a five-stage process designed to make implementations predictable and transparent. During each implementation project, ICANN org staff consults with the wider community. This includes assembling an IRT, made up of volunteer experts in the relevant subject matter, to provide advice and support, and conduct public comment periods on proposed plans and methods.



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The New gTLD Subsequent Procedures IRT will act as a consultative body to ICANN org during next round implementation, and ICANN org will manage the IRT consistently with the CPIF. The IRT will be expected to operate with full transparency, with all meetings, proceedings and mailing lists made publicly available.

IRT membership should include volunteers previously involved in the development of the policy recommendations to ensure continuity. A GNSO Council liaison to the IRT will provide a direct link to the GNSO Council as needed. ICANN org will establish a clear IRT organizational and leadership structure including, if appropriate, a limited number of sub-teams to facilitate streamlined scrutiny, decision-making, and communication.

ICANN org will work with the IRT to focus their efforts on implementing the SubPro Final Report outputs approved by the GNSO Council and the ICANN Board. Its principal task will be to inform the creation and content of the New gTLD Program Applicant Guidebook, while providing guidance on policy and technical questions throughout the entirety of the implementation process. Regular meetings, progress updates, and requests for timely feedback will help maintain alignment between IRT engagement and implementation goals.

The IRT is not a policymaking body. IRT deliberations should not revisit policy decisions or reopen previously resolved policy issues. ICANN org is committed to working with and accommodating the IRT viewpoints where appropriate. If disagreements about implementation arise that cannot be resolved internally, ICANN org or the IRT members may escalate the issue to the GNSO Council for resolution.

## 5.1.4. Predictability Framework

The SubPro PDP WG introduced the Predictability Framework as a new way to address operational or policy changes required during the New gTLD Program and to allow their implementation in a transparent and predictable manner. As part of its recommendation, the Working Group also included the formation of a Standing Predictability Implementation Review Team (SPIRT) that will be responsible for reviewing issues that arise and utilizing the Predictability Framework to identify mechanisms to resolve those issues.

The Predictability Framework will be used once the Applicant Guidebook is adopted by the Board and published. The ODP team has not identified any significant concerns with implementing and incorporating the relevant Final Report outputs into the Applicant Guidebook. However, ICANN org has identified some overall risks related to Governance, which are explained in the [Risk section](#) below.

The Predictability Framework is discussed in detail in [Appendix 17: Predictability](#), and [Topic 2: Predictability](#) in the [Appendix 5: Topic Analysis](#).

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## 5.1.5. Additional Mechanisms

ICANN org will use two additional mechanisms to manage this complex and large implementation project: the SubPro Governance Framework and the ICANN org Project Management Framework. Because this will be the first time ICANN org will conduct an implementation project of this scale and complexity using the CPIF process, these additional mechanisms will help maximize productivity, effectiveness, and efficiency.

### SubPro Governance Framework and Best Practices

ICANN org designed the SubPro governance structure outlined in the [ICANN Board and Org Governance Structure section](#) to identify and resolve systemic issues easily and predictably. Having such a structure helps to minimize risks, reduce costs, and enhance longer-term sustainability. ICANN org will continue to evolve the SubPro Governance Structure in line with best practices during the implementation phase, as well as New gTLD Program operations phase.

### ICANN org Project Management Framework and Best Practices

ICANN org uses a project management framework that provides ICANN org staff a set of consistent and repeatable project management standards. Built on project management best practices, this framework defines the processes, tasks, and deliverables used to take a project from start to finish by placing them into the five key phases of a project: ideate, initiate, plan, execute, and close. Each project phase is separated by gates. At the end of each phase, the work is reviewed at a gate to see whether the project is ready to move to the next phase. This standardization across ICANN org allows projects of all sizes and levels of complexity to be managed in a consistent manner from start to finish, thereby maximizing productivity, effectiveness, and efficiency. ICANN org will continue to evolve its project management framework in line with best practices during the implementation as well as the New gTLD Program operations phases.

## 5.1.6. Governance Risks

The key risks surrounding New gTLD Program governance, also summarized in Table 4-14, result from delayed or complex decision-making and ensuing uncertainty. ICANN org may mitigate these risks by providing transparency in decision-making processes and a path to timely resolution of disputes or uncertainties.

Recognizing these risks, the SubPro PDP WG proposed the introduction of a new tool to determine appropriate mechanisms to address unanticipated issues that may arise: the SPIRT. However, the SPIRT function may increase risk by adding delay, complexity, and uncertainty to

decision-making, including the possibility of decision-making deadlock within the SPIRT itself. This may be a difficult risk to mitigate, as ICANN org’s focus on defensible decision-making and balancing stakeholder interests inherently results in delays. Therefore, when putting in place the SPIRT, the GNSO may want to consider using either a representative or representative and open model, as per the GNSO’s [PDP 3.0 Improvements](#) initiative.

Table 5-2. Governance Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	Retention of critical skills and experience needed to deliver the work and turnover can be disruptive to the New gTLD Program.	Human Resources Risks	Medium	Low	See <a href="#">Overall New gTLD Program Risks</a>
2	Uncertainty within complex decision-making processes increases the chances of legal challenges and triggering of ICANN accountability mechanisms.	Legal Related Risks	Medium	Medium	Provide framework for transparency in decision-making processes and a path to timely resolution of disputes or uncertainties

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## 5.2. Communications, Global Engagement, and Inclusion

### 5.2.1. Overview

Fostering diversity, encouraging competition, and enhancing the utility of the DNS are the primary purposes of new gTLDs, according to the Final Report Affirmation 1.3 under Continuing Subsequent Procedures, based on the rationale that “fostering consumer choice, consumer trust and market differentiation should continue to be primary focal points for the New gTLD Program.” In addition, the Final Report and the Competition, Consumer Trust, and Consumer Choice Review Final Report<sup>30</sup> provide compelling evidence that improved outreach, communications, accessible content, engagement, and responsiveness are necessary to foster global engagement in future rounds.

To accomplish this, ICANN org proposes to leverage and expand on its capabilities for global engagement and linguistic support (e.g., Universal Acceptance and communications in multiple languages and scripts) and develop a robust and comprehensive global communications strategy. ICANN org has determined that supporting global and local aspects of future new gTLD rounds will require holistic, coordinated, and collaborative approaches across multiple organizational functions. It will also entail strategic consideration of how to best engage and leverage ICANN org’s relationships across the Internet ecosystem in service of these aims.

### Considerations for Global Engagement and Linguistic Support

Designing and executing global engagement for SubPro that reflects Affirmation 1.3 above – foster diversity, encourage competition, and enhance the utility of the DNS – will require a comprehensive, coordinated, and cross-functional approach. The Final Report emphasizes outreach, communications, and engagement supported by a plan that is timely, has a broad global outreach, and is accessible. While the Applicant Support Program is intended to provide some financial resources and facilitate access to pro bono services, it represents one piece of the approach necessary to realize Affirmation 1.3. Applicant Support needs to be coupled with other robust strategies such as outreach, engagement, capacity development, communications, language services, and applicant services.

This section of the ODA will speak to the overall portfolio of global engagement, linguistic support, and localization approaches envisioned, with specific programmatic efforts such as Applicant Support.

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<sup>30</sup> Competition, Consumer Trust, and Consumer Choice Review Final Report. September 2018.  
<https://www.icann.org/en/system/files/files/cct-rt-final-08sep18-en.pdf>

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## 5.2.2. Analysis

### Global Engagement, Awareness, and Communications

The SubPro Final Report outputs place significant emphasis on amplifying ICANN org's outreach, awareness-raising, and communication efforts around the next round of new gTLD applications.

ICANN org has retained a global strategic communications consultancy to partner in the development and execution of a global communications campaign. There are two phases to this campaign:

- Phase 1: Create awareness of the importance of UA beyond the ICANN community, and build understanding of the link between UA, IDNs, and the next round.
- Phase 2: Conduct high-level stakeholder engagement in countries and regions that will most benefit from the next round of new gTLDs (in particular, those with non-Latin based scripts or an ASCII character set that is a seven-bit character code, where every single bit represents a unique character). This education and awareness campaign is intended to set the stage for the launch campaign, which will begin approximately 24 months in advance of the launch of the next round and after the Board approves the Final Report.

More details on the communications strategy can be found in [Appendix 11: Communications Strategy](#). At a high level, the strategy will use communications best practices to define target audiences and distribute information through a mix of communications channels, including news media, social media, event participation, local engagement, and direct outreach to key influencers. Collaboration with the ICANN community, governments, and intergovernmental organizations will be vital at each phase of the communications campaign.

The team will develop training and capacity development materials to inform varying levels of understanding about the New gTLD Program and the Domain Name System. Different types of information will be developed to meet the unique needs of different audiences, stakeholders, and communities. These materials will be used during virtual and in-person events and technical briefings to governments, intergovernmental organizations, and other key audiences.

These communications, outreach, and engagement-related mechanisms will comprise part of a comprehensive support system across the lifecycle of the New gTLD Program and through future rounds. Fostering diversity, encouraging competition, and enhancing the utility of the DNS (Affirmation 1.3) requires consideration of the entire end-to-end experience – from raising awareness of ICANN and the New gTLD Program among potential applicants and stakeholders, to ensuring equitable access, to providing information and resources post-delegation. More details about this strategy can be found in [Appendix 11: Communications Strategy](#).

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## Universal Acceptance (UA)

UA ensures that all domain names, regardless of script, language, or character length, and email addresses can be used by all Internet-enabled applications, devices, and systems. Organizations and businesses may need to make changes to their systems and services to ensure they are UA-ready and will work in the continuously expanding and evolving domain name space. ICANN org is working with the ICANN community, including the Universal Acceptance Steering Group (UASG), to promote UA-awareness and address remediation globally.<sup>31</sup>

UA challenges are found within two layers of software:

1. The underlying software development tools and frameworks (e.g., standards, programming languages, email tools), which are used to create the software solutions for end-users.
2. The actual software applications deployed and used by end users, e.g., mobile apps, websites, email services.

ICANN org and the community continue to reaffirm the importance of UA among developers, businesses, and governments. Related activities include assessing and expanding the library of tools and providing training programs to assist these entities in achieving UA-readiness.

Most stakeholders who enhance software development tools or develop and deploy software for end users are outside of the ICANN community. Broad outreach is essential to technical audiences such as technology enablers, developers, email software and service providers, and email system administrators. These groups, as well as other businesses and governments, may have their own priorities. This presents an ongoing risk to UA-readiness of such systems.

The Final Report Recommendation 11.3 calls for ICANN to make applicants aware of UA challenges in ASCII and IDN TLDs. In addition, applicants must be given access to all applicable information about current UA initiatives, UASG activities, and future efforts. ICANN org, working with the ICANN community, continues to provide an annual UA Readiness Report, which summarizes current technology gaps, as well as ongoing remediation, outreach, and training efforts.

ICANN org is working with the community to provide technical training materials and opportunities, including an ICANN Learn course. ICANN org, the UASG, and community members are collaborating to provide global outreach and training.

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<sup>31</sup> UASG Action Plan for Universal Acceptance of Domain Names and Email Addresses  
<https://uasg.tech/wp-content/uploads/2022/06/UASG-FY23-Action-Plan.pdf>

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## Applicant and Universal Acceptance Resources

ICANN org will continue to reach out to stakeholders, including applicants, to raise awareness of UA gaps, as well as to publish technical materials and generate know-how to address UA challenges. Addressing UA gaps and providing support for increased adoption will help to ensure that all valid domain names and email addresses, regardless of script, language, or character length, can be used by all Internet-enabled applications, devices, and systems.

Published materials can include reports of UA issues as a bug for different tools, including programming languages, email-related tools, social media applications, browsers, web-hosting tools, single sign-on tools, and content management systems, as well as more detailed training materials for fixing UA-related issues in software applications in popular programming platforms, e.g., Java, JavaScript, and Python. ICANN will also work with the community to develop modules for academic curricula in universities and a roadmap for registry and registrar systems for longer-term impact. These actions will address Implementation Guidance 11.4 to ensure potential applicants have needed information to make informed decisions before submitting an application.

## Applicant Assistance

Currently, ICANN org's Global Support team provides assistance to contracted parties, applicants, community members, and other interested stakeholders. Such assistance includes answering a breadth of questions about the Domain Name System, domain name registration, the New gTLD Program, specific support for contracted parties and their agreements, and escalation of issues into other functional areas of ICANN org. Those responsibilities will continue and may expand if request volumes increase, necessitating additional team resources.

Due to the unique nature of the application process, ICANN org proposes development of a team to provide applicant counseling, in line with Implementation Guidance 13.7.<sup>32</sup> These applicant counselors will be distributed in various geographic locations to provide service to potential and actual applicants in local languages and during local business hours. The specific scope of work for the applicant counseling team will be determined as implementation proceeds and more information emerges about application questions, evaluation criteria, and processes.

After application submission, the application processing team will support the applicants.

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<sup>32</sup> Implementation Guidance 13.7: "For timelines and accessibility as it relates to applicant communications, the Working Group believes that robust customer support is needed to address substantive and logistical questions as well as inquiries regarding use of applicant-facing systems. Real-time communication methods are preferred (e.g., telephone, online chat), but the Working Group recognizes that these forms of communication may be costly. Further, the Working Group also recognizes that there may need to be different methods utilized. For instance, technical support for submitting an application may be different than responding to substantive inquiries about completing an application."



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Applicants will be able to ask questions and request application-related services within the applications system. They will also receive periodic updates as evaluations are underway, including receiving clarifying questions from panels.

Applicants that become registry operators will have access to the Naming Service portal (NSp). In the NSp, they will receive guidance on the onboarding process (see [Appendix 6.7.2: Onboarding](#)) and be able to request services and obtain general support. In addition, they will be assigned an account manager, who will manage the relationship between the contracted party and ICANN org. Account managers often provide salient information about community work on specific subjects and communications related to local events and are available for escalations.

## Additional Linguistic Support

ICANN org will strive to ensure application systems are UA-ready and able to process various scripts. While a multilingual application system is not proposed to be developed, existing registry and registrar systems can expect support materials such as fact sheets, FAQs, how-to guides, infographics, instruction videos, and website content to be translated into the six U.N. languages. Additional local languages may be added, depending on the market, audience, and other circumstances. Tools to support a diverse audience throughout the application process will be built with the applicant in mind.

## Application Round Communications, Resource Materials, and Documentation

### Communications Plan for Implementation of the Outputs

ICANN org is developing a multi-phased education and awareness communications campaign to take place over a two-year period. This campaign is intended to set the stage for the launch campaign that will begin approximately 24 months in advance of the launch of the next round. It is anticipated this campaign will expand awareness of ICANN and the importance of the Domain Name System beyond the ICANN community with a focus on UA and IDNs.

One objective of the campaign is to create awareness of the importance and challenges associated with acceptance of the Internet's domain names and email addresses in different languages and scripts used by communities worldwide, and to encourage those who develop and deploy software tools and applications to become UA-ready. These efforts will also provide an understanding of how both local and global access is a benefit during the immediate as well as in future rounds.

The campaign will include the identification of geographic locations as target markets. This includes areas where the DNS is not represented and can be established, and if established,



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better utilized by those who employ it. ICANN org will develop messaging to target software providers, governments, business executives, and other stakeholders.

ICANN org will conduct media outreach to create awareness with the goal to obtain articles and media mentions about UA and IDNs in top- and mid-tier media outlets. Influencer outreach will be conducted to secure endorsements, advocacy, and engagement by social media influencers to help raise awareness for UA, IDN, and ICANN. Third-party outreach to relevant private-sector entities and individuals will be established to secure collaboration and endorsement. Outreach to governments will aim to secure endorsements from key decision makers. Outreach will be conducted in an effort to secure speaking engagements at industry events and conferences.

## Resource Materials and Documentation for the Commencement of the Immediate Next Application Round

Examples of planned resource materials and documentation include infographics, website content, social media content, and presentation materials for the Global Stakeholder Engagement team to use in their outreach, consistent with Implementation Guidance 13.5<sup>33</sup>. These materials and documentation must meet the needs of different audiences, stakeholders, and communities, and be evergreen. This is a non-exhaustive list of materials that will be further developed over the next 24 months as part of the communications campaign. Content for these materials is in early-stage development. While developing this content requires leveraging internal ICANN org subject matter experts, support from a global strategic communications consultancy will be utilized as well.

## Resource Materials and Documentation Implementation Milestones

ICANN org plans to have resource materials available 24 months prior to the commencement of the immediate next round. As per Recommendation 12.8, the Applicant Guidebook will be available in English no later than four months prior to the commencement of the applicant submission period.<sup>34</sup> The Applicant Guidebook also is anticipated to be translated into Arabic, Chinese, French, Spanish, and Russian no later than two months prior to the commencement of

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<sup>33</sup> Implementation Guidance 13.5: “For broad outreach, the Working Group believes that consistent with Recommendation 8.4.b from the Program Implementation Review Report, the program should “Leverage ICANN’s Global Stakeholder Engagement (GSE) team to promote awareness of the New gTLD Program within their regions/constituencies.” The Working Group believes that the GSE team should be leveraged to support the dissemination of program information and support education and overall outreach. The various Supporting Organizations and Advisory Committees are also important partners in sharing information.”

<sup>34</sup> Recommendation 12.8: “The English version of the Applicant Guidebook must be issued at least four (4) months prior to the commencement of the applicant submission period.”

the applicant submission period, consistent with Recommendation 12.9<sup>35</sup>.

### 5.2.3. Communications, Global Engagement, and Inclusion Risks

The central reputational risk surrounding global engagement and linguistic support is the perception of the New gTLD Program not meeting its objectives related to applicant, string, and script-community diversity. Keeping in mind that there may be structural inequalities resulting from the current global distribution of wealth, it will be challenging to control perceptions related to factors outside ICANN org’s control. However, it is unclear from the Final Report outputs what success looks like for the Applicant Support Program. The GNSO Guidance Process<sup>36</sup> has agreed to provide additional guidance on what constitutes success across the provided metrics. To mitigate these risks, ICANN org must set achievable and quantifiable goals on which to measure success.

There is a secondary reputational risk associated with a lack of a standardized definition of what is an “underserved” or “struggling” region. The risk stems from the possibility that some stakeholders may judge that ICANN offers support to applicants who may not be considered “underserved” or “deserving of support” in that stakeholder’s view. This risk may be mitigated by leveraging third parties with specialized knowledge and/or recognized procedures to determine or confirm “need”. Other identified risks associated with communications, global engagement, and inclusion are presented in Table 4-15.

Table 5-3. Communications, Global Engagement, and Inclusion Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	A highly successful Applicant Support engagement may cause demand to exceed budgeted resources. Insufficient resourcing for demand could result in second order Legal-related or Multistakeholder Governance and	Funding Risks	Medium	Low	Seeking additional budget allocation, should the demand exceed the original

<sup>35</sup> Recommendation 12.9: “All other translated versions of the Applicant Guidebook, including in the 6 U.N. languages, must be available no later than two (2) months prior to the commencement of the application submission period.”

<sup>36</sup> GNSO Guidance Process Tasks 3, 4, and 5.

<https://gns0.icann.org/sites/default/files/policy/2022/draft/draft-subpro-ggp-initiation-request-clean-24aug22-en.pdf>

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	<p>Legitimacy-related risks.</p> <p>Low success in Applicant Support engagement may result in budgeted funds not being applied to the intended purpose, which could result in second-order reputational damage.</p>				<p>budget.</p> <p>Budgeted funds are only fees ICANN is not taking in and thus are not the same as direct cost expenditures.</p>
2	<p>See <a href="#">Overall New gTLD Program Risks</a></p> <p>Setting specific, measurable objectives<sup>37</sup> and identifying and targeting audiences for the New gTLD Program engagement will reduce the probability of reputational damage at the expense of criticism for “quotas.”</p>	<p>Multistakeholder Governance and Legitimacy Risks</p>	<p>Medium</p>	<p>Low (higher in extreme circumstance )</p>	<p>Relying upon GNSO Guidance Process to inform the success measures for the Applicant Support Program will help mitigate reputational risks.</p> <p>The CCT-RT Implementation Plan outlines measures of</p>

<sup>37</sup> The [CCT-RT Final Report](#)'s Recommendation 30 called for ICANN org to “expand and improve outreach into the Global South”. In its [Plan for Implementation](#), ICANN org refers to CCT-RT Measures of Success as including identification of “targets, outlets, and venues for better outreach...includ[ing] cost projections, potential business models, and resources for further information.” (p. 20). ICANN org further outlines successful implementation to include: identification of those stakeholders and regions not well represented and recognizing gaps; targeting and conducting engagement with identified communities and stakeholders; the delivery of the engagement report describing the engagement effort; report receives recognition from GNSO, other SO/AC groups, and Board as a useful product. Follow-up on report and awareness-raising efforts improves targeting of overall ICANN org engagement and attracts new active contributors to ICANN work.”

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
					<p>success for increasing diverse participation, which can help inform the basis of specific and measurable objectives.</p> <p>ICANN org recognized it needed an external partner to develop and implement a global strategy to localize information and conduct communications and outreach efforts to reach specific target audiences based on the recommendation from the GNSO Council. ICANN org has hired a vendor and will utilize internal resources as part of these efforts.</p> <p><i>Also see <a href="#">Overall New gTLD</a></i></p>

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
					<a href="#">Program Risks</a>
3	See <a href="#">Overall New gTLD Program Risks</a>	Human Resources Risks	Medium	Low	See <a href="#">Overall New gTLD Program Risks</a>
4	There is a reputational risk to launching the communications plan more than 24 months before the next round opens if there are unexpected delays.		Medium	Medium	To alleviate delays, markers or specific milestones should be established to indicate readiness before communications are activated.

### 5.3. New gTLD Program Foundations

The Applicant Support Program and the Registry Service Provider Pre-Evaluation Program should be operational before the next round launch. These foundational programs lay the groundwork for the next round and are described in this section.

#### 5.3.1. Applicant Support Program (ASP)

The Applicant Support Program (ASP) will offer a reduction in ICANN fees related to the New gTLD Program to qualified applicants with demonstrated financial need.

ICANN org analysis has shown that the ASP-related policy recommendations and implementation guidance seem possible to implement. However, some outstanding questions and concerns remain with some aspects of the outputs, such as recommendations for financial

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support beyond an application fee reduction<sup>38</sup>, the enlisting of external funding partners<sup>39</sup>, and the use of a community-based panel for applicant evaluation<sup>40</sup>. Other recommendations, such as improving communications, outreach, and engagement, offer clear direction.

ICANN org proposes opening the ASP 18 months before the opening of the gTLD application round and concluding six months in advance of the application submission period. Applicants seeking support will be able to apply for and receive a response to their request in advance of, and separate from, their gTLD application.

The opening of the ASP application period 18 months before the next round launch would:

- Provide ICANN org time to determine how many applicants are requesting support and seek to increase funding if demand is high.
- Avoid applicants paying significant fees upfront if they have clear financial need.
- Provide unqualified ASP applicants time to seek alternative support from other potential funders.

ICANN org aims to design and operate an ASP that is straightforward, accessible, predictable, and transparent. See [Topic 17: Applicant Support](#) and [Appendix 16: Applicant Support Program](#) for more detailed analysis on this topic. A proposed design for the ASP is outlined in detail in [Appendix 6.1: New gTLD Program Foundations](#).

### 5.3.2. Registry Service Provider (RSP) Pre-Evaluation

The Final Report included a significant innovation for subsequent rounds in the form of an RSP Pre-Evaluation Program. This program will allow registry service providers to be evaluated once for the services they intend to provide to applicants. This is in contrast to the 2012 round in which the requirement was for every application to be evaluated for technical capability even if multiple applications were using the same provider. Technical testing will still occur for each gTLD prior to delegation but is intended not to be duplicative.

The greatest benefit of this approach will be for applicants that choose to use a pre-approved RSP. However, the Final Report outputs also included a number of optimizations that are

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<sup>38</sup> 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.”

<sup>39</sup> Implementation Guideline 17.14: “ICANN org should seek funding partners to help financially support the Applicant Support Program, as appropriate.”

<sup>40</sup> The SubPro Final Report implies that the Support Applicant Review Panel (SARP) would be constituted similarly to the 2012 round, as a community-based panel. Though none of the outputs explicitly call for this. ICANN org proposes a contracted vendor as the SARP to avoid conflicts of interest.

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expected to increase efficiency, reduce redundancy, and add clarity of process for all applicants. Participation in the RSP Pre-Evaluation Program is voluntary and does not prevent an applicant from using a non-approved RSP. However, if an application includes a non-approved RSP, that RSP will still be subject to the same technical review and testing process, and the applicant will be responsible for any additional costs.

The RSP Pre-Evaluation Program is proposed to begin approximately 18 months prior to acceptance of gTLD applications. This will allow applicants for the RSP Pre-Evaluation Program time to complete the process and be listed as approved. That, in turn, will provide time for gTLD applicants to select an RSP and negotiate applicable business relationships prior to submitting their application(s).

A proposed design for the RSP Pre-Evaluation Program is outlined in detail in [Appendix 6.1: New gTLD Program Foundations](#).

## 5.4. Registry Agreement

ICANN org notes language in Affirmation 36.2 stating “the current practice of maintaining a single base Registry Agreement with ‘Specifications’” and assumes that ICANN org will continue to use a single base Registry Agreement (RA) with specifications for future rounds of the New gTLD Program. However, ICANN org notes two considerations for the base RA for future rounds: potential changes to the RA based on the outputs; and other streams of ongoing work related to the RA. Regarding potential changes based on the outputs, Table A5-6 provides an overview of these changes as well as some considerations for implementation.

While ICANN org’s position is that a single base RA is in the best interest of ICANN and contracted parties, ICANN org notes that the path to a single base RA for all gTLDs (new and existing) may not be straightforward. There may need to be multiple versions of the base RA for some time. ICANN org is also considering the path for the evolution of the base RA more generally and is developing a strategic approach to address and align on this complexity.

For further discussion, see [Topic 36: Base Registry Agreement](#) in [Appendix 5: Topic Analysis](#).

## 5.5. Contractual Compliance

There are two recommendations related to Contractual Compliance in the Final Report: Recommendations 41.1 and 41.2. The former affirms Recommendation 17 from the [2007 Final Report](#). The latter recommends more robust reporting on compliance enforcement. Overall, ICANN org’s Contractual Compliance department will require additional resources to update their processes and procedures once the new base RA is finalized. ICANN org’s Contractual Compliance department will also need additional staff to monitor and respond to complaints about what is anticipated to be another significant number of new TLDs. ICANN org assumes

that the implementation of Recommendations 41.1 and 41.2 needs to be completed prior to the execution of agreements in the next round.

### 5.5.1. Contractual Compliance Risks

The risks pertaining to Contractual Compliance, also summarized in Table 4-16, center around ICANN org’s ability to recruit and train a sufficient amount of staff. The team must be able to meet the additional workload that will result from the recommendations, as well as a significant number of new contracted parties as a result of future rounds of new gTLDs. The mitigation strategy is to ensure that a proactive recruitment and training strategy is put into place.

Table 5-4. Contractual Compliance Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	Not enough human resources to perform all existing and newly recommended compliance tasks.	Human Resources Risks	Medium	Low	Long-term hiring and on-boarding strategy.
2	Legal risks for not meeting the implementation requirements around these recommendations	Legal Related Risks	Low	Medium	Working diligently with the community via the Implementation Review Team to ensure implementation matches intent and wording or recommendations as closely as feasible.

For further discussion, see [Topic 41: Contractual Compliance](#) in [Appendix 5: Topic Analysis](#).

## 5.6. Data Protection and Privacy

ICANN org respects the protection and privacy of personal information. As part of the New gTLD Program, ICANN org will collect and use certain personal information of New gTLD Program applicants, objectors, and other participants to administer the New gTLD Program. The



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type of information to be collected includes but is not limited to: full names, postal addresses, email addresses, and phone numbers. This information may also be used by certain service providers ICANN org engages with to implement the New gTLD Program, such as Initial Evaluation expert panels.

## Collection of Personal Data

Overall, ICANN org will handle all personal data collected under the New gTLD Program in conformance with its Privacy Policy.<sup>41</sup> In addition, as part of preparing for New gTLD Program implementation, ICANN org expects to review and update its New gTLD Program Personal Data Privacy Statement.<sup>42</sup> This statement is intended to supplement ICANN's Privacy Policy to focus specifically on the personal data collection activities associated with the New gTLD Program. The New gTLD Program Privacy Statement is expected to address the personal data elements that ICANN anticipates requesting from New gTLD Program participants and the purposes for collecting the personal data elements. It will also document data retention practices and procedures for international transfers of personal data.

## New ICANN Systems

As discussed in the [Systems and Tools section](#), ICANN org anticipates deploying new systems to implement the New gTLD Program. Such systems will be built with the principles of “privacy by design.” This means that personal data would be processed with the highest data protection principles (for example, only processing personal data that is necessary to be processed, storing such data only for as long as necessary, and limiting access to the data to those parties who require access to perform a specific New gTLD Program-related function).

As part of implementation, ICANN org will evaluate which service providers supporting the New gTLD Program require access to the data processed during each New gTLD Program process or phase of the New gTLD Program (e.g., application submission, initial evaluation, objections). As part of this evaluation, ICANN org will conduct due diligence reviews and enter into data processing agreements or arrangements with third-party providers, as needed. Also, ICANN org will explore whether any such personal data should also be encrypted, pseudonymized, or anonymized. Personal data processed for the New gTLD Program must be deleted when it is no longer needed for stated purposes, while taking into account ICANN org's overarching mandate to operate to the maximum extent feasible in an open and transparent manner consistent with procedures designed to ensure fairness.<sup>43</sup>

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<sup>41</sup> <https://www.icann.org/privacy/policy>

<sup>42</sup> <https://newgtlds.icann.org/en/applicants/agb/program-privacy>

<sup>43</sup> ICANN Bylaws Article 3, Section 3.1 <https://www.icann.org/resources/pages/governance/bylaws-en/#article3>

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## 5.7. Security and Stability

ICANN org has discussed the issue of security and stability internally and reviewed policies that can be used as resources, tools, and plans for addressing unforeseen DNS stability issues. These discussions have underscored the difficulty in planning, developing, and accounting for unforeseen problems. Depending on the potential problem, additional unplanned resources may be needed to mitigate DNS instability. The Internet Assigned Numbers Authority (IANA) function has identified approaches that may be used to address aspects of unforeseen DNS instability. IANA may consider using a business process similar to the 2012 round of metering the rate of change to the root zone to provide a structure of predictability as approved TLDs are being added to the root zone. A conservative approach to expanding the root zone would ease the burden of addressing any unforeseen DNS stability issues. ICANN org recognizes the importance of conservatism and capping the rate of growth in the root zone system.

The importance of conservatism when adding to the root zone is reflected in Recommendations 26.2 and 26.3, which request that ICANN org honor the principle of conservatism and limit the rate of change to the root zone. The principle of conservatism also applies to Implementation Guidance 26.4, which calls on ICANN org to limit the root zone's growth rate to approximately five percent per month. It is noted that this percentage-based guidance results in an accelerating number of delegations over time, which could result in substantial month-on-month growth in absolute numbers. Implementation Guidance 26.5, which says ICANN org should, in case of string instability, "delay their addition to the root zone in case of DNS service instabilities" may be tied to the development of the pre-delegation and delegation process.

The IANA function can maintain the ability to rate-limit growth of the root zone in order to stay within an algorithmic threshold or for emergency purposes to observe instabilities. To accomplish this, IANA would adapt their Service Level Agreements (SLA) targets for the timely processing of change requests. Any risk related to SLAs could be mitigated by creating a process outside of the scope of the existing SLA target, or the SLA could be updated to cater to these capabilities without penalty. If the delegation of strings is not considered part of the IANA function's processing from an operations standpoint, the IANA function should have the ability to suspend delegations without incurring an SLA penalty.

ICANN org notes that the roles of ICANN org and the IANA function should be similar to that of the last round and should be able to adhere to systems, processes, and capabilities of handling compounding TLD delegation requests. To undertake the task of expanding the root server system, the IANA function will need a mechanism with built-in adaptability to account for root zone expansion. As the root zone expands, the IANA function may also require additional resources to maintain its service levels. Please also note Table 4-17 regarding risks related to security and stability.

Please also note discussion of this topic in [Appendix 5: Topic Analysis \(Topic 26: Security and Stability\)](#).

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## 5.7.1. Name Collisions

Another aspect of security and stability addressed in the SubPro Final Report is name collisions. A name collision occurs when an attempt to resolve a name that is used in a private namespace results in resolution of a DNS query to the public domain name system. The addition of new TLDs into the DNS creates potential for name collisions.

The SubPro PDP WG issued one recommendation, one affirmation, and four implementation guidelines regarding name collisions (Topic 29). In general, ICANN org believes that Recommendation 29.1<sup>44</sup> (regarding a mechanism for evaluating risk of name collisions) and Affirmation 29.2<sup>45</sup> (regarding the Name Collision Occurrence Management Framework) could be implemented as-is.

The Board adopted a Name Collision Occurrence Management Framework (NCMF) in August 2014, incorporating recommendations from a report by JAS Global Advisors (JAS)<sup>46</sup> as well as Security and Stability Advisory Committee (SSAC) advice (SAC062<sup>47</sup> and SAC066<sup>48</sup>). The NCMF provided provisions for implementation by registries regarding name collision report handling, controlled interruptions, and interim emergency back-end registry operators (EBERO).<sup>49</sup> Specifically, the NCMF states that: “Registry operators will implement a period of, at least, 90 days of continuous controlled interruption.” Additionally, among the measures was one stipulating that delegation of .mail be deferred indefinitely. This was in addition to the delegation of .home and .corp being deferred indefinitely in the Name Collision Management Plan released in 2013.<sup>50</sup> Additionally, the NCMF stipulated that “ICANN will limit emergency response for name collision reports to situations where there is a reasonable belief that the name collision presents a clear and present danger to human life.”

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<sup>44</sup> Recommendation 29.1: “ICANN must have ready prior to the opening of the Application Submission Period a mechanism to evaluate the risk of name collisions in the New gTLD evaluation process as well as during the transition to delegation phase.”

<sup>45</sup> Affirmation 29.2: “The Working Group affirms continued use of the New gTLD Collision Occurrence Management framework unless and until the ICANN Board adopts a new mitigation framework. This includes not changing the controlled interruption duration and the required readiness for human-life threatening conditions for currently delegated gTLDs and future new gTLDs.”

<sup>46</sup> See: <https://www.icann.org/en/system/files/files/name-collision-mitigation-study-06jun14-en.pdf>.

<sup>47</sup> See: <https://www.icann.org/en/groups/ssac/documents/sac-062-en.pdf>.

<sup>48</sup> See: <https://www.icann.org/en/system/files/files/sac-066-en.pdf>.

<sup>49</sup> See: <https://www.icann.org/en/system/files/files/name-collision-framework-30jul14-en.pdf>.

<sup>50</sup> See: <https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-1-07oct13-en.pdf>.

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Regarding Implementation Guidance 29.3-29.6, ICANN org notes that it had previously expressed concerns regarding Implementation Guidance 29.6<sup>51</sup> in its comments on the Draft Final Report<sup>52</sup>, stating that:

ICANN org would like to confirm our understanding of this Implementation Guidance. We understand this Recommendation to suggest that if a specific label is found to cause disruption during the period of wildcarded controlled interruption, the controlled interruption can be disabled for the label mentioned above and wildcarded controlled interruption can continue. After the disruption is deemed fixed, the label can be released using the releasing in the SLD block list process described in the New gTLD Collision Occurrence Management Framework.

From a technical perspective, implementing the understanding of the Implementation Guidance detailed above will require a zone with the wildcard RRs for wildcarded controlled interruption to respond with an NXDOMAIN for a specific domain and its subdomains (e.g., example.tld and \*.example.tld). We are not aware of major DNS implementations that support this mechanism. There could be substantial technical challenges with implementing such a solution.

While ICANN org believes that the SubPro Final Report outputs regarding name collision can generally be implemented, despite concerns related to Implementation Guidance 29.6, it does note that consideration should be provided to ongoing work related to the [Name Collision Analysis Project](#) (NCAP). The NCAP was initiated in November 2017 when the Board passed a resolution requesting the Security and Stability Advisory Committee (SSAC) to conduct a study to present data, analysis, and points of view, and provide advice regarding the risks posed to users and end systems if .corp, .home, .mail strings were to be delegated in the root, as well as possible courses of action that might mitigate the identified risks.<sup>53</sup> The Board resolution also requested a study be conducted to present data, analysis, and points of view, and provide advice to the Board on a range of questions regarding name collisions.

Based on information presented by the NCAP Discussion Group at ICANN74<sup>54</sup> and ICANN75<sup>55</sup>, ICANN org believes that the NCAP work creates a dependency for the next round and there is potential for the outcome of the NCAP to have an impact on the implementation of the NCMF for

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<sup>51</sup> Implementation Guidance 29.6: “If controlled interruption (CI) for a specific label (usually a 2nd-level domain) is found to cause disruption, ICANN may decide to allow CI to be disabled for that label while the disruption is fixed, provided that the minimum CI period is still applied to that label.”

<sup>52</sup> See: <https://www.icann.org/en/system/files/correspondence/swinehart-to-langdon-orr-neuman-30sep20-en.pdf>.

<sup>53</sup> See: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-02-11-2017-en#2.a>.

<sup>54</sup> See: <https://community.icann.org/display/NCAP/ICANN74+Policy+Forum+-+NCAP+Status+Update>.

<sup>55</sup> See: <https://community.icann.org/display/NCAP/ICANN75+-+NCAP+Final+Update%3A+Preparation+for+Public+Comment>.

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future rounds. See the [Dependencies section](#) for more information on this dependency (including the [Appendix 4: Dependencies](#)).

## 5.7.2. Security and Stability Risks

Table 5-5. Security and Stability Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	<p><b>Root Zone Updates</b>            Delegation results in the IANA function making a change to the root zone. Any change to the root zone, while unlikely to cause issues, is not zero-risk.</p>	Security and Stability	1/Minimal	2/Low	<p>If a change is introduced that causes issues, it may be quickly reverted out of the root zone, mitigating the risk.</p> <p>All of the steps prior to delegation are designed to reduce the risk of changes to the root zone.</p>

## 5.8. Global Public Interest (GPI) Framework

ICANN org’s analysis of the outputs shows that the ICANN community considered in its deliberations and addressed a wide range of Global Public Interest (GPI) considerations in the recommendations and rationales provided in the SubPro Final Report outputs. Many references were made in the Final Report to the GPI itself, as well as to related considerations (e.g., security, transparency, diversity). ICANN org’s GPI pilot framework mapping results show that more than three-quarters (78%) of the topics reference GPI framework terms and could therefore carry GPI considerations. This high rate, coupled with the high volume of public comments that reference the GPI and its framework categories, suggests that the GPI has been central to the discussions involved in this Policy Development Process (PDP). See [Appendix 14: Global Public Interest Framework](#).

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## 6. Conclusion and Next Steps

This ODA is meant to assist the Board in its deliberations on potential action on the Final Report outputs. Work that ICANN org ultimately conducts to implement the SubPro Final Report outputs depends upon action taken by the Board.

The information presented in this ODA encapsulates a year of work. The preceding sections represent the core of ICANN org's analysis of the SubPro Final Report outputs. Supplemental information to this analysis can be found in the appendices. ICANN org expects the information contained in the appendices to provide a great starting point for implementation activities and will contribute to overall efficiency.

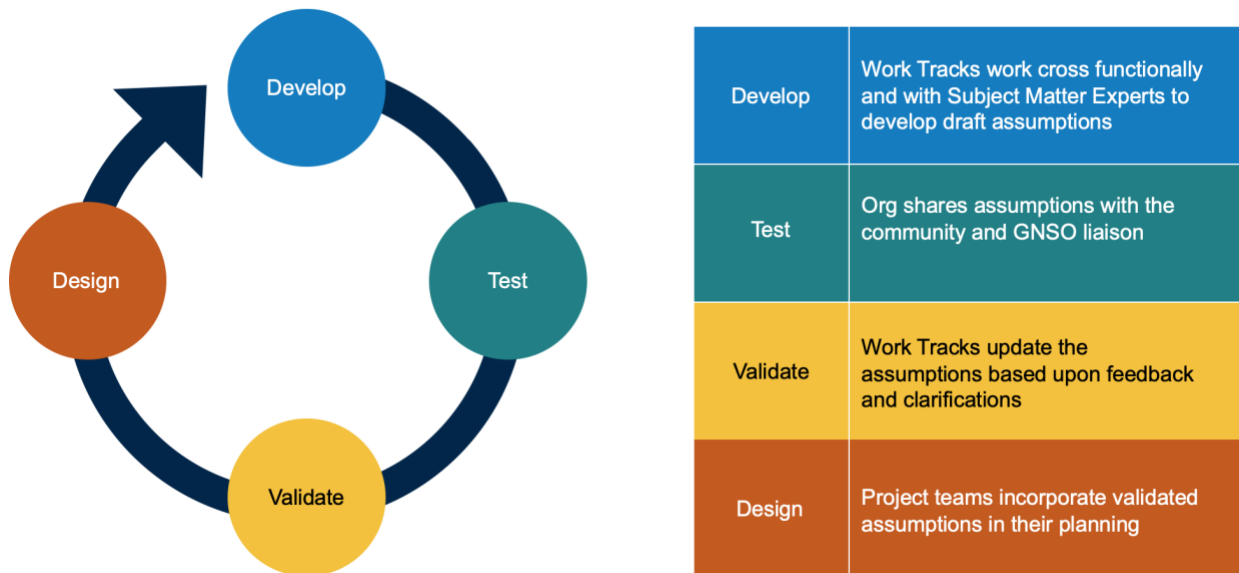
After delivery of this ODA to the Board, the Board will consider the ODA in the context of its deliberations on the SubPro Final Report and any actions taken. The ODA will also be posted on the SubPro ODP [webpage](#). Additionally, ICANN org will provide the community with an overview of the ODA in a webinar.

# Appendix 1: Assumptions

The assumptions used in this ODP trace back to the June 2019 report on [ICANN Org's Readiness to Support Future Rounds of New gTLDs](#), which included ICANN org's working assumptions as it planned for policy implementation and operational readiness. These assumptions and the work of defining assumptions carried over into the ODP. ICANN org created the sets of assumptions listed below after reviewing the 300+ outputs of the SubPro Final Report. The purpose of this work and these assumptions is to ensure that there is a shared understanding of the meaning and implications of the outputs. Over time, these assumptions have been revised through a collaborative process as the work has evolved. ICANN org expects these assumptions to continue to be refined and expanded beyond the ODP, as work continues toward implementation of the next round of new gTLDs.

Figure A1-1 below outlines ICANN org's approach to developing assumptions:

Figure A1-1. Assumption Life Cycle



Assumptions were revisited and revised throughout the ODP as ICANN org gained a better understanding of the interdependencies of the Final Report outputs and will continue to be revisited throughout the implementation, as required.

The assumptions serve as the building blocks for the policy analysis and Business Process Design. The assumptions range from overarching, which cut across all the outputs, to topic-specific assumptions. Overarching assumptions include, for example, that affirmations of 2007 policy recommendations are to be understood as current policy recommendations or that ICANN org will need to provide applicant services in multiple languages. Another overarching assumption relates to application volume: while the true volume is currently unknown, ICANN org assumes that the volume of applications will be commensurate with the 2012 round, i.e.,

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around 2,000 applications. This assumption has served as the basis for the operational considerations as noted in the [Finance](#), [Systems and Tools](#), and [Resources and Staffing](#) sections.

Topic-specific assumptions include, for example:

- Applications must be assessed in rounds unless or until the GNSO Council revises this policy recommendation (see [Topic 3: Applications Assessed in Rounds](#)).
- The application fee will be calculated according to the same three components as in 2012 (historical development costs, expected application processing costs, and unforeseen costs) (see [Topic 15: Application Fees](#)).
- Fee reduction will be available to eligible applicants (see [Topic 17: Applicant Support](#)).

Over the course of the ODP, ICANN org shared the assumptions with the GNSO SubPro ODP Liaison, posted them on the [SubPro ODP webpage](#), and published them in the [Community Digest](#).



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## Appendix 2: Background and Methodology

This appendix provides an overview of the background and methodology for developing this ODA. This appendix has been prepared to provide historical background information on the New gTLD Program and an understanding of ICANN org's methodology to build the analysis captured in this ODA. The appendix includes sections on Program background, ICANN org SubPro ODP Team and Work Tracks, project management, timeline, and phases.

### Background

The question of how to add new top-level domains into the DNS has been an important topic for the ICANN Board, community, and org for many years. In fact, conversations about adding more gTLDs date back to ICANN's earliest days.

ICANN's most recent addition of new gTLDs came as part of the 2012 New gTLD Program. The application window opened in January 2012, and ICANN received 1,930 gTLD applications. In the decade since the launch of the New gTLD Program, more than 1,200 of these applied-for gTLDs have been delegated into the root zone.<sup>56</sup> During this time, people have been discussing if, when, and how a subsequent round of the New gTLD Program should occur.

Specific policy milestones mark ICANN's consensus-based approach toward a subsequent round of new gTLDs. On 18 February 2021, the Generic Name Support Organization (GNSO) Council voted to approve the [New Generic Top Level Domain \(gTLD\) Subsequent Procedures Policy Development Process Final Report](#) (the Final Report). The Final Report builds on policy developed in 2007 related to the introduction of new gTLDs. In 2008, the ICANN Board [adopted](#) the recommendations for implementing new gTLDs, and in June 2011, following an implementation process undertaken by ICANN org, the Board approved the [Applicant Guidebook](#) and authorized the launch of the 2012 New gTLD Program.

Steps have been taken to review the original policies as part of deliberations about future rounds. The 2007 Final Report on the Introduction of New Generic Top-Level Domains stated that it was "designed to establish a stable and ongoing process that facilitates the introduction of new top-level domains." In 2015, the GNSO approved a Policy Development Process for reviewing the 2012 New gTLD Program and chartered the New gTLD Subsequent Procedures Working Group (Sub Pro PDP WG). The major goal of the WG was to "determine what, if any changes may need to be made to the existing Introduction of New Generic Top-Level Domains policy recommendations from 8 August 2007."<sup>57</sup>

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<sup>56</sup> See: <https://newgtlds.icann.org/en/program-status/statistics>.

<sup>57</sup> See: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-20jan21-en.pdf>.

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With the approval of the Final Report, the GNSO Council adopted 300-plus affirmations, recommendations, and implementation guidance (collectively referred to as "the outputs") related to 41 different topics that touch on various aspects of the New gTLD Program.<sup>58</sup> On 24 March 2021, following the approval of the outputs, the GNSO Council transmitted its [Recommendations Report](#) to the ICANN Board for consideration and also resolved to ask for the Board to “initiate an Operational Design Phase on the Final Report of the SubPro Working Group and its outputs as soon as possible.”

As the Final Report outputs concerned complex operational requirements, the Board decided it would benefit from further due diligence to evaluate the impact of implementing the outputs. On 12 September 2021 the Board [directed](#) the ICANN org President and CEO to organize the resources required to begin work on an ODP for the Final Report outputs. In the [rationale](#) for its decision, the Board noted that “initiating an ODP for the Final Report Outputs is essential to inform the Board’s deliberations, including whether the recommendations are in the best interests of the ICANN community or ICANN.”

The purpose of the ODP is to perform an assessment of Generic Names Supporting Organization (GNSO) Council Final Report outputs, or other ICANN community-provided recommendations the Board deems appropriate, in order to provide the Board with relevant information for its deliberations on whether to approve said recommendations. Specific to GNSO Consensus Policy, the ODP builds upon existing processes within the [Consensus Policy Implementation Framework \(CPIF\)](#)<sup>59</sup> by adding transparency and structure to the work that ICANN org performs to assess the operational impact of GNSO Council-approved outputs and the information provided to inform the ICANN Board’s decision on such recommendations.

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<sup>58</sup> ICANN org notes that the GNSO Council did not approve three outputs: the output related to [Topic 23: Closed Generics](#), and two outputs related to [Topic 35: Auctions](#) (Recommendations 35.2 and 35.4). See: <https://gns0.icann.org/sites/default/files/policy/2021/presentation/draft-2council-recommendations-new-gtld-subsequent-procedures-pdf-24mar21-en.pdf> (page 3).

<sup>59</sup> The CPIF is a five-stage process designed to make implementations predictable and transparent. During each implementation project, GDS staff consults with the wider community by: 1) Assembling a team of volunteer experts—an Implementation Review Team, or IRT—in the relevant subject matter to provide advice and support, and 2) Conducting public comment periods on proposed plans and methods. See: <https://www.icann.org/policy/implementation>.

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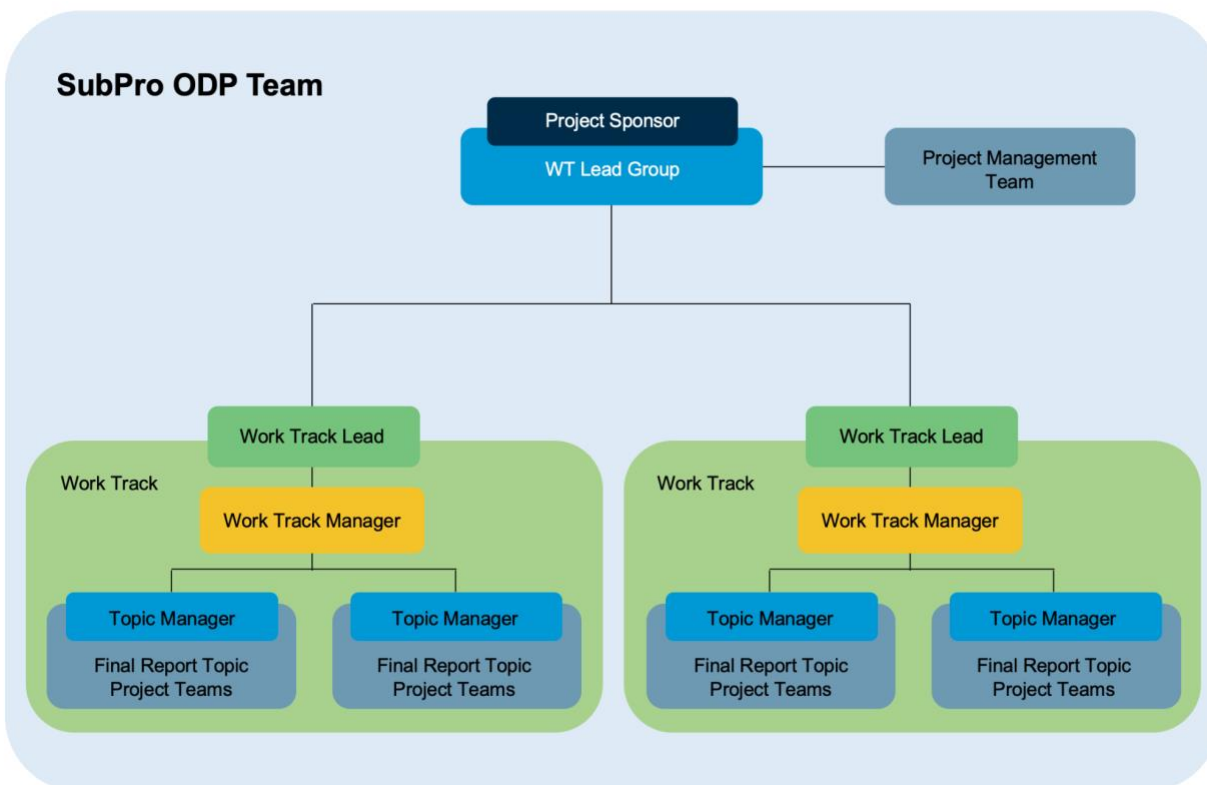
## Methodology

This section describes the team, work tracks, project management techniques, and phases used to build the analysis captured in this ODA.

### ICANN Org SubPro ODP Team and Work Tracks

To execute the ODP, ICANN org assigned a Project Sponsor and New gTLD Program Management team to lead the effort. The Project Sponsor and Project Management team identified required resources, outlined work tracks, and set up a cross-functional team to perform the ODP work. Figure A2-1 shows the general structure of the ODP team and work tracks.

Figure A2-1. SubPro ODP Work Organization



ICANN org identified nine different work tracks that cover the topics in the Final Report, as well as the various considerations identified in the ODP Scoping Document. The work tracks are shown in more detail in Figure A2-2.

Figure A2-2. Work Tracks

Work Track 1	Work Track 2		Work Track 3	Work Track 4
Project Governance	Policy Dev & Impl. Materials	<ul style="list-style-type: none"> <li>• <a href="#">Geographic Names (21.1)</a></li> <li>• <a href="#">Registrant Protections (22)</a></li> <li>• <a href="#">Closed Generics (23)</a></li> <li>• <a href="#">String Similarity (24)</a></li> <li>• <a href="#">IDNs (25)</a></li> <li>• <a href="#">Applicant Reviews (27)</a></li> <li>• <a href="#">App Comments (28)</a></li> <li>• <a href="#">GAC Advice/EW (30)</a></li> <li>• <a href="#">Objections (31)</a></li> <li>• <a href="#">Appeals Mech. (32)</a></li> <li>• <a href="#">Dispute Resolution (33)</a></li> <li>• <a href="#">Community Apps (34)</a></li> <li>• <a href="#">Auctions (35)</a></li> <li>• <a href="#">Registrar Non Discrimination (37)</a></li> <li>• <a href="#">Registrar Support for New gTLDs (38)</a></li> <li>• <a href="#">Rv System Testing (39)</a></li> <li>• <a href="#">Compliance (41)</a></li> </ul>	Operational Readiness	System and Tools
<b>Overall Governance</b> <ul style="list-style-type: none"> <li>• Project Management</li> <li>• Reporting</li> <li>• SteerCo Support</li> <li>• Board Caucus Support</li> <li>• Risk Assessment</li> <li>• ODP</li> <li>• Planning Assumptions</li> <li>• <a href="#">Continuing SubPro (1)</a></li> <li>• <a href="#">Metrics/Monitoring (7)</a></li> </ul>	<b>Policy Support</b> <b>Policy Implementation</b> <ul style="list-style-type: none"> <li>• <a href="#">Predictability (2)</a></li> <li>• <a href="#">TLD types (4)</a></li> <li>• <a href="#">RSP Pre-Eval (6)</a></li> <li>• <a href="#">COIs (8)</a></li> <li>• <a href="#">PIC/RVCs (9)</a></li> <li>• <a href="#">Applicant Freedom of Expression (10)</a></li> <li>• <a href="#">JA (11)</a></li> <li>• <a href="#">App Guidebook (12)</a></li> <li>• <a href="#">Terms &amp; Conditions (18)</a></li> <li>• <a href="#">Change Requests (20)</a></li> <li>• <a href="#">Reserved Names (21)</a></li> </ul>		<b>Functional Capacity Building</b> <ul style="list-style-type: none"> <li>• Preparation of day-to-day procedures</li> <li>• Re-engineering existing operations</li> <li>• Training of ops staff</li> <li>• Application Comments</li> <li>• <a href="#">Apps Assessed in Rounds (3)</a></li> <li>• <a href="#">Application Submission Limits (5)</a></li> <li>• <a href="#">Application Submission Period (16)</a></li> <li>• <a href="#">Application Queuing (19)</a></li> <li>• <a href="#">TLD Rollout (40)</a></li> </ul>	<b>System Strategy and Planning</b> <ul style="list-style-type: none"> <li>• System Development and Maintenance</li> <li>• <a href="#">Systems (14)</a></li> </ul>
Work Track 5	Work Track 6	Work Track 7	Work Track 8	Work Track 9
Vendors	Comms and Outreach	Resources, Staffing & Logistics	Finance	Overarching
<b>Vendor Strategy and Planning</b> <ul style="list-style-type: none"> <li>• Procurement (RFI &amp; RFP processes)</li> <li>• Vendor Management</li> <li>• Contract Management</li> </ul>	<b>Comms Strategy and Planning</b> <ul style="list-style-type: none"> <li>• Awareness Campaigns</li> <li>• Define Audience</li> <li>• Website page</li> <li>• Narrative</li> <li>• <a href="#">Communications (13)</a></li> <li>• <a href="#">Applicant Support (17)</a></li> </ul>	<b>Resource Strategy and Planning</b> <ul style="list-style-type: none"> <li>• Cost and time estimates</li> <li>• Recruitment of new staff and backfill</li> <li>• Training</li> <li>• Planning and obtaining resources needed to support staff</li> </ul>	<b>Financial Strategy and Planning Management of program financial resources</b> <ul style="list-style-type: none"> <li>• Cost model</li> <li>• Refunds</li> <li>• Request for initial funding</li> <li>• <a href="#">Application Fees (15)</a></li> </ul>	<b>Issues that impact SubPro but are not part of the Final Report or simultaneously cross multiple work tracks</b> <ul style="list-style-type: none"> <li>• Global Public Interest Framework</li> <li>• <a href="#">IDN EPDP</a></li> <li>• <a href="#">Advisory Committee Advice/Review Team Recommendations</a></li> <li>• <a href="#">Security and Stability (26)</a></li> <li>• <a href="#">Name Collision (NCAP) (29)</a></li> <li>• <a href="#">New Base RA (36)</a></li> </ul>

For additional details about ICANN org's approach to completing the ODP, see [Appendix 18: Community Updates and Engagements](#).

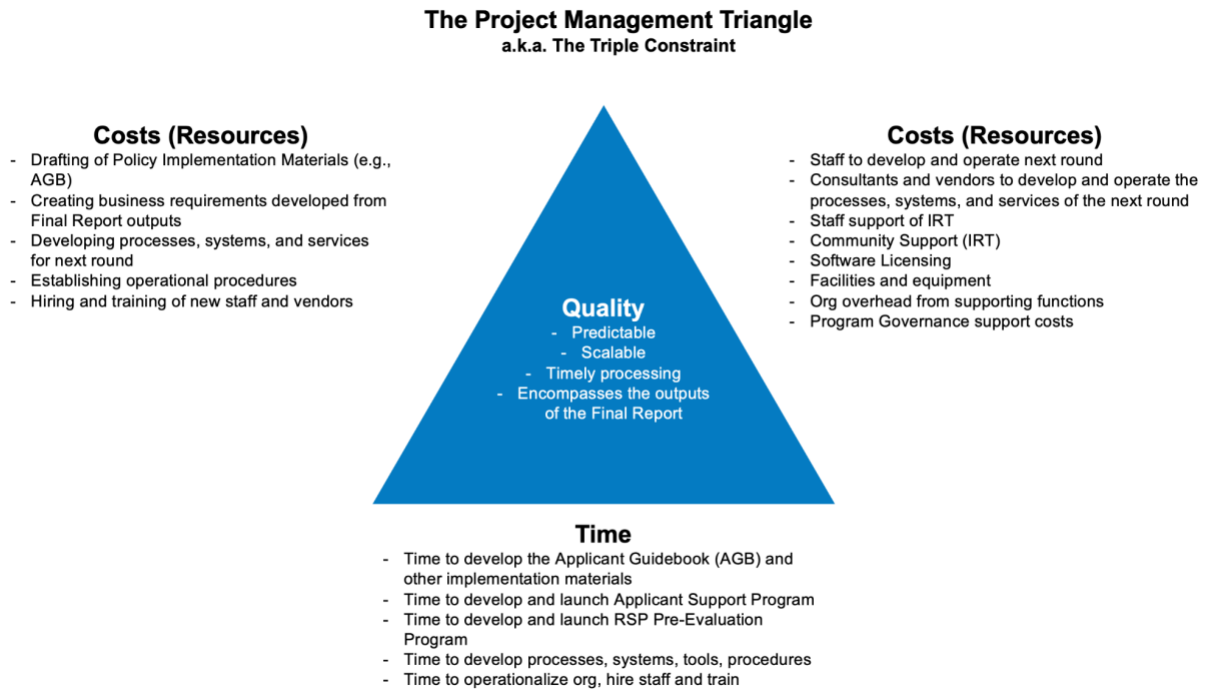
## Project Management

To manage the work of the SubPro ODP effectively, ICANN org followed a project management framework developed by ICANN org according to internationally recognized best practices. This allowed ICANN org to ensure consistency while planning and executing.

### Project Management Triangle

The concept of the project management triangle informed project development. The triangle illustrates the relationship between the three primary forces in a project: scope, cost or resources, and time. These are also sometimes called the triple constraints. See Figure A2-3.

Figure A2-3. Project Management Triangle Model



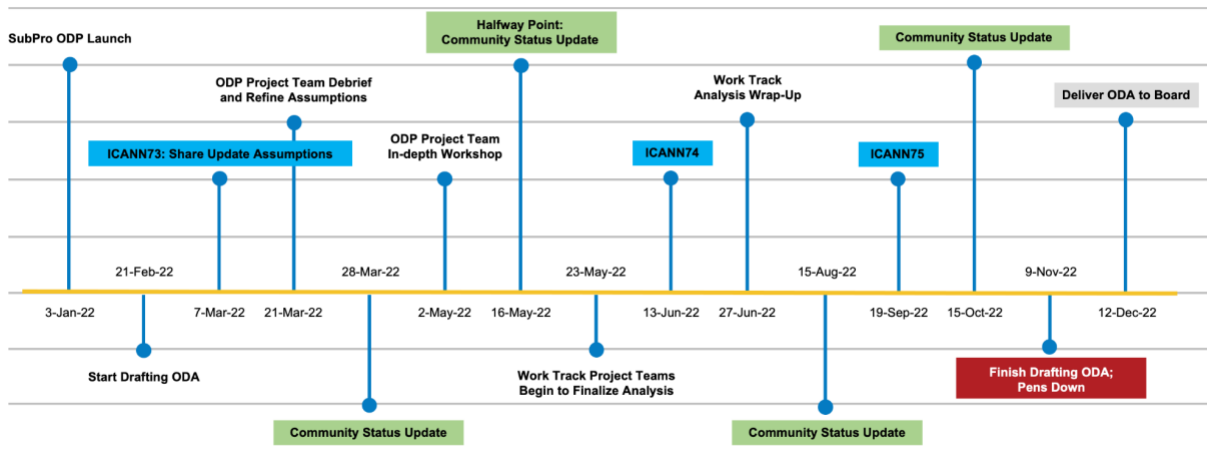
The relationship between these constraints is connected, and if one of the variables is changed it affects the other two. For example, if the scope of work increases, more time and resources would be required to take on the additional work. Similarly, if the timeframe is shortened, the cost increases as additional resources and staff are needed to meet the deadline. In its consideration of the Final Report outputs, ICANN org considered factors that would result in the optimal balance of scope, time, and cost to result in the best quality New gTLD Program. Figure A2-3 shows the considerations that fall under scope, cost and resources, and time as they relate to the New gTLD Program.

## ODP Timeline

The timeline in Figure A2-4 summarizes key ODP milestones. Note that the original timeline changed from 10 months to 12 months. As noted in a [blog](#) from July 2022, this change was based on the demand on resources shared between the SubPro ODP and the design of the proposed WHOIS Disclosure System. Accordingly, ICANN org created an alternative timeline that considered the maximum potential impacts on completing the SubPro ODP and moved the targeted delivery of the ODA to no later than 12 December 2022.

Figure A2-4. Sub Pro ODP Summary Timeline

**SubPro Operational Design Phase (ODP) Summary Timeline – Estimated with Six-Week Adjustment**



## ODP Phases

ICANN org divided the ODP work into four major phases: policy and topic analysis (including assumptions), business process design, operational assessment, and ODA drafting.

ICANN org notes that the policy analysis, business process design, and operational assessment stages of the ODP relied on the scoping areas and questions identified by ICANN Board in the [SubPro ODP Scoping Document](#). For more information on how the scoping document maps to the ODA, please refer to the [index](#).

## Policy and Topic Analysis

### Assumptions

ICANN org reviewed each of the outputs and, based on ICANN org’s understanding of that output, drafted an assumption as to how ICANN org would implement that output. Each of these assumptions was vetted internally by the work tracks and relevant subject matter experts and then shared with the ICANN community. See [Appendix 1: Assumptions](#) for more information.

### Policy and Topic Analysis

ICANN org conducted an analysis of the Final Report outputs that focused on several different elements, including:

- Review of historical information or processes related to a specific topic, such as:

- 
- Gaps between the Final Report outputs and relevant Applicant Guidebook sections, i.e., when the outputs differ from the Applicant Guidebook.
  - ICANN Board and ICANN org comments on the Draft Final Report.
  - Which updates might be required to New gTLD Program processes noted in the Applicant Guidebook (i.e., how would the Applicant Guidebook need to be updated for the next round?) or what outputs are not represented at all in the Applicant Guidebook that would need to be added (e.g., the Applicant Support Program per Recommendation 17.19).<sup>60</sup>
  - Recommendations made in ICANN org’s Program Implementation Review Report,<sup>61</sup> how those recommendations relate to Final Report outputs, and whether they had been or could be taken into account.
- Review of questions, concerns, or issues related to implementation of the outputs, such as:
    - Whether there are any open policy questions (i.e., questions for the GNSO Council) that need to be addressed to complete implementation.
    - Whether there were any concerns or issues related to the topic that need to be addressed prior to Board action on the Final Report.
    - Whether the need for specialized research or expertise was identified for implementation of the outputs.
    - Whether an output required changes to the Registry Agreement.
    - The estimated level of resources needed to implement the outputs.
    - The overall difficulty level of implementation of the outputs.

From these questions and initial research, ICANN org developed analyses for each of the 41 topics in the SubPro Final Report, specifically focusing on considerations for implementation. The results of the Topic Analysis are discussed in [Appendix 5: Topic Analysis](#). In some cases, ICANN org did not identify any considerations or concerns with implementation and has noted these topics appropriately. Those topics where ICANN org identified a specific issue with regard to feasibility of implementation are discussed in the [Issues section](#).

This policy and topic analysis was used as a basis for the processes and procedures for future rounds described in [Appendix 6: Business Process Design](#). More information regarding the Policy Analysis can be found in [Appendix 3: Policy Analysis](#).

## Policy Questions and GNSO Guidance Process

During the process, ICANN org identified questions related to Final Report outputs, such as the

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<sup>60</sup> Final Report 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.

<sup>61</sup> See: <https://www.icann.org/en/system/files/files/program-review-29jan16-en.pdf>.

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intention of the recommendation or places where further clarification was required before ICANN org could make an appropriate assumption regarding that output. These questions were transmitted to the GNSO Council ODP Liaison to share with the GNSO Council for their review and feedback.<sup>62</sup>

Questions related to [Applicant Support](#) led to the initiation of the first-ever [GNSO Guidance Process](#) (GGP). A GGP is used “when a request for input relating to gTLDs...has been received from the ICANN Board or a gTLD issue has been identified by the GNSO Council that would benefit from GNSO Guidance.” Any outputs of the GGP need to be approved by the GNSO Council and are subject to approval by the ICANN Board.<sup>63</sup>

## Business Process Design

With the assumptions and policy analysis in place, ICANN org drafted the proposed business process design. This proposed design forms a major component of this ODA as well as the basis for the operational considerations, such as estimates related to Systems and Resources, and Vendors and Third Parties. In drafting the proposed process, ICANN org considered what criteria, guidelines, or decisions govern a process, who the responsible parties are in a process, what service levels are needed (i.e., how long should it take to complete a process?), any potential issues related to carrying out the process, and any impact of the process on other processes or outputs. The proposed Business Process Design can be found in the [Appendix 6: Business Process Design](#).

## Operational Assessment and Considerations

Based on the Business Process Design, ICANN org then conducted an assessment of the impact to ICANN to implement as designed. This assessment includes developing considerations related to timelines, and costs for systems, staffing, and outsourcing. This assessment also includes identifying risks associated with implementation. The results of the operational assessment can be found in the [Operational Considerations section](#).

## Risks

A risk team composed of relevant members of ICANN org and an external consultant reviewed

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<sup>62</sup> See:

<https://community.icann.org/download/attachments/213680813/ODP%20Policy%20Questions%20and%20GNSO%20Council%20Answers.pdf?version=1&modificationDate=1663077418000&api=v2>.

<sup>63</sup> While the GGP cannot develop Consensus Policies, it “...may provide interpretation or assist in providing clarity with regards to the implementation of GNSO policy recommendations.” Specifically, the GGP will focus on the Applicant Support Outputs from the SubPro Final Report that were anticipated to be completed by the “dedicated Implementation Review Team”. If the GGP provides additional clarity, guidance, and/or interpretation to the SubPro Final Report Outputs, the GGP Outputs can be considered as complementary to the recommendations from the SubPro Final Report on Applicant Support.



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all New gTLD Program-related risks.<sup>64</sup> Experience from the 2012 round of the New gTLD Program informed much of this assessment, as many of the risks faced in future rounds would be similar to those previously experienced. All identified risks in the ODA are presented in a standardized manner and capture the associated (1) ICANN risk category, (2) ICANN risk rating on likelihood, (3) ICANN risk rating on severity of impact, and (4) proposed mitigation strategy. The risk team conducted an initial risk assessment addressing the Board’s risk questions from the [SubPro ODP Scoping Document](#) (See Appendix 5). The risk team also met with the relevant ICANN org functions to discuss and identify relevant risks associated with each section of the ODA (“sectional risks”).<sup>65</sup> Key sectional risks, those with medium- to high-impact rating, are captured in the ODA where relevant. Additionally, the risk team aggregated the inventory of sectional risks and identified risks that were present in multiple sections and/or risks with higher-impact ratings as overarching New gTLD Program risks (see section below).

## ODA Organization

As noted above, ICANN org’s analysis and assessments relied on the [SubPro ODP Scoping Document](#). Please refer to the [Index](#) for more information regarding how the ODA maps to the scoping document. Please also refer to the [Document Overview](#) at the beginning of this ODA for a summary of the major sections of this document.

Regarding the depth of analysis provided in the ODA, ICANN org generally took the approach of matching the level of detail in its analysis to the level of detail in the Final Report. Recommendations with more direction or guidance as to how a particular program or process should be implemented required more analysis by ICANN org and this is reflected in the ODA. For example, [Topic 17: Applicant Support](#) includes eight recommendations and ten pieces of implementation guidance; the analysis provided in this ODA reflects the complexity of the recommendations and implementation guidance provided in the Final Report.

## Community Involvement

Over the course of the ODP, ICANN org prioritized communication with the ICANN community on status and progress of the ODP work. ICANN org held several webinars, led several ICANN meeting sessions, and produced numerous blogs and written updates on the status of the

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<sup>64</sup> Where relevant, reputational risks are also assessed as they were a part of the Scoping Document Section 9, Question 9.1.

<sup>65</sup> Sectional Risks are captured for the following sections: [Governance](#), [Security and Stability](#), [Communications](#), [Global Engagement and Inclusion](#), [Systems and Tools](#), [Vendors and Third Parties](#), [Resources and Staffing](#), [Finance](#), [Dependencies](#), [Timeline](#), and select [Topic Analyses](#).

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ODP.<sup>66</sup> Community members were also able to provide input at any time via the comment feature on the ODP webpage.<sup>67</sup> Additional information is provided in the [Appendix 18: Community Updates and Engagements](#).

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<sup>66</sup> See: <https://www.icann.org/resources/pages/subpro-odp-announcements-blogs-webinars-2022-04-20-en>.

<sup>67</sup> See: <https://mm.icann.org/pipermail/subpro-odp/>.

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## Appendix 3: Policy Analysis

In conducting its analysis of the outputs, ICANN org sought to both analyze gaps between the previous round and the outputs (i.e., where the outputs call for something different than the previous round), while also answering a key set of questions regarding each of the 41 topics. The goal was to identify estimated levels of resources, difficulty, and risk, and whether issues or dependencies existed for each topic. [Appendix 2: Background and Methodology](#) contains additional detail on ICANN org’s approach to Policy Analysis.

As a result of its policy analysis, ICANN org found that, with regard to implementation:

- 14 topics may require a “medium” to “high” level of resources<sup>68</sup>.
- 19 topics may be considered to be “moderate” to “complex” in difficulty.
- 8 topics may have issues that need to be addressed prior to Board action on the Final Report Outputs or prior to completion of the Applicant Guidebook.
- 12 topics may require changes to the base Registry Agreement.
- 6 topics have external dependencies that may impact implementation or operations.
- 13 topics may require specialized research, expertise, or external systems or vendors to implement and operationalize<sup>69</sup>.
- 22 topics may need new systems or tools developed to implement and operationalize<sup>70</sup>.

Table A3-1 outlines the results of ICANN org’s policy analysis as it relates to these key questions for each of the 41 topics contained in the Final Report. From these questions, ICANN org developed analyses for each of the 41 topics in the SubPro Final Report, specifically focusing on considerations for implementation. Further discussion on each topic can be found in [Appendix 5: Topic Analysis](#).

ICANN org uses the following rating scales to define the estimated resource levels and difficulty levels shown in Table A3-1.

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<sup>68</sup> See next page for definition of high-medium-low as it relates to each question.

<sup>69</sup> See Table A3-2.

<sup>70</sup> *Ibid.*

The estimated resource levels rating scale is:

- Existing: No additional resources required; work can be performed with existing resources.
- Low: Two additional FTE, or \$250,000 per year, or total cost of up to \$1 million.
- Medium: 10 additional FTE, or \$1 million per year, or total cost of up to \$5 million.
- High: 10+ additional FTE, or \$5 million per year, or total cost of up to \$10 million.

The estimated difficulty levels rating scale is:

- Low: No or minimal issues identified with the topic outputs that can be addressed by ICANN org in implementation.
- Moderate: Issues identified with the topic outputs which will require consultation or input from outside of ICANN org (the Board, IRT, etc.)
- Complex: Significant issues identified that require clarification or a Board resolution before implementation can be completed.

Table A3-1. Resource and Difficulty Levels by Topic.

Final Report Topic	Estimated level of incremental resources? <sup>71</sup>	Estimated level of difficulty?	Issues to be addressed?	Changes likely required to Registry Agreement?	External Dependencies?
<b>Overarching Issues</b>					
1 - <a href="#">Continuing Subsequent Procedures</a>	High	Moderate	No	No	No
2 - <a href="#">Predictability Framework</a>	Existing	Moderate	No	No	No
3 - <a href="#">Applications Assessed in Rounds</a>	Low <sup>72</sup>	Low	No	No	No
4 - <a href="#">Different TLD Types</a>	Low	Low	No	Yes	Yes - IDN EPDP
5 - <a href="#">Application Submission Limits</a>	Low	Low	No	No	No
6 - <a href="#">Registry Service Provider Pre-Evaluation</a>	Medium	Low	No	No	No
7 - <a href="#">Metrics and Monitoring</a>	Low	Low	No	No	No
8 - <a href="#">Conflicts of Interest</a>	Existing	Low	No	No	No
<b>Foundational Issues</b>					
9 - <a href="#">Registry Voluntary Commitment/Public Interest</a>	Medium	Complex	Yes		No

<sup>71</sup> Incremental resources are those that may be required in addition to existing resources.

<sup>72</sup> ICANN org notes that “simple” or “low” levels of difficulty or resources should not be ignored, as even a “low” level of resources incurs time and cost to hire additional resources and “simple” implementation across multiple recommendations is still a considerable investment of resources.

Final Report Topic	Estimated level of incremental resources? <sup>71</sup>	Estimated level of difficulty?	Issues to be addressed?	Changes likely required to Registry Agreement?	External Dependencies?
<a href="#">Commitments</a>				<a href="#">Yes</a>	
10 - <a href="#">Applicant Freedom of Expression</a>	Low	Low	No	No	No
11 - <a href="#">Universal Acceptance</a>	Low	Low	No	No	No
<b>Pre-Launch Activities</b>					
12 - <a href="#">Applicant Guidebook</a>	Existing	Complex	No	No	No
13 - <a href="#">Communications</a>	Low - Medium	Low	No	No	No
14 - <a href="#">Systems</a>	Low - Medium	Low	No	No	No
<b>Application Submission</b>					
15 - <a href="#">Application Fees</a>	Existing	Complex	No	No	No
16 - <a href="#">Application Submission Period</a>	Low	Low	No	No	No
17 - <a href="#">Applicant Support</a>	Medium	Moderate	Yes	No	No
18 - <a href="#">Terms and Conditions</a>	Existing	Low	Yes	No	No
<b>Application Processing</b>					
19 - <a href="#">Application Queuing</a>	Low	Low	No	No	No
20 - <a href="#">Application Change Requests</a>	Low	Low	No	<a href="#">Yes</a>	No
<b>Application Evaluation/Criteria</b>					
21 - <a href="#">Reserved Names</a>	Low	Moderate	No	<a href="#">Yes</a>	<a href="#">Yes - IDN EPDP</a>
22 - <a href="#">Registrant Protections</a>	Low	Moderate	No	<a href="#">Yes</a>	No
23 - <a href="#">Closed Generics</a> <sup>73</sup>	N/A	N/A	Yes	N/A	<a href="#">Yes - Dialogue</a>
24 - <a href="#">String Similarity Evaluations</a>	Medium	Complex	No	<a href="#">Yes</a>	<a href="#">Yes - IDN EPDP</a>
25 - <a href="#">Internationalized Domain Names (IDNs)</a>	Medium	Complex	No	<a href="#">Yes</a>	<a href="#">Yes - IDN EPDP</a>

<sup>73</sup> The SubPro PDP WG did not reach consensus on the Closed Generics issue, so there is currently no output that the ODP team can use to assess the resource levels, difficulty levels, and anticipated changes to the Registry Agreement. As of November 2022, it is planned that a Board-facilitated dialogue between the GNSO, GAC, and ALAC will be held in January 2023 in an effort to find a mutually acceptable path forward on the topic of Closed Generics. Should the dialogue result in an agreed-upon framework, the next step would be for the GNSO Council to move the framework through an appropriate policy development process. The PDP would result in approved recommendations that the Board could consider and, if appropriate, adopt in accordance with the Bylaws. For more information see [Topic 23: Closed Generics](#).

Final Report Topic	Estimated level of incremental resources? <sup>71</sup>	Estimated level of difficulty?	Issues to be addressed?	Changes likely required to Registry Agreement?	External Dependencies?
26 - <a href="#">Security and Stability</a>	Medium	Moderate	No	<u>Yes</u>	No
27 - <a href="#">Applicant Reviews</a>	Medium	Complex	No	No	No
28 - <a href="#">Role of Applicant Comment</a>	Low	Moderate	No	No	No
29 - <a href="#">Name Collisions</a>	Low	Low	No	No	<u>Yes - NCAP</u>
<b>Dispute Proceedings</b>					
30 - <a href="#">GAC Consensus Advice and GAC Early Warning</a>	Existing	Moderate	Yes	No	No
31 - <a href="#">Objections</a>	Low	Moderate	No	<u>Yes</u>	No
32 - <a href="#">Limited Challenge/Appeal Mechanism</a>	Medium	Complex	Yes	No	No
33 - <a href="#">Dispute Resolution Proceedings After Delegation</a>	Existing	Low	No	No	No
<b>String Contention Resolution</b>					
34 - <a href="#">Community Applications</a>	High	Complex	Yes	<u>Yes</u>	No
35 - <a href="#">Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets</a>	Existing	Moderate	Yes	<u>Yes</u>	No
<b>Contracting</b>					
36 - <a href="#">Base Registry Agreement</a>	Medium	Moderate	No	<u>Yes</u>	No
37 - <a href="#">Registrar Non-Discrimination / Registry/Registrar Standardization</a>	Existing	Low	No	No	No
38 - <a href="#">Registrar Support for New gTLDs</a>	Existing	Low	No	No	No
<b>Pre-Delegation</b>					
39 - <a href="#">Registry System Testing</a>	Medium	Low	No	No	No
<b>Post-Delegation</b>					
40 - <a href="#">TLD Rollout</a>	Existing	Low	No	No	No
41 - <a href="#">Contractual Compliance</a>	Existing	Low	No	No	No

Table A3-2 provides an overview of the topics as they relate to policy questions, concerns raised in the [PIRR](#), and GNSO Council feedback. The table also lists research and developmental needs identified by the Operational Design Phase (ODP) team in their analysis of the Final Report outputs for each topic. Where appropriate, answers are expanded upon in [Appendix 5: Topic Analysis](#).

Table A3-2. Additional Policy Analysis Questions

SubPro PDP WG Final Report Topic	Are there policy questions? <sup>74</sup>	Have policy questions been answered by the GNSO Council? <sup>75</sup>	Do the Final Report Outputs address concerns raised in PIRR? <sup>76</sup>	Is specialized research, expertise, or external systems/vendors recommended?	<u>Are new systems, tools or processes required?</u>
<b>Overarching Issues</b>					
1 - <a href="#">Continuing Subsequent Procedures</a>	No	N/A	No issues identified	No	No
2 - <a href="#">Predictability Framework</a>	Yes	Yes	No issues identified	No	Yes
3 - <a href="#">Applications Assessed in Rounds</a>	No	N/A	No issues identified	No	Yes
4 - <a href="#">Different TLD Types</a>	Yes	Yes	No issues identified	No	Yes
5 - <a href="#">Application Submission Limits</a>	No	N/A	No issues identified	No	Yes
6 - <a href="#">Registry Service Provider Pre-Evaluation</a>	No	N/A	Yes	No	Yes
7 - <a href="#">Metrics and Monitoring</a>	No	N/A	No issues identified	No	Yes
8 - <a href="#">Conflicts of Interest</a>	Yes	Yes	Yes	No	Yes
<b>Foundational Issues</b>					
9 - <a href="#">Registry Voluntary Commitment/Public Interest Commitments</a>	Yes	Yes	No <sup>77</sup>	Yes	No
10 - <a href="#">Applicant Freedom of Expression</a>	No	N/A	No issues identified	No	No

<sup>74</sup> See policy questions and responses here:

<https://community.icann.org/download/attachments/213680813/ODP%20Policy%20Questions%20and%20GNSO%20Council%20Answers.pdf?version=1&modificationDate=1663077418000&api=v2>.

<sup>75</sup> *Ibid.*

<sup>76</sup> Policy Implementation Review Report (PIRR), see: <https://www.icann.org/en/system/files/files/program-review-29jan16-en.pdf>

<sup>77</sup> For this and other instances of “No” in this column, more information can be found in the specific Topic Analysis section linked in the first column of the row.

SubPro PDP WG Final Report Topic	Are there policy questions? <sup>74</sup>	Have policy questions been answered by the GNSO Council? <sup>75</sup>	Do the Final Report Outputs address concerns raised in PIRR? <sup>76</sup>	Is specialized research, expertise, or external systems/vendors recommended?	<u>Are new systems, tools or processes required?</u>
11 - <a href="#">Universal Acceptance</a>	No	N/A	No issues identified	Yes	No
<b>Pre-Launch Activities</b>					
12 - <a href="#">Applicant Guidebook</a>	No	N/A	No issues identified	No	No
13 - <a href="#">Communications</a>	No	N/A	No issues identified	No	No
14 - <a href="#">Systems</a>	No	N/A	Yes	Yes	Yes
<b>Application Submission</b>					
15 - <a href="#">Application Fees</a>	No	N/A	No issues identified	No	No
16 - <a href="#">Application Submission Period</a>	No	N/A	No issues identified	No	Yes
17 - <a href="#">Applicant Support</a>	Yes	Yes	Yes	Yes	Yes
18 - <a href="#">Terms and Conditions</a>	No	N/A	No issues identified	No	No
<b>Application Processing</b>					
19 - <a href="#">Application Queuing</a>	No	N/A	No	Yes	Yes
20 - <a href="#">Application Change Requests</a>	Yes	Yes	Yes	No	Yes
<b>Application Evaluation/Criteria</b>					
21 - <a href="#">Reserved Names</a>	Yes	N/A	No issues identified	Yes	No
22 - <a href="#">Registrant Protections</a>	No	N/A	Yes	No	Yes
23 - <a href="#">Closed Generics</a>	Yes	N/A <sup>78</sup>	No	TBD	TBD
24 - <a href="#">String Similarity Evaluations</a>	Yes	N/A	No	Yes	Yes
25 - <a href="#">Internationalized Domain Names (IDNs)</a>	Yes	Yes	No	Yes	Yes
26 - <a href="#">Security and Stability</a>	No	N/A	Yes	No	No
27 - <a href="#">Applicant Reviews</a>	Yes	Yes	Yes	Yes	Yes
28 - <a href="#">Role of Applicant Comment</a>	Yes	Yes	Yes	No	Yes
29 - <a href="#">Name Collisions</a>	No	N/A	Yes	No	No
<b>Dispute Proceedings</b>					
30 - <a href="#">GAC Consensus Advice and GAC</a>	No	N/A	Yes	No	No

<sup>78</sup> See [Topic 23: Closed Generics](#) for more information.



SubPro PDP WG Final Report Topic	Are there policy questions? <sup>74</sup>	Have policy questions been answered by the GNSO Council? <sup>75</sup>	Do the Final Report Outputs address concerns raised in PIRR? <sup>76</sup>	Is specialized research, expertise, or external systems/vendors recommended?	<u>Are new systems, tools or processes required?</u>
<a href="#">Early Warning</a>					
31 - <a href="#">Objections</a>	Yes	Yes	Yes	No	Yes
32 - <a href="#">Limited Challenge/Appeal Mechanism</a>	No	No	Yes	Yes	Yes
33 - <a href="#">Dispute Resolution Proceedings After Delegation</a>	Yes	Yes	Yes	No	No
<b>String Contention Resolution</b>					
34 - <a href="#">Community Applications</a>	Yes	Yes	No	Yes	Yes
35 - <a href="#">Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets</a>	Yes	Yes	No issues identified	Yes	No
<b>Contracting</b>					
36 - <a href="#">Base Registry Agreement</a>	No	No	Yes	No	No
37 - <a href="#">Registrar Non-Discrimination / Registry/Registrar Standardization</a>	No	No	No issues identified	No	No
38 - <a href="#">Registrar Support for New gTLDs</a>	No	No	No issues identified	No	No
<b>Pre-Delegation</b>					
39 - <a href="#">Registry System Testing</a>	No	No	Yes	No	Yes
<b>Post-Delegation</b>					
40 - <a href="#">TLD Rollout</a>	No	No	No issues identified	No	No
41 - <a href="#">Contractual Compliance</a>	No	No	No issues identified	No	No

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## Appendix 4: Dependencies

ICANN org noted in its assumptions related to the SubPro Final Report outputs that the Board will determine which topics or issues will serve as dependencies to be addressed prior to the launch of the next round. ICANN org has identified areas of work that could be considered dependencies to the opening of the next round.<sup>79</sup> The Board may wish to consider the potential dependencies identified here in their deliberations on the SubPro Final Report outputs, as these may have implications for SubPro work or the timing of the next round.

This appendix provides an overview of the advice and recommendations identified as dependencies, which may require a decision or action be taken in order for the next round to proceed. This appendix has been provided as supplemental information to support the [Dependencies section](#) of the main ODA. The appendix includes sections on dependencies related to Advisory Committee advice, dependencies related to Review Team recommendations, and relevant community work.

### Dependencies related to Advice and Recommendations

ICANN org has identified some areas of work on which a decision or action may need to be taken (e.g., implementation work or the Board may need to take an action on advice) for the next round to proceed.

### Dependencies related to Advisory Committee Advice

ICANN org has reviewed recent advice from the ALAC, GAC, RSSAC, and SSAC to identify potential dependencies. Additionally, ICANN org has identified when the implementation of such advice should occur in order for it to be accounted for at the appropriate stage prior to launch of the next round. In most cases, the Board has already formally accepted or taken action on the advice, and it is currently in implementation.<sup>80</sup> However, in other cases, the Board has not yet taken formal action on the advice. These advice items and milestones, as well as needed actions are illustrated in Table A4-1.

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<sup>79</sup> Related to [Scoping Document](#) questions 10.1 - 10.6

<sup>80</sup> For items already considered by the Board, ICANN org will continue toward implementation of the items by the milestone noted in Table A4-1. Status of advice items can be found at <https://features.icann.org/board-advice>.

Table A4-1.<sup>81</sup> Advice Needing Board Action

Advisory Committee	Advice Document(s)	Board Taken Action? (Yes/No)	ICANN org suggests action should be taken...			
			Before Board Approves Final Report Outputs	Before Board Approves Applicant Guidebook	Before Applications Open	Before First Delegation
ALAC	<ul style="list-style-type: none"> <li>● Advice on SubPro (April 2021)</li> <li>● Advice on DNS Abuse (Dec 2019)</li> </ul>	<ul style="list-style-type: none"> <li>● No</li> <li>● No</li> </ul>	<ul style="list-style-type: none"> <li>● Closed* Generics</li> <li>● Applicant Support</li> <li>● Auctions and Private Resolution*</li> <li>● PICs/RVCs</li> </ul>	<ul style="list-style-type: none"> <li>● CCT Review</li> <li>● DNS Abuse</li> <li>● NCAP Study 2</li> <li>● NCAP Study 3</li> <li>● Universal Acceptance</li> </ul>	<ul style="list-style-type: none"> <li>● SSR2</li> </ul>	n/a
GAC	<ul style="list-style-type: none"> <li>● Beijing</li> </ul>	<ul style="list-style-type: none"> <li>● Yes</li> </ul>		<ul style="list-style-type: none"> <li>● Safeguards (Beijing)</li> </ul>		
RSSAC	n/a	n/a	n/a	n/a	n/a	n/a
SSAC	<ul style="list-style-type: none"> <li>● SAC046</li> <li>● SAC059</li> <li>● SAC060</li> <li>● SAC064</li> </ul>	<ul style="list-style-type: none"> <li>● Yes</li> <li>● No</li> <li>● Yes</li> <li>● Yes</li> <li>● Yes</li> <li>● Yes</li> </ul>	n/a	<ul style="list-style-type: none"> <li>● Comments on Final Report (SAC114)</li> <li>● CZDS (SAC097)</li> <li>● Root scaling</li> </ul>	n/a	n/a

<sup>81</sup> Items in **black** text are those where the advice specifically states when the Board should take action on the advice and/or it should be implemented. Items in **blue** text are those where ICANN org has made an assumption based on the advice as to when the Board may need to take action on the advice and/or when it should be implemented. Items in **red** text are those where the Board has not yet taken action.

Advisory Committee	Advice Document(s)	Board Taken Action? (Yes/No)	ICANN org suggests action should be taken...			
			Before Board Approves Final Report Outputs	Before Board Approves Applicant Guidebook	Before Applications Open	Before First Delegation
	<ul style="list-style-type: none"> <li>● SAC095</li> <li>● SAC097</li> <li>● SAC113</li> <li>● SAC114</li> </ul>	<ul style="list-style-type: none"> <li>● Yes</li> <li>● No</li> </ul>		(SAC046) <ul style="list-style-type: none"> <li>● Root expansion studies (SAC059)</li> <li>● Variant TLDs (SAC060)</li> <li>● Search List Processing (SAC064)</li> <li>● Emojis in Domain Names (SAC095)</li> <li>● Private-use TLDs (SAC113)</li> </ul>		

In general, as a next step, the Board may wish to consider these advice items during its deliberations on the Final Report outputs. The Board may also wish to consider the timing of any formal response to these advice items, as there may be time required for ICANN org to collect resources, prepare for implementation, and incorporate into existing SubPro work if such action is directed.

- **ALAC Advice on SubPro:**<sup>82</sup> This advice is currently in Phase 2 (Understanding) of the Board Advice process.<sup>83</sup> A small group of Board members met with a small group of ALAC members to discuss clarifying questions from the Board in October 2021. The ALAC provided a response in February 2022.<sup>84</sup> ICANN org notes that in its responses to the Board’s clarifying question regarding timing of an expected response, the ALAC stated:

“Thus, the ALAC intends for the Board to utilize this Advice in making its decision on the SubPro outputs – i.e., that it be taken into account while carrying out the ODP – and the ALAC would appreciate a response to its Advice at the Board’s earliest convenience thereafter.”

<sup>82</sup> See: [https://atlarge.icann.org/advice\\_statements/13823](https://atlarge.icann.org/advice_statements/13823).

<sup>83</sup> See: <https://features.icann.org/board-advice/alac>.

<sup>84</sup> See: <https://community.icann.org/display/alacpolicydev/At-Large+Workspace%3A+ALAC+Responses+to+ICANN+Board+Clarifying+Questions%3A+ALAC+Advice+on+Subsequent+Procedures>.

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The Board and the ALAC discussed the advice at ICANN75, where the Board noted to the ALAC that it is continuing to review the advice as well as ALAC’s responses to the Board’s clarifying questions. The Board also noted that the Board will take the ALAC’s advice into consideration as it considers the Final Report outputs.

- **ALAC Advice on DNS Abuse:**<sup>85</sup> This advice is currently in Phase 3 (Evaluate and Consider) in the context of the Board Advice process.<sup>86</sup> ICANN org sent its understanding of the advice to the ALAC, along with questions for clarification, and received a response from the ALAC. ICANN org notes that the advice states that “[t]he...recommendations speak to the insufficiency of the status quo, and stress that no new round will be approved without substantial changes in the area of DNS Abuse.”
- **SAC059: Response to the ICANN Board Regarding Interdisciplinary Studies:**<sup>87</sup> This advice is currently in Phase 3 (Evaluate and Consider) of the Board Advice process.<sup>88</sup> The SSAC states in its advice that “[t]he SSAC believes that the community would benefit from further inquiry into lingering issues related to expansion of the root zone as a consequence of the new gTLD program.” ICANN org notes that issues related to the expansion of the root zone have been/are being considered through other means, including Name Collision and DNSSEC rollover.<sup>89</sup>
- **SAC114: SSAC Comments on the GNSO New gTLD Subsequent Procedures Draft Final Report:**<sup>90</sup> This item is currently in Phase 2 (Understand) of the Board Advice process.<sup>91</sup> The Board had previously paused any action on this advice pending the completion of an Addendum<sup>92</sup> to the advice document. The SSAC published the Addendum in April 2022, in which ICANN org notes that it states:

Given our extensive discussion of subsequent rounds of gTLDs in SAC114, we acknowledge the suggested timing of Recommendation 1 is confusing. We would

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<sup>85</sup> See: [https://atlarge.icann.org/advice\\_statements/13747](https://atlarge.icann.org/advice_statements/13747).

<sup>86</sup> See: <https://features.icann.org/board-advice/alac>.

<sup>87</sup> See: <https://www.icann.org/en/system/files/files/sac-059-en.pdf>.

<sup>88</sup> See: <https://features.icann.org/board-advice/ssac>.

<sup>89</sup> Other reports on the expansion of the root zone include:

Scaling the Root Report on the Impact on the DNS Root System of Increasing the Size and Volatility of the Root Zone: <https://www.icann.org/en/system/files/files/root-scaling-study-report-31aug09-en.pdf>.

Summary of the Impact of Root Zone Scaling: <https://archive.icann.org/en/topics/new-gtlds/summary-of-impact-root-zone-scaling-06oct10-en.pdf>.

Impact on Root Server Operations and Provisioning Due to New gTLDs:

<http://newgtlds.icann.org/en/about/historical-documentation/root-scaling-27jun12-en.pdf>. Continuous Data Driven Analysis of Root Server System Stability Study Plan (Public Comment):

<https://www.icann.org/public-comments/cdar-study-plan-2015-12-02-en>.

<sup>90</sup> See: <https://www.icann.org/en/system/files/files/sac-114-en.pdf>.

<sup>91</sup> See: <https://features.icann.org/board-advice/ssac>.

<sup>92</sup> See: <https://www.icann.org/en/system/files/files/sac-114-addendum-en.pdf>.

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like to clarify that at this time, from a security perspective, we cannot advise that the ICANN community proceed with another round before pursuing such a fundamental review. To clear up one point of confusion raised, the SSAC is not concerned about adding even a single TLD to the root namespace. Our concerns relate to further rounds of gTLD expansion without a clear understanding of how such rounds of expansion impact on the stability and utility of the DNS.

And further:

However, in Recommendation 3 the SSAC states the dependency of completing the recommended study is “prior to launching the next round of new gTLDs.” The SSAC would like to clarify any perceived discrepancy between these two statements in SAC114. This recommendation could be addressed concurrently with other necessary work to plan for, support, and enable a program to introduce additional gTLDs to the root zone. The constraint that motivated the timing included in Recommendation 3 is that proceeding without documenting best practices, baseline contract provisions, and policies prior to the launch of the application window leads to transactions wherein applicants are committing to contracts without essential information.

The Board and ICANN org continue to review SAC114 and identify any potential clarifying questions. Should there be any questions, the Board will engage with the SSAC as appropriate.

## Dependencies related to Review Team Recommendations

ICANN org has reviewed recommendations from the Specific Review teams to identify potential dependencies. Additionally, ICANN org has identified when the implementation of such recommendations should occur in order for it to be accounted for at the appropriate stage prior to the launch of the next round. In most cases, the Board has already taken action on the recommendations (e.g., to formally accept the recommendation).<sup>93</sup> However, in some cases, the Board has not yet taken formal action. These recommendations and milestones, as well as needed actions, are illustrated in Table A4-2. Additionally, ICANN org has sought to account for the efforts of the Prioritization Framework Pilot<sup>94</sup> and has indicated where a recommendation may have been prioritized.

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<sup>93</sup> For items already considered by the Board, ICANN org will continue toward implementation of the items by the milestone noted in Table A4-2. Status of Review Team recommendations can be found at <https://www.icann.org/resources/reviews/specific-reviews>.

<sup>94</sup> See: <https://community.icann.org/display/projfinadhocws/ICANN+Planning+Prioritization+Framework+Project>.

Table A4-2.<sup>95</sup> Specific Review Recommendations Needing Board Action

Specific Review Team	SubPro-related Recommendations (includes recs that are adopted or pending but not passed through or rejected)	Board Taken Action? (Yes/No)	ICANN Org suggests action should be taken...			
			Before Board Approves Recommendations	Before Board Approves Applicant Guidebook	Before Applications Open	Before First Delegation
ATRT3	<ul style="list-style-type: none"> <li>● Rec 3.2*</li> </ul>	<ul style="list-style-type: none"> <li>● Yes</li> </ul>	n/a	n/a	<ul style="list-style-type: none"> <li>● Rec 3.2 (CCT Reviews, Data framework)</li> </ul>	n/a
CCT	<ul style="list-style-type: none"> <li>● Rec 11*</li> <li>● <b>Rec 14</b></li> <li>● <b>Rec 15</b></li> <li>● Rec 23*</li> <li>● Rec 30</li> <li>● Rec 31</li> </ul>	<ul style="list-style-type: none"> <li>● Yes</li> <li>● <b>No</b></li> <li>● <b>No</b></li> <li>● Yes</li> <li>● Yes</li> <li>● Yes</li> <li>● Yes</li> <li>● Yes</li> </ul>	n/a	<ul style="list-style-type: none"> <li>● Rec 30 (Global Outreach)</li> <li>● Rec 31 (Pro-bono program)</li> </ul>	<ul style="list-style-type: none"> <li>● Rec 11 (consumer surveys)</li> <li>● <b>Rec 14 (Financial incentives)</b></li> <li>● Rec 15 (DNS Abuse)</li> <li>● <b>Rec 23 (Survey, highly-regulated)</b></li> </ul>	n/a
RDS2	n/a	n/a	n/a	n/a	n/a	n/a
SSR2	<ul style="list-style-type: none"> <li>● <b>Rec 17.1</b></li> </ul>	<ul style="list-style-type: none"> <li>● <b>No</b></li> </ul>	n/a	<ul style="list-style-type: none"> <li>● <b>Rec 17.1 (Name Collision)</b></li> </ul>	n/a	n/a

Below, ICANN org has provided more detailed information regarding some of the recommendations where the Board has not yet taken action.

- **SSR2 Rec 17.1:** “ICANN org should create a framework to characterize the nature and frequency of name collisions and resulting concerns...”

The Board noted in its scorecard on the SSR2 Final Report that:

<sup>95</sup> Items in black text are those where the recommendation specifically states when the Board should take action on the advice and/or when it should be implemented (e.g., prior to the launch of the application submission period). Items in blue text are those where ICANN org has made an assumption based on the recommendation as to when the Board may need to take action on the advice and/or when it should be implemented. Items in red text are those where the Board has not yet taken action. An “\*” indicates that a recommendation has been prioritized via the Prioritization Framework.

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“Recommendation 17.1 has dependencies on the SSAC NCAP. The output of the NCAP studies will inform the Board’s decision on next steps. The Board noted such overlap in its comments on the SSR2 Review Team draft report, and encouraged the SSR2 Review Team to consider how its recommendations may be consolidated into or passed through to ongoing work.”

Accordingly, further progress on 17.1 depends upon the outcome of NCAP. Please see also the section on NCAP below.

- **CCT Recs 14 and 15:** These recommendations are addressed in the section below regarding DNS abuse.

## Relevant Community Work

ICANN org has identified some relevant community work, which the ICANN Board may wish to take into account during its deliberations on the Final Report outputs.

## DNS Abuse

ICANN org notes that the The ICANN community, via Advisory Committees and Specific Review Teams, has issued advice and recommendations regarding DNS abuse. Several of these advice items and recommendations call for action to be taken on DNS abuse by the Board prior to the launch of the next round of new gTLDs. For example, the At-Large Advisory Committee (ALAC) issued advice on DNS abuse, in which it stated:

*Community dialogue cannot delay or defer ICANN’s commitments or operations related to DNS Abuse. The above recommendations speak to the insufficiency of the status quo, and stress that no new round will be approved without substantial changes in the area of DNS abuse.*

The following advice items or recommendations contain such language noting a potential dependency with the start of the next round:

- ALAC Advice to the ICANN Board on [DNS Abuse](#)
- ALAC Advice to the ICANN Board on the Subsequent Procedures PDP Recommendations ([Advice Item 3](#))
- SSAC ([SAC114](#), Recommendation 3)
- [CCT](#) Recommendation 14 (“High Priority”)
- [CCT](#) Recommendation 15 (“Prerequisite”)



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The SubPro PDP WG noted in a letter<sup>96</sup> to the GNSO Council that it had considered such inputs but that, given the WG’s limited remit to affect only new gTLDs delegated in future rounds, the topic would be more appropriately addressed by a group that is able to develop policy for existing TLDs, as well as new gTLDs.

## Board Considerations

In light of such advice, the Board may wish to determine whether such advice or recommendations and any related action on DNS abuse creates a dependency for the next round. That is, what action does the Board need to take prior to the launch of the next round in order to allow for the round to proceed? The Board may also wish to consider at what point to take action on the relevant items, as this may require time for ICANN org to collect resources, prepare for implementation, and incorporate into existing SubPro work, if such action is directed.

## Name Collision Analysis Project (NCAP)

On 2 November 2017, the ICANN Board passed resolutions ([2017.11.02.29 – 2017.11.02.31](#)) requesting the ICANN Security and Stability Advisory Committee (SSAC) to:

- Conduct a study to present data, analysis, and points of view, and provide advice to the Board regarding the risks posed to users and end systems if .corp, .home, and .mail strings were to be delegated in the root, as well as possible courses of action that might mitigate the identified risks.
- Conduct a study to present data, analysis, and points of view, and provide advice to the Board on a range of questions regarding name collisions.

The community is currently working on the Name Collision Analysis Project Study Two (NCAP Study 2). This study was designed “to understand the root cause of most of the name collisions and to also understand the impact of any choice made regarding .corp, .home, and .mail.”<sup>97</sup> The NCAP Study group provided an update on NCAP Study 2 at [ICANN75](#) in preparation for public comments. This update provided a preview of framework changes that may be made to manage and mitigate name collisions. NCAP Study 2 is tentatively projected to produce an initial report for public comment by the end of the 2022 calendar year. A final report is tentatively scheduled to be published during the first quarter of calendar year 2023. NCAP Study 2, which was initiated through Board [resolutions 2021.03.25.11 – 2021.03.25.14](#), takes into consideration the findings and recommendation in NCAP Study 1 and is designed to better understand the root cause of name collisions, address questions provided by the Board in 2017 that were not

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<sup>96</sup> See: <https://gnso.icann.org/sites/default/files/file/field-file-attach/neuman-langdon-orr-to-drazek-27apr20-en.pdf>.

<sup>97</sup> See: <https://community.icann.org/display/NCAP/NCAP+Study+2>.

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answered in NCAP Study 1,<sup>98</sup> and provide high-level guidance to prevent name collisions. The Board questions that were not answered through the first NCAP study may be answered as part of NCAP Study 2, as well.

## Board Considerations

ICANN org notes that in the Final Report, the SubPro PDP WG affirmed the use of the existing name collision management framework, “unless the Board adopts a new management framework” (Affirmation 29.2). Regarding NCAP, the Board will need to consider recommendations coming from NCAP Study 2 or 3, as well as subsequent SSAC Advice and any potential effects on the existing framework. The Board may also need to consider, depending on the timing of any recommendations, when and how the recommendations should be incorporated into SubPro planning and work.

At the time of the writing of this document, the results of NCAP Study 2 are not known. However, based on information provided via updates at ICANN75,<sup>99</sup> ICANN org expects there could be recommendations from NCAP Study 2 that could have significant impact on the implementation of the next round, including the current Name Collision Occurrence Management Framework, which may need to be significantly revised or could be made obsolete altogether.

Indeed, based on information provided by the NCAP Study 2 Discussion Group at ICANN75, there is a potential for the Discussion Group to make recommendations for a multi-stage process that would include establishing a Technical Review Team, the collection of diagnostic measurements, and putting a potentially applied-for string through multiple assessments to determine the risk for name collisions. Such a process would require considerable work to implement and may require significant time to be allotted for testing prior to an applicant actually submitting an application.

Currently, NCAP Study 2 is expected to be completed by December 2022. Depending on the breadth and scope of any recommendations stemming from the NCAP studies, as well as any subsequent SSAC advice on the topic, the Board may need to take into account the time required to consider and implement the recommendations, as appropriate, and how this may affect the opening of the round and/or when this implementation should or could occur.

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<sup>98</sup> For NCAP Study 1 results, see: <https://community.icann.org/download/attachments/79437474/ncap-study-1-report-19jun20-en.pdf?version=1andmodificationDate=1607964281000andapi=v2>.

<sup>99</sup> See: <https://75.schedule.icann.org/meetings/WxsCLa9h4NapEaq6n>.

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## Expedited Policy Development Process (EPDP) on Internationalized Domain Names (IDNs)

In May 2021, the GNSO Council passed a resolution to begin an EPDP on IDNs. A majority of the questions found in the EPDP’s charter had been developed with the SubPro PDP WG’s recommendations in mind and tasked the EPDP with considering the implications of those recommendations on the New gTLD Program and other ICANN policies and processes.<sup>100</sup> Based on the charter, this EPDP should produce recommendations regarding “the definition of all gTLDs and the management of variant labels to facilitate the delegation of variant gTLDs in the root zone while achieving the security and usability goal of variant labels in a stable manner” and “how the IDN Implementation Guidelines, which Contracted Parties are required to comply with, should be updated in the future.”<sup>101</sup> Currently, ICANN org expects that Part 1 of the initial report will be published in April 2023.

### Board Considerations

The Board will need to consider any recommendations coming out of the IDN EPDP. ICANN org expects the recommendations from the IDN EPDP to directly impact SubPro, specifically the handling of IDN variants. These recommendations will be pivotal in the implementation of the next round, and the Board may wish to consider that any implementation work related to IDNs and variants will depend on these recommendations. As noted above, implementation activities for the next round depend on the recommendations expected from the IDN EPDP. Depending on when the recommendations are finalized and the Board is able to adopt them, this could create a timing dependency for the start of the next round and/or the start of implementation.

### PDP Review of All Rights Protection Mechanism Phase 1

On 24 November 2020, the PDP working group submitted its Phase 1 Final Report, which contains a total of 35 recommendations. On 16 January 2022, the ICANN Board voted to adopt all 35 final Phase 1 PDP recommendations. For nine recommendations affirming the status quo, the Board resolved to include them for future expansions of the new gTLDs and directed ICANN org to inform the community about the plans to implement them. For the four recommendations that call for specific changes to the Applicant Guidebook and/or the Base Registry Agreement and coordination with the expected Subsequent Procedures IRT, the Board directed ICANN org

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<sup>100</sup> For more information about the charter and questions, see:

<https://gns0.icann.org/sites/default/files/policy/2021/presentation/CharterGNSOIDNsEPDPWorkingGroup20May21.pdf>.

<sup>101</sup> See:

<https://gns0.icann.org/sites/default/files/policy/2021/presentation/CharterGNSOIDNsEPDPWorkingGroup20May21.pdf>, p. 2-3.

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to incorporate their implementation into the work on updates to the Applicant Guidebook for subsequent new gTLD rounds.

## Board Considerations

The Board has already taken action on the recommendations from Phase 1. ICANN org does not foresee any additional actions or decisions regarding these recommendations. As noted above, there are four recommendations that relate directly to SubPro, and which ICANN org will need to take into account when conducting implementation activities related to SubPro. Additionally, ICANN org will need to take into account those recommendations that maintain the status quo but will need to be applied to newly applied-for gTLDs. As the recommendations have already been adopted by the Board and the Board has provided direction to ICANN org, ICANN org does not expect there to be any additional timing implications for the opening of the next round. The recommendations can be taken into consideration via the course of SubPro implementation activities.

## PDPs on the Protection of IGO and INGO Identifiers in All gTLDs and IGO-INGO Access to Curative Rights

On 30 April 2014, the Board [adopted](#) a portion of the GNSO Councils unanimous recommendations from the [Final Report on the Protection of IGO and INGO Identifiers in All gTLDs](#). The unanimous recommendations approved by the Board do not conflict with the GAC's [Beijing Communiqué](#), [Durban Communiqué](#), or [Buenos Aires Communiqué](#) advice on IGO-INGO protections. The approved recommendations provide protections to IGO-INGO identifiers in all gTLDs for certain organizations, such as the Red Cross Red Crescent (RCRC), International Olympic Committee (IOC), other International Non-Governmental Organizations (INGO), and International Governmental Organizations (IGO) as defined in [Annex A](#) of the Board's resolution. As part of the same Board resolution, additional time was requested to consider the GNSO Council's remaining unanimous recommendations that differ from the GAC's advice, which were denoted in [Annex B](#) of the resolution. The Final Report on the Protection of IGO and INGO Identifiers in All gTLDs provided implementation principles, one of which states that:

For clarification purposes, second-level names matching a protected identifier that are also registered by a party other than the protected organization and bad faith use vis-à-vis the protected organization is suspected, the protected organization may have access to RPMs like the UDRP, pending a PDP to address how the IGO-INGO organizations may access RPMs.<sup>102</sup>

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<sup>102</sup> See: [https://gns0.icann.org/sites/default/files/filefield\\_42639/igo-ingo-final-10nov13-en.pdf](https://gns0.icann.org/sites/default/files/filefield_42639/igo-ingo-final-10nov13-en.pdf), p. 26.

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ICANN org also notes that on 23 January 2020, the GNSO Council approved an Addendum to the Review of All Rights Protection Mechanisms (RPM) Policy Development Process (PDP) Charter that created an IGO Work Track. The GNSO Council’s decision to create the IGO Work Track followed from its 18 April 2019 resolution to approve only the first four recommendations from the IGO-INGO Access to Curative Rights PDP, which had submitted its Final Report to the GNSO Council in July 2018. In August 2021, the GNSO Council made the procedural decision to continue the work of the IGO Work Track via an Expedited Policy Development Process. The EPDP Team published its Initial Report for Public Comment on 14 September 2021, and the Final Report and its five recommendations were delivered to the GNSO Council on 4 April 2022. The GNSO Council [adopted](#) the report on 15 June 2022 and [adopted](#) its report for the ICANN Board on 21 July 2022.

The Board may wish to consider these PDPs in the context of the SubPro Final Report Outputs, including [Topic 21: Reserved Names](#).

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## Appendix 5: Topic Analysis

This appendix provides a broad analysis of the topics discussed within this ODA and is meant as supplementary information on items that may not have been extensively covered in the main body of the report above. This section covers many major themes, including ICANN org’s assessment of the SubPro Final Report outputs, considerations for implementation, risks, providing additional clarification on issues related to the topic, and considerations for the Board, where applicable.

More information on questions about the [Scoping Document](#) or implementation of the Final Report outputs can be found in [Appendix 3: Policy Analysis](#). The policy analysis for topics discussed in other parts of the ODA have been linked in their respective sections.

ICANN org has also engaged with the GNSO Council on several topics to better understand the Council’s perspective of a policy. Please see [Appendix 18: Community Updates and Engagements](#) for a complete list of all policy-related exchanges between the GNSO Council and ICANN org.

### 5.1. Topic 1: Continuing Subsequent Procedures

ICANN org has reviewed this topic and does not note any additional concerns or issues. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

### 5.2. Topic 2: Predictability

See [Appendix 17: Predictability](#) for information on the Predictability Frameworks proposed criteria, process flow, roles and responsibilities, and mechanisms for reconciliation. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

### 5.3. Topic 3: Applications Assessed in Rounds

Affirmation with Modification 3.1<sup>103</sup> states that “Applications must be assessed in rounds” and

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<sup>103</sup> Affirmation with Modification 3.1: “The Working Group affirms Recommendation 13 from the 2007 policy, which states: ‘Applications must initially be assessed in rounds until the scale of demand is clear.’ However, the Working Group believes that the recommendation should be revised to simply read, ‘Applications must be assessed in rounds.’”

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Recommendation 3.2<sup>104</sup> calls for establishing criteria for subsequent rounds from the time of the start of the next application submission period. In reviewing these SubPro Final Report outputs, ICANN org considered that assessing applications in rounds and establishing criteria for starting subsequent rounds requires deliberation of what it means to close a round and possibly, the implications of simultaneous rounds for both applicants and ICANN org. Below is ICANN org’s considerations of these two aspects of implementing these SubPro Final Report outputs.

## Proposed Round Closure Scenarios

Below are several options by which ICANN org could consider a round “closed.” To be clear, in each of the options below, “closure” has a different definition. The bulk effort in each round is related to evaluation and contention resolution processes. Based on experiences in the 2012 round, these processes often led to the use of accountability or challenge mechanisms. While these tended to be the exception, in the cases where they were invoked, they required a considerable amount of ICANN org time and resources. If those are complete, the remaining elements of the New gTLD Program are largely related to contracting. These processes are not expected to change significantly.

The first option is the most straightforward, in terms of establishing when the round is complete, but is also the least likely. Options 2 and 3 offer a more flexible interpretation of “closure” but also have certain limitations and round timelines still apply with regard to contracting, etc.

1. All applications have been evaluated, contention sets are all resolved, applications eligible for contracting have either exceeded time allowed or have been contracted, and no accountability mechanisms or litigation are active. In effect, everything has been completed, so the round naturally is closed.
2. All applications have been evaluated, all contention sets are resolved, and no accountability mechanisms or litigation are active.
  - a. Application change requests are limited to certain organizational changes, such as financial condition and key individuals and ownership. No string changes would be allowed.
  - b. Contracting still occurs under applicable round rules up to the allowed time periods, but evaluation and challenges are all done.
3. All application evaluations are complete, no accountability mechanisms or litigation related to evaluations are active.
  - a. Private contention set resolution may still be pending.

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<sup>104</sup> Recommendation 3.2: “Upon the commencement of the next application submission period, there must be clarity around the timing and/or criteria for initiating subsequent procedures from that point forth. More specifically, prior to the commencement of the next application submission period, ICANN must publish either (a) the date in which the next subsequent round of new gTLDs will take place or (b) the specific set of criteria and/or events that must occur prior to the opening up of the next subsequent round.”



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- b. Auctions of last resort are still to be scheduled and will be conducted as needed.
  - c. Contracting would still occur for remaining applications that clear contention.

## Concurrent Round Scenarios

Depending on how closure is defined, it may be possible to concurrently process and support applicants from more than one round. Some of the suggested limitations are below. It would also be recommended that no more than two rounds be run concurrently. Otherwise, it would present a significant operational burden and risk spreading resources too thin. This risk is especially likely when the last few applications tend to be exception-based and often involve accountability mechanisms and/or litigation, as was the case in the previous round.

Potential scenarios for concurrent rounds are outlined below. Other permutations are possible and could be a combination of some of the scenarios. One of the key considerations will be to balance complexity and quality with potential benefits to applicants.

1. Current round applications have completed evaluations. This is not related to criteria or requirement changes, but rather to ensure that the current round has received appropriate priority for evaluation.
2. The next round will use the same Applicant Guidebook as the current round.
3. The form of the Registry Agreement remains the same in the next round.
4. Prioritization would need to be maintained across rounds in a first-in, first-out model. Applications from a prior round would have priority over current round applications.

Regarding Scoping Question 2.9.5, “procedures need to be in place to support transitions between rounds, where transitions represent the process of going from one round to another”, it is not currently possible to determine all activities that would need to be conducted between rounds. Changes between rounds are likely to be a combination of several factors: operational enhancements that ICANN org determines as a result of running each round; potential policy recommendations that may be made regarding the New gTLD Program; outcomes of the Predictability Framework; advice to the Board; and changes to relevant laws and regulations.

ICANN org will take note of such elements as each round is conducted. As ICANN org initiates the planning process for the following round, ICANN org will use these elements to determine required activities. Following the planning process, ICANN org would develop and make public the estimated level of effort, time, and cost required to operate the following round.

See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.



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## 5.4. Topic 4: Different TLD Types

Recommendation 4.1<sup>105</sup> calls for “differential treatment of certain applications” depending on application, string or applicant type. Recommendation 4.2<sup>106</sup> states that the creation of new application types “must only be done under exceptional circumstances.” ICANN org posed two questions to the GNSO Council regarding these SubPro Final Report outputs:

- Question on 4.1, 4.2, and 4.3: Can the Council provide clarity on what the recommended differences are relative to the 2012 round with respect to the types of TLDs mentioned in Recommendation 4.1?
- Question on 4.1, 4.2, and 4.3: Does the Council agree that the lists of application types and string types listed in 4.1 are not exhaustive and that some other applicant types already exist - wording in Rec 4.2 notwithstanding? Otherwise, for example, applicants requesting a Code of Conduct exemption might be grouped with Spec 13 applicants despite not being exactly the same; similarly, IDNs do not just differ in prioritization, such strings will require different technical reviews.

The [response](#) from the GSNO Council did not provide further guidance on the circumstances, timings, or process surrounding the creation of additional application or string types, or whether changes to any of the identified application, applicant, and string types are permitted during the application process or prior to signing the Registry Agreement. Based on this, ICANN org intends to identify and list any requirements pertaining to changes in the to-be-updated Applicant Guidebook for the next round of new gTLDs (subject to Board approval) or other New gTLD Program documentation, as required. Changes to the base Registry Agreement (RA) may also be required in the event that it is necessary to permit new types of applications (whether based on the SubPro Final Report Outputs or in the future, as required) or TLDs requiring new contractual provisions.

Additionally, ICANN org intends to develop a new application submission system that facilitates separate workflows for different applicant and application types, taking into account existing criteria for the prioritization and treatment of application types and categories. See also the [Systems and Tools section](#) for more information.

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<sup>105</sup> Recommendation 4.1: “The Working Group recommends differential treatment for certain applications based on either the application type, the string type, or the applicant type. Such differential treatment may apply in one or more of the following elements of the new gTLD Program: Applicant eligibility 20; Application evaluation process/requirements 21; Order of processing; String contention 22; Objections 23; Contractual provisions.”

<sup>106</sup> Recommendation 4.2: “Other than the types listed in Recommendation 4.1, creating additional application types must only be done under exceptional circumstances. Creating additional application types, string types, or applicant types must be done solely when differential treatment is warranted and is NOT intended to validate or invalidate any other differences in applications.”

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Interdependencies with several other topics have been identified, most notably Topic 2: Predictability Framework, which outlines the process to be followed when creating new applicant/string types. Other significant dependencies are noted in Topic 17: Applicant Support, Topic 19: Internationalized Domain Names (IDNs), which may overlap with and be supplemented by recommendations from the ongoing Internationalized Domain Name Expedited Policy Development Process (IDN EPDP), and Topic 34: Community Applications, as this application type may undergo Community Priority Evaluation and therefore require a separate set of application questions.

See also ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.5. Topic 5: Applicant Submission Limits

ICANN org has reviewed this topic and does not note any additional concerns or issues. See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.6. Topic 6: Registry Service Provider Pre-Evaluation

ICANN org identified the need to develop systems and processes to handle the new Registry Service Provider Pre-Evaluation process. See [Appendix 6: Business Process Design](#) for information on the Registry Service Provider Pre-Evaluation. See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.7. Topic 7: Metrics and Monitoring

ICANN org has reviewed this topic and does not note any additional concerns or issues. See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.8. Topic 8: Conflicts of Interest

The SubPro PDP WG outputs on this topic noted that ICANN org must develop a transparent process to ensure that dispute resolution service provider panelists, independent objectors, and application evaluators are free from conflicts of interest. This process must serve as a supplement to the existing Code of Conduct Guidelines for Panelists, Conflict of Interest Guidelines for Panelists, and ICANN Board Conflicts of Interest Policy.

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To safeguard against the potential for conflicts of interest in the 2012 application round, ICANN org established provisions to prevent real and apparent conflicts of interest and unethical behavior among dispute resolution service provider panelists, the Independent Objector, and application evaluators. However, the SubPro PDP WG stated that the provisions in the 2012 round were insufficient to effectively guard against conflicts of interest among dispute resolution service provider panelists, the independent objector, and application evaluators.

The GNSO Council's responses to an ODP question related to Recommendation 8.1 in the document "ODP Policy Questions and GNSO Answers" reaffirmed previous comments and gave clear direction:

Regarding expert panelist selection criteria and process, ICANN received comments citing the lack of transparency in the expert panelist selection process and in the experts' qualifications as they related to the dispute resolution proceedings. To provide greater transparency in the process in future rounds, ICANN could ask the [Dispute Resolution Service Providers] to provide more information on their selection processes before objections are filed.

Further, Work Track 3 of the SubPro PDP WG noted that the community perceived that the application of the objection process led to inconsistent results. In addition, in its review of reconsideration requests, Work Track 3 noted that requestors frequently believed that one or more panelists or the independent objector (as they sat for the 2012 Round) had a conflict of interest. Although Work Track 3 was unable to come to a definitive conclusion about the cause of these inconsistencies, its recommendations (which were contained in the SubPro Initial Report, Draft Final Report, and the Final Report) essentially mirrored some of the recommendations in the ICANN org PIRR, centering around providing more transparency in the process.

This recommendation requires that ICANN org develop a new process or processes to help ensure that dispute resolution service provider panelists, the independent objector, and application evaluators are free from conflicts of interest. In developing any new process, ICANN org will need to consider the existing Code of Conduct Guidelines for Panelists, Conflict of Interest Guidelines for Panelists, and ICANN Board Conflicts of Interest Policy. And as it relates to objection proceedings panelists, ICANN org will need to take account of the dispute resolution providers' conflict of interest identification processes. Any new processes will need to be detailed in the Applicant Guidebook and the relevant parties will be required to comply with the new process. The relevant entities will also be tasked with using the new process to ensure they are free from conflicts of interests when evaluating applications.

One challenge identified with the recommendation concerns applying a new conflict of interest process to dispute resolution service providers. This is because dispute resolution service

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providers, by virtue of the service they provide, maintain their own conflict of interest procedures to resolve challenges that may be raised by parties to a dispute under consideration.

See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.9. Topic 9: Registry Voluntary Commitments/Public Interest Commitments

Mandatory and voluntary Public Interest Commitments (PICs) stemmed from GAC concerns — as noted in the Toronto Communique published in October 2012 — about how commitments contained in new gTLD applications would be enforced by ICANN org. On 5 February 2013, ICANN org released a revised draft Registry Agreement that incorporated PICs for new gTLD applicants. The draft proposed some mandatory requirements but also allowed for the adoption of voluntary commitments by applicants. On 5 February 2014, the Board’s New gTLD Program Committee adopted Safeguard Advice from the GAC Beijing Communique<sup>107</sup> mandating that new registry operators to include four mandatory PICs in their registry agreements and additional mandatory PICs for regulated and highly regulated gTLD operators.<sup>108</sup>

PICs and RVCs were used during the 2012 round; however, there were concerns about enforcement. According to the [Competition, Consumer Trust, and Consumer Choice \(CCT\) Final Report](#), “the combination of a short timeframe to respond, and uncertainty about the specifics of enforcement may have deterred certain applicants from submitting PICs or impacted which PICs they elected to submit.”

### Considerations

Both ICANN org and the Board have noted concerns around scope and enforcement of PICs and RVCs,<sup>109</sup> through input provided on the Subsequent Procedures Initial Report as well as on the Draft Final Report. The concern is whether the language of the Bylaws, which was adopted after the launch of the 2012 round, might preclude ICANN from entering into future Registry Agreements (that materially differ in form from the 2012 round version currently in force) that include PICs and RVCs that reach outside of ICANN’s technical mission as stated in the Bylaws. The language of the Bylaws specifically limits ICANN’s negotiating and contracting power to PICs that are “in service of its Mission.” The Board may wish to consider how and whether it can accept the recommendations related to PICs and RVCs. One option may be to

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<sup>107</sup> See: <https://gac.icann.org/contentMigrated/icann46-beijing-communicue>.

<sup>108</sup> See: <https://newgtlds.icann.org/en/applicants/gac-advice/cat1-safeguards>.

<sup>109</sup> See: <https://www.icann.org/en/system/files/correspondence/botterman-to-langdon-orr-neuman-30sep20-en.pdf>; See also: <https://www.icann.org/en/system/files/correspondence/swinehart-to-langdon-orr-neuman-30sep20-en.pdf>.

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amend the Bylaws with a narrowly tailored amendment to ensure that there are no ambiguities around ICANN's ability to agree to and enforce PICs and RVCs as envisioned in the Final Report.

Should the Board decide to pursue an alternative path to adopting the recommendations, this could have timing implications for the launch of the next round, depending on the type of action the Board chooses to pursue.

Please note that ICANN org has sent the GNSO Council questions related to the topic of PICs and RVCs. See those questions and answers [here](#). See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the Outputs.

## 5.10. Topic 10: Applicant Freedom of Expression

The Final Report recommends that ICANN org proactively consider applicant freedom of expression rights in the New gTLD Program application round, in line with the broader human rights-related recommendations of Cross-Community Working Group-Accountability Work Stream 2. Work on this topic is anticipated to be based on existing processes. However, scoping the additional steps required to revise or replace existing application procedures and guidance materials, including the Applicant Guidebook, will likely be time-consuming, requiring coordination with other departments and human-rights focused community working groups. Possible overlap with related organizational initiatives should be considered, including a potential alignment of related work streams within other internal teams and functions to combine knowledge of the relevant issues and processes.

While this topic brings only minor operational risks, there is an inherent risk of reputational damage to ICANN org arising from potential legal-related challenges by an applicant alleging a violation of their freedom of expression rights.

See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the Outputs.

## 5.11. Topic 11: Universal Acceptance (UA)

ICANN org intends to ensure that the main gTLD Application System as well as the email, ticketing, and other ancillary systems are UA-ready before the next round opens. UA is dependent on tool and application developers updating their systems to support all domain names and email addresses.

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See discussion of this topic in [Overarching Considerations](#). See also ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.12. Topic 12: Applicant Guidebook

The Applicant Guidebook for subsequent rounds will be an updated version of the 2012 Applicant Guidebook. The updated Applicant Guidebook will incorporate the Board-approved Final Report outputs and, if applicable, lessons learned from the 2012 round, as documented in the [Program Implementation Review Report](#).

Updating the Applicant Guidebook will be the main focus of the policy implementation process. The process will be led by ICANN org and, as per the [Consensus Policy Implementation Framework](#) (CPIF), an IRT, which “will serve as a resource to implementation staff on policy and technical questions that arise.” The work to incorporate more than 300 outputs into an updated Applicant Guidebook will likely be complex and time-consuming. The completion of this work will require significant volunteer engagement and a significant amount of ICANN org resources. ICANN org anticipates that this aspect of the implementation work will be absorbed by existing staff.

The Final Report (see Affirmation 12.1) affirms that the Applicant Guidebook will be available in all six U.N. languages, as was the case during the 2012 round. The updated Applicant Guidebook will first be drafted in English, because that is ICANN org's working language. To minimize the time needed for translations, ICANN org proposes working with Language Services to translate the draft Applicant Guidebook section by section. ICANN org would submit a section to Language Services for translation once ICANN org and the IRT agree that the section is sufficiently updated. The English language version of the Applicant Guidebook will be the authoritative version.

See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.13. Topic 13: Communications

ICANN's Global Communications team proposes to develop a robust and comprehensive global communications strategy. That strategy is a critical underpinning of the work that will support outreach, engagement, capacity development, and responsiveness efforts undertaken by other ICANN org functions and programs.

See [Overarching Considerations](#) for ICANN org's discussion of communications. See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the Outputs.



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## 5.14. Topic 14: Systems

ICANN org's Engineering and Information Technology (E&IT) team assessed the needs for systems and tools to support a continuously managed or multi-round gTLD application process. This undertaking involved relearning everything about the New gTLD Program from the ground-up.

See [Systems and Tools](#) for ICANN org's discussion of systems and tools. See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.15. Topic 15: Application Fees

ICANN org has conducted an assessment regarding estimated New gTLD Program costs for progressing the implementation of the SubPro Final Report outputs, the implementation and development of the New gTLD Program to launch, the evaluation of applications, and the delegation of new strings to the root zone. ICANN org conducted an analysis of New gTLD Program costs necessary for operational readiness. This analysis takes into account ICANN org's analysis on [Systems and Tools](#), [Resources and Staffing](#), and [Vendors and Third Parties](#). This analysis also takes into account general risks and timeline (see [Risks](#) and [Timeline](#) for more information).

See [Finance](#) as well as the [Appendix 6: Business Process Design](#) for ICANN org's discussion of application fees. See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.16. Topic 16: Application Submission Period

ICANN org has reviewed this topic and does not note any additional concerns or issues. See [Appendix 6: Business Process Design](#) for ICANN org's discussion of the application submission period. See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.17. Topic 17: Applicant Support

The Applicant Support Program<sup>110</sup> (ASP) was developed for the 2012 round of the New gTLD

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<sup>110</sup> At its 24 August 2022 meeting, the GNSO Council decided to initiate a GNSO Guidance Process (GGP) to provide additional guidance on the Applicant Support work anticipated in the Final Report. Therefore, ICANN org expects there will be additional guidance in relation to the Final Report outputs on

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Program with the goal of providing financial and non-financial assistance to gTLD applicants requiring support that intend to use a gTLD to provide a public interest benefit.

See [Appendix 16: Applicant Support Program](#) for additional information on the timing of the program, cost of running the program, types of financial support offered, and other operational details. See the [Appendix 6.1.4.2: Applicant Support Program](#) (within the Business Process Design) for additional information on how the Applicant Support Program will work within the application process. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.18. Topic 18: Terms and Conditions

In the 2012 round of the Program, before an applicant submitted its application for a proposed new gTLD in the TLD Application System (TAS), the applicant agreed to a set of Terms and Conditions. The Terms and Conditions were included in Module 6 of the Applicant Guidebook. The Final Report Outputs call for certain revisions to the language in the Program’s Terms and Conditions. First, Recommendation 18.1 states that, “[u]nless required by specific laws, ICANN Board members’ fiduciary duties, or the ICANN Bylaws, ICANN must only reject an application if done so in accordance with the provisions of the Applicant Guidebook. In the event an application is rejected, ICANN org must cite with specificity the reason in accordance with the Applicant Guidebook, or if applicable, the specific law and/or ICANN Bylaws for not allowing an application to proceed.”

Second, the Outputs recommend that the Terms and Conditions “must only contain a covenant not to sue if, and only if, the appeals/challenge mechanisms set forth under Topic 32 of this report are introduced into the program (in addition to the accountability mechanisms set forth in the current ICANN Bylaws).” (Recommendation 18.3)

The Board raised concerns about these recommendations in its comments on the draft Final Report. Specifically, the Board noted its concern that Recommendation 18.1 may limit the Board’s authority to act as needed and in unanticipated circumstances. The Board also raised concerns that Recommendation 18.3 could open the door for dissatisfied applicants or objectors to argue that the covenant not to sue is not valid because they did not like the way the appeals/challenge mechanism was built or operated. The Board asked the PDP Working Group to review this recommendation, as anything that could weaken the covenant not to sue might preclude the ability to offer the program due to an unreasonable risk of lawsuits. Recommendations 18.1 and 18.3 remain unchanged in the Final Report.

From an operational perspective, ICANN org has found that it would be feasible to incorporate a new version of the Term and Conditions into an online application system to be developed for

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this topic. This section describes the organization’s approach to the Applicant Support Program based upon the Final Report outputs and policy analysis.

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the Program. The Board, however, may continue to have the same concerns it expressed in its comment on the draft Final Report given that the policy recommendations in the Final Report remain unchanged.

As a result, ICANN org recommends that the Board consider this during its deliberations on the Final Report.

See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.19. Topic 19: Application Queuing

ICANN org has reviewed this topic and does not note any additional concerns or issues. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.20. Topic 20: Application Change Requests

Recommendation 20.8 has prompted discussion about whether applicants can add one descriptive word or more to string requests. For example, in a contention set about the top-level domain .delta, a change to .deltafaucets would be acceptable, but .delta-kitchen-faucets would not. The GNSO Council has [noted](#) that it does not believe that Recommendation 20.8 was intended to be limited to “one word” per se. For example, if the descriptive term is “lawn mowers,” and the addition of that term (comprised of two words) as .deltalawnmowers, or .delta-lawn-mowers resolves an objection or contention set (and meets (c), (d) and (e) in Recommendation 20.8), then that would be in line with the intent of the recommendation.

The SubPro PDP WG recommends allowing .brand TLDs to change the applied-for string as a result of a contention set where (a) the change adds a descriptive word to the string, (b) the descriptive word is in the description of goods and services of the Trademark Registration, (c) such a change does not create a new contention set or expand an existing contention set, (d) the change triggers a new operational comment period and opportunity for objection and, (e) the new string complies with all New gTLD Program requirements. When the .brand applicant changes the applied-for string, the new string will also be considered a .brand.

In addition, in order to implement this recommendation, applications seeking to change their applied-for string will need to be evaluated for eligibility as a .brand before the string change request can be accepted. This may occur by ICANN org specifically evaluating those individual applications during Initial Evaluation or by evaluating all applicants that elect to be .brands during Initial Evaluation.

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The descriptive word will have to be in the language and script of the relevant trademark registration. For example, if a company had its trademark registered only in Germany, .deltawasserhahn would be acceptable, whereas .delta-faucet would not be. Similarly, if Delta had a trademark registration in German and English, then both those examples would be acceptable.

## Considerations

The SubPro Final Report (Rec 20.6) “recommends allowing application changes to support the settling of contention sets through business combinations or other forms of joint ventures.” Recommendation 20.6 recognizes that, along with these application changes, ICANN org may require re-evaluation to ensure the updated application still meets program requirements. In addition, the output indicates that the applicant is “responsible for all additional, material costs incurred by ICANN due to re-evaluation...” Recommendation 20.8 permits “.brand TLDs to change the applied-for string as a result of a contention set” under certain conditions.<sup>111</sup>

String contention presented significant risks in the 2012 round, in terms of delays for individual applicants due to problems with an application within a contention set that had to be resolved before any applications in the contention set could advance. The 2012 round also presented unpredictability for applicants, accountability invocations, and legal challenges for ICANN org<sup>112</sup>. As such, ICANN org proposes expanding upon Recommendations 20.6 and 20.8 to permit all applicants in contention the option to submit a change request for a different string with the aim of getting out of contention.

The overall goal of this proposed change is to reduce contention sets in a manner that is consistent with the intent of the outputs and that does not disrupt the entire program. Following the identification and publication of contention sets, ICANN org proposes that applicants in contention be given 30 days to submit a string change request, if they so choose. ICANN org would not implement contention set changes until all change requests were received and/or a 30-day period has elapsed. If applicants in contention decide not to submit a string change request, they will proceed to contention resolution. In keeping with the conditions outlined for .brand TLDs in Final Report Recommendation 20.8<sup>113</sup> the string change request needs to: a) not create a new contention set or expand an existing contention set; b) trigger a new operational comment period and opportunity for objection; and c) comply with all New gTLD Program

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<sup>111</sup> “(a) the change adds descriptive word to the string, (b) the descriptive word is in the description of goods and services of the Trademark Registration, (c) such a change does not create a new contention set or expand an existing contention set, (d) the change triggers a new operational comment period and opportunity for objection and, (e) the new string complies with all New gTLD Program requirements.” SubPro Final Report. P. 92.

<sup>112</sup> Program Implementation Review Report. <https://www.icann.org/en/system/files/files/program-review-29jan16-en.pdf>

<sup>113</sup> Ibid.

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requirements. Any change request may be subject to re-evaluation, per Recommendation 20.6. In the event that the string change request creates a new, secondary contention set, the applicant's string will revert back to the original applied-for string, and they will proceed with the rules and procedures for managing contention sets. ICANN org recognizes this proposal has a number of complexities that need to be carefully considered and managed during implementation to avoid unintended results.

See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.21. Topic 21: Reserved Names

The SubPro PDP WG outputs, as noted in the Final Report, reinforce 2007 policy about reserved names, and affirm many of the processes implemented during the 2012 round.

Some issues related to reserved names will need to be addressed during implementation and will require additional resources. These include: SAC113 and Private-Use Reservation, a process for removing names from the Reserved Names list, anticipated changes to the Registry Agreement, and the outputs from the IDN EPDP about reserved names. Work is ongoing regarding these issues, and efforts will not conclude prior to the publication of the ODA. ICANN org will continue to track updates and communicate them with the community when relevant.

In support of the 2007 Policy Development Process (PDP) on the Introduction of New Generic Top-Level Domains, the GNSO Council created the Reserved Names Working Group (RN-WG), a sub-group tasked with developing recommendations regarding the role and treatment of reserved domain names at the first and second levels within new gTLDs. The RN-WG worked to develop a set of reserved names definitions that would apply at the top-level regarding gTLD string restrictions, at the second-level as contractual conditions, and at the third-level as contractual conditions, where applicable.

The RN-WG reviewed, considered, and integrated recommendations found in the GAC Principles Regarding New gTLDs and the IDN-WG Final Report, eventually developing a set of recommendations, available in the group's final report, published in May 2007. This report was reviewed, and the recommendations were updated in the same year during ICANN29, affecting recommendations related to IDNs. These final recommendations were integrated into the PDP on the Introduction of New Generic Top-Level Domains, where they can be found in the Final Report under Term of Reference - Selection Criteria, section 4, regarding Recommendation 5. Recommendation 5 states very simply that: "Strings must not be a Reserved Word."

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## Considerations

Below is ICANN org's analysis of SAC113 and private-use reservation, and removing names from the reserved names list as they relate to reserved names. See Table A5-6 for information regarding Registry Agreement changes related to reserved names.

### SAC113 and Private-Use Reservation

On 18 September 2020, the SSAC issued SAC113, an advisory regarding private-use TLDs. SAC113 recommends the ICANN Board “ensure a string is identified using the criteria specified in Section 4.1 [of SAC113] and reserved at the top level for private use. This particular string must never be delegated.” The advisory states that the chosen label can serve as the TLD “of a privately resolvable namespace that will not collide with the resolution of names delegated from the root zone.” This SSAC advice is being handled through the Board Action Request Register (ARR) process.

The ICANN org Liaison Report, produced by Harald Alvestrand to the Internet Architecture Board (IAB), stated in their February 2022 meeting:

ICANN staff has recommended to the Board that the Board accept this recommendation, and has outlined a proposed process for achieving this delegation; this involves reaching out to the IETF/IAB, but significantly does not ask the IAB to propose or approve of the choice of the string chosen; ICANN staff suggests that the ICANN Board be the one to decide whether to accept the string or not.

The Board took action on this advice item at ICANN75, and it will continue to be discussed among ICANN org, the ICANN community, and the ICANN Board. The chosen string will be subject to at least two public comment periods. Depending on the results of the public comment period, the selection and implementation of a string may be delayed, which can further delay the execution of the next round of new gTLDs.

The Board's action on SAC113 will set the direction for what impact this work has on reserved names for future rounds. If the identification and reservation of such a string is undertaken, in keeping with recommendations for transparency and predictability, such a reservation should occur before applications are accepted. Issues may arise if this action of excluding the string is not completed before the launch of the next round because including the additional string for private networks will need to take existing strings into consideration as well as applications.

### Removing Names from the Reserved Names List

An additional issue that must be addressed during implementation is how to remove names from the Reserved Names list, a process for which there are no guidelines. ICANN org, in

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consultation with the IRT, will develop a transparent and repeatable process and provide enforceable criteria that will assist with producing guidelines around how to remove names from the reserved names list.

## Geographic Names at the Top Level

Work Track 5 on Geographic Names at the Top-Level produced a Final Report that was included as Annex J – Work Track 5 Final Report on Geographic Names at the Top Level.

The Work Track considered different rationales for moving away from the 2012 implementation, and many proposals for changes to the 2012 rules. After extensive discussion, the Work Track was unable to agree on recommendations that depart from the 2012 implementation, which it has considered the baseline throughout deliberations. Therefore, it recommended updating the GNSO policy to be consistent with the 2012 Applicant Guidebook and largely maintaining the Applicant Guidebook provisions for subsequent procedures, thus bringing GNSO policy in line with implementation.

See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs. ICANN org also notes relevant community work related to reserved names in the context of the PDPs on Rights Protection Mechanisms and IGO/INGO names. These PDPs are discussed in the [Appendix 4: Dependencies](#).

## 5.22. Topic 22: Registrant Protections

Few changes are needed to existing Registrant Protections as the SubPro PDP WG affirmed most of the provisions relating to Registrant Protections from the last round. However, the SubPro PDP WG did propose an alternative to the Continued Operations Instrument (COI), a method of funding used in the case of an Emergency Back-End Registry Operator (EBERO) Event. In Recommendation 22.5, the SubPro PDP WG supported finding a “more effective and efficient way to fund emergency back-end registry operators in the event of a TLD failure [other than requiring COIs]”. Doing so will require exploring a number of options, consulting with the IRT and potentially third-party experts, and represents a moderately difficult level of implementation.<sup>114</sup>

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<sup>114</sup> Other dependencies that may impact the implementation or operation of this topic’s outputs are:

- Topic 27: Applicant Reviews: Technical and Operational, Financial and Registry Services includes recommendations to maintain the substantive Technical and Operational Evaluation. Protections against registry failure, including registry continuity, registry transition, and failover testing continue to be important registrant protections.
- The Working Group notes the work of the second Security, Stability, and Resiliency Review (SSR2) in relation to the EBERO process.

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Aligning with Recommendation 7.1.a in the PIRR, one option would be to change the COI during future rounds, creating a ‘reserve fund’ or ‘insurance policy’ that ICANN org can use to cover the cost of executing an EBERO event, all operating costs for maintaining a TLD in the restricted operating state, and the costs to exit an EBERO event. Note that there would be one-time starting costs associated with this, although it would lower costs annually (no material ongoing administration costs). Implementation would be internal, with vendor-supported expertise in risk cost assessment.

See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.23. Topic 23: Closed Generics

The SubPro PDP WG did not reach consensus on policy recommendations for closed generic strings. The GAC, however, has since reiterated in its [Public Comment on Subsequent Rounds for New gTLDs Draft Final Report](#), [ICANN73 Virtual Community Forum Communiqué](#), [ICANN74 Policy Forum Communiqué](#), and [ICANN75 Kuala Lumpur Communiqué](#) its advice from the [Beijing Communiqué](#) regarding Closed Generics.<sup>115</sup> The GNSO Council stated [7 March 2013](#): “it was the view within the GNSO that it should not be the responsibility of ICANN to restrict the use of gTLDs in any manner, but instead to let new gTLD applicants propose various models; open or closed, generic or not.” The GAC issued Advice on 4 April 2013 that “for strings representing generic terms, exclusive registry access should serve a public interest goal.” The 2015 [Board resolution](#) that addressed the issue of Closed Generics was applicable only to the 2012 round, with the understanding that the GNSO would develop policy on the issue prior to the start of subsequent rounds of new gTLDs.

Because the SubPro PDP WG has not reached consensus on the issue of Closed Generics, there is currently no output that the Board can consider. Therefore, the Board reached out to the GNSO Council and the GAC in March 2022, inviting “the GNSO Council and the GAC to explore a mutually agreeable way forward [...] to identify and handle Closed Generic applications for the immediate next round of new gTLDs. [...] the proposal would then be considered through the appropriate GNSO policy development process that includes the wider community.”<sup>116</sup> Both the GAC and the GNSO Council agreed to pursue next steps for a facilitated dialogue in April 2022.<sup>117</sup>

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<sup>115</sup> As noted in the Final Report, a closed generic is “a TLD representing a string that is a generic name or term under which domains are registered and usable exclusively by the Registry Operator or its affiliates.” This topic is one area of work where the working group did not reach consensus recommendations.

<sup>116</sup> See: <https://www.icann.org/en/blogs/details/supporting-icann-community-progress-the-issue-of-closed-generics-19-04-2022-en>.

<sup>117</sup> See GAC Response:

<https://gac.icann.org/advice/correspondence/outgoing/GAC%20Response%20to%20ICANN%20Org%20Framing%20Paper%20on%20the%20Board->

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As of November 2022, a Board-facilitated dialogue between a small group of individuals selected by the GNSO, GAC, and ALAC is planned for January 2023 in an effort to find a mutually acceptable path forward on the topic of Close Generics. Should the dialogue result in an agreed-upon framework, the next step would be for the GNSO Council to move the framework through an appropriate policy development process. The PDP would result in approved recommendations that the Board could consider and, if appropriate, adopt in accordance with the Bylaws.

## Considerations

The nature and timing of the Board's final action on the topic depends on the outcome of the facilitated dialogue and the results of any additional GNSO policy work. Should the dialogue not result in a mutually agreed-upon framework, it may be presumed that the Board will need to decide on what the most appropriate action is, within the Bylaws-defined roles and respective remits of the Board, GAC, and GNSO Council.

Finally, the outcome(s), if any, will need to be factored into SubPro planning, design, and implementation. Should the outcome include recommendations to allow Closed Generics, this could have an effect on the timing of the next round launch, as ICANN org will need to ensure that these recommendations are accounted for, and any implementation work can be completed prior to launch.

See ICANN org's analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

## 5.24. Topic 24: String Similarity Evaluations

The IDN EPDP<sup>118</sup> is currently determining the scope of work for the String Similarity Review as it relates to IDN variant TLDs. An increase in the scope of work, time, and funding for the String Similarity Review may be needed as more IDN variant TLDs, along with singular/plural strings, are considered. An impact assessment may also be useful in preventing unforeseen delays for future string similarity reviews.

The String Similarity Review process would need to be enhanced to include contention resolution and incorporate IDN variant TLDs. The IDN EPDP would need to conclude its

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[Facilitated%20Process%20for%20a%20GAC%20and%20GNSO%20Council%20Dialogue%20on%20Closed%20Generics.pdf](#).

See GNSO Council Response:

<https://gns0.icann.org/sites/default/files/policy/2022/correspondence/fouquart-to-botterman-27apr22-closed-generics.pdf>.

<sup>118</sup> See: <https://gns0.icann.org/en/group-activities/active/idn-epdp>.

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recommendations to determine the scope of comparisons for String Similarity Review due to IDN variant TLDs. Determining visual similarity is not a straightforward process and could create issues, as various community members or applicants may have differing interpretations. To mitigate the challenge, clear guidelines need to be developed for this purpose and agreed upon by the community. The base Registry Agreement may need to be amended to include PICs/RVCs for a different intended use for a string that may include singular/plural forms. A medium amount of funding would be needed and may increase as the scope of string similarity expands due to the use of IDN-variant TLDs, as well as singular and/or plural strings.

As noted in the Business Process Design, ICANN org has not yet developed a process for string similarity evaluations. ICANN org has not proceeded with developing a process due, in part, to conflict between Recommendation 24.3 of the Final Report and guidance provided by the SSAC. Recommendation 24.3 states:

Updating the standards of both (a) confusing similarity to an existing top-level domain or a Reserved Name, and (b) similarity for purposes of determining string contention, to address singular and plural versions of the same word, noting that this was an area where there was insufficient clarity in the 2012 round. Specifically, the Working Group recommends prohibiting plurals and singulars of the same word within the same language/script in order to reduce the risk of consumer confusion... The Working Group recommends using a dictionary to determine the singular and plural version of the string for the specific language. The Working Group recognizes that singulars and plurals may not visually resemble each other in multiple languages and scripts globally. Nonetheless, if by using a dictionary, two strings are determined to be the singular or plural of each other, and their intended use is substantially similar, then both should not be eligible for delegation.

SSAC, however, commented in response to Recommendation 24.3 in SAC103 and reaffirmed its position in SAC114, that “trying to determine confusability based on the meaning of words rather than the visual similarity of strings is fundamentally misguided. Domain names are not semantically words in any language, notwithstanding the obvious expectation that they will be recognized as such and that it drives applicants’ interest in specific new gTLD strings.”<sup>119</sup>

ICANN org notes that process development for string similarity evaluations impacts Topic 9: Registry Voluntary Commitments/Public Interest Commitments, and Recommendation 19.4, which states:

any processes put into place for application queuing should be clear, predictable, finalized and published in the Applicant Guidebook. The recommendation to establish processes in advance is consistent with Recommendation 1.2.a in the Program

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<sup>119</sup> See: <https://www.icann.org/en/system/files/files/sac-114-en.pdf>, p. 23-24.



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Implementation Review Report, which states: “Assign priority numbers to applications prior to commencement of application processing.”

The potential conflict is that intended use is reviewed during application processing. Therefore, the interaction among these outputs may result in the publication of contention sets that may be invalidated, once the intended use is reviewed. In an extreme case, where two applications are in such a set and have significantly different priority numbers, resolving the contention set may take an extended period.

## Considerations

ICANN org notes that the scope of the String Similarity Review is also dependent on IDN EPDP WG discussion, so it cannot proceed until the WG concludes its recommendation.

The Board may also consider the enforcement of commitments made by applicants in cases where two strings are singular/plural but are allowed to proceed based on different use (e.g., spring versus springs), as it is currently unclear. How applicant commitments will be enforced at the second level is still being determined. Additionally, potential registrants may not know such commitments exist and it may be outside of ICANN org’s remit to review a website’s content to determine the domain name’s use. External panels are needed to conduct the String Similarity Review, singular/plural review, and also review PICs and RVCs to resolve contention due to singular/plural iterations.

See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.25. Topic 25: Internationalized Domain Names (IDNs)

There are dependencies on the implementation of IDN-related Final Report outputs. Multiple policy questions around IDN-variant TLDs have been identified and are being addressed through the IDN EPDP. These will need to be addressed before IDN-variant TLD policies from the Final Report can be implemented. Currently, ICANN org expects that Part 1 of the initial report will be published in June 2023.

The DNS Stability Panel will do a final evaluation and address any challenges to the calculation of Root Zone Label Generation Rules (RZ-LGR). Tools to evaluate a string against RZ-LGR and identify its IDN-variant gTLDs will be part of the application software. Additionally, the Registry Agreement will need to be updated to manage IDN-variant TLDs and any additional requirements for second-level domains, which is to be determined by the IDN EPDP. ICANN org recognizes that IDN-variant TLDs will be hard to implement as these are being introduced and may have unanticipated and multifaceted impacts on policy implementation.

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See [Dependencies](#) for more information. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.26. Topic 26: Security and Stability

As noted in [Security and Stability](#), the Internet Assigned Numbers Authority (IANA) function has identified potential approaches to address aspects of unforeseen DNS instability. IANA may consider using a business process similar to the 2012 round of metering the rate of change to the root zone to provide a predictability structure, as approved TLDs are added to the root zone. As noted in Recommendation 26.2<sup>120</sup>, a conservative approach to expanding the root zone would ease the burden of addressing any unforeseen DNS stability issues. ICANN org recognizes the importance of conservatism and capping the rate of growth in the root zone system.

The ICANN Board may wish to consider the rate of growth and its impact on the IANA function. One of the concerns pointed out in ICANN org’s Office of the Chief Technology Officer (OCTO) February 2021 paper, [Recommendations for Early Warning for Root Zone Scaling](#), was that many more TLDs being added to the root zone could hamper the IANA function’s ability to maintain day-to-day changes, such as Name Server and Delegation Signer resource record changes, in an efficient, secure, and stable manner. The Board should continue to practice conservatism in the delegation of new gTLDs to the root zone system and to limit the growth of the root zone to approximately five percent per month, as noted in Implementation Guidance 26.4<sup>121</sup>, which is different from the 2012 round’s focus on the absolute magnitude of change to the root zone (i.e., 1,000 TLDs per year, as noted in the Applicant Guidebook<sup>122</sup>). As pointed out in the OCTO paper, no reliable measurements have been found that could be used for an early warning system. However, the OCTO paper does recommend periodic direct discussions with the groups that could be affected by root zone scaling issues.

### Root Scaling and Early Warning System

The Security and Stability Advisory Committee (SSAC) provided recommendations regarding root scaling in [SAC100](#). The inputs recommend that ICANN org “continue developing the

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<sup>120</sup> Recommendation 26.2: “ICANN must honor and review the principle of conservatism when adding new gTLDs to the root zone.”

<sup>121</sup> Implementation Guidance 26.4: “The number of TLDs delegated in the root zone should not increase by more than approximately 5 percent per month, with the understanding that there may be minor variations from time-to-time.”

<sup>122</sup> See: <https://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf> (p. 1-10); See also: <https://archive.icann.org/en/topics/new-gtlds/delegation-rate-scenarios-new-gtlds-06oct10-en.pdf>.

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monitoring and early warning capability with respect to root zone scaling<sup>123</sup> and emphasize the need to focus on an early warning system over a threshold prediction. The SSAC stated that ICANN org “structure its obligations to new gTLD registries so that it can delay their addition to the root zone in case of DNS service instabilities.” The SubPro PDP WG used this language about structuring obligations, along with the RSSAC's language mentioned below, almost verbatim in Implementation Guidance 26.5.

The Root Server System Advisory Committee (RSSAC) issued recommendations on root scaling in [RSSAC031](#). The RSSAC notes that “it will continue to be important to limit the rate of addition of new gTLDs<sup>124</sup> and advocates for ICANN org to: “in consultation with the community, coordinate further efforts among the root zone management partners and the root server operators to develop an early warning system for the Root Server System as an aggregate, in order to ensure we have the ability to detect issues as early as possible.”<sup>125</sup>

RSSAC031 also suggests options for mitigating potential root server system issues. One suggestion includes having Root Server Operators (RSOs) and Root Zone Management partners “leverage existing relationships and communication channels to notify ICANN in the event of stress on the root name service.”<sup>126</sup> Like SAC100, RSSAC031 also suggests ICANN org “structure its obligations to new gTLD registries so that it can delay their addition to the root zone in case of root name service instabilities or remove a recently delegated TLD that is shown to be the cause of problems.”<sup>127</sup>

In 2019, at ICANN66, ICANN org requested proposals from the technical community to identify measurements that could be used in an early warning system to detect root zone scaling issues, but the results were unyielding.<sup>128</sup> This was reflected in OCTO's February 2021 paper that focused on “the rate of scaling the root zone, not determining a maximum size for that zone”<sup>129</sup> and provided context for an attempt at creating an early warning system.

One suggestion was for RSOs to report any perceived scaling issues because there “are apparently no measurements, whether made externally or reported by the RSOs themselves, that would reliably indicate issues with root scaling that a third party could detect.”<sup>130</sup> OCTO also explained their concerns with this method if it were to be adopted. OCTO pointed out that this method “focuses on problems seen in individual RSOs as potential early warnings of scaling issues for the entire root server system (RSS). If one waits for the RSOs as a whole to report

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<sup>123</sup> See: <https://www.icann.org/en/system/files/files/sac-100-en.pdf>, p. 1

<sup>124</sup> See: <https://www.icann.org/en/system/files/files/rssac-031-02feb18-en.pdf>, p. 2

<sup>125</sup> See: Ibid., p. 3

<sup>126</sup> See: Ibid., p. 3

<sup>127</sup> See: Ibid., p. 3

<sup>128</sup> See: <https://66.schedule.icann.org/meetings/1116870>.

<sup>129</sup> See: <https://www.icann.org/en/system/files/files/octo-015-01feb21-en.pdf>, p. 3.

<sup>130</sup> See: Ibid., p. 5

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scaling for the entire RSS, it would likely significantly [sic] delay significantly the warning being seen by the Internet community.”<sup>131</sup>

The OCTO paper also suggested that IANA could annually report any root scaling concerns to the Customer Standing Committee (CSC) and that any reports in between would “be sufficient for having an early warning about effects on the RSS.”<sup>132</sup> Additionally, the OCTO paper suggested that ICANN org could ask recursive resolver operators, anti-abuse groups, and law enforcement agencies involved in the community if they have perceived any root zone scaling issues.

See the [Overarching Considerations](#) section for additional discussion on this topic. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.27. Topic 27: Applicant Reviews

As in 2012, ICANN org will select qualified third-party providers to perform the various review stages based on an extensive selection process. Consideration should be given to whether other third-party engagement is required in respect of the review process recommendations, and whether external vendors may also be necessary to identify and/or classify applications by TLD type (see [Topic 4: Different TLD Types](#)).

Implementation of these recommendations will be complex, time consuming, and difficult. Amendments will also be required to the Applicant Guidebook and related documentation, because of enhanced financial and security application procedures and in response to the Final Report’s recommendation for ICANN org to review Clarifying Questions from the 2012 application round to improve the quality of application guidance.

The Final Report identified the following topics as possessing dependencies/relationships with this topic:

- Topic 6: RSP Pre-Evaluation: as the Final Report recommends that elements of technical and operational capability evaluations can be carried out through the RSP Pre-Evaluation Program.
- Topic 22: Registrant Protections: rigorous technical and operational evaluations are important safeguards in preventing registry failure and ensuring adequate registrant protections.

See [Appendix 6: Business Process Design](#) for an overview of applicant reviews. Please note that ICANN org has sent the GNSO Council questions related to different TLD types. See those

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<sup>131</sup> See: Ibid., p. 5

<sup>132</sup> See Ibid., p. 6

questions and answers [here](#). See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.28. Topic 28: Role of Applicant Comment

People commenting on new gTLD applications will be asked to clarify their relationships with the applicant per outputs 28.3-28.5. This clarification includes indicating if they are employees or contractors of the applicant or have a financial interest in the applicant. ICANN org asked the GNSO Council how the collected identity information should be used in evaluation.

In its response, the GNSO Council notes that this Implementation Guidance is tied closely with Recommendation 28.9 and Implementation Guidance 28.10, which ask the IRT to develop guidelines about how application comments are to be used or taken into account by the relevant evaluators and panels. The SubPro PDP WG was unable to obtain information on how, or even if, application comments were considered during the evaluation, objection, and other processes.

ICANN org will seek to work with the IRT to provide more clarity on the role of application comments in such processes. Ideally, this clarity would also outline how to weigh or consider comments submitted by competitors or those that would have an interest in either pushing the application forward or in seeing it fail.

As such, ICANN org may work with the IRT to develop guidelines about how public comments are to be used or taken into account by the relevant evaluators and panels, and these guidelines should be included in the Applicant Guidebook. The Applicant Guidebook should also be clear as to what extent different types of comments will or will not impact scoring.

See [Appendix 6: Business Process Design](#) for an overview of processes related to application comments. See those questions and answers [here](#). See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs. Table A5-1 provides a summary of identified risks and mitigation strategies associated with application comments.

Table A5-1. Role of Applicant Comment Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	<b>Application Comments</b> Unmoderated public comments could be inappropriate, offensive, illegal, or malicious. There	Systems and Information Security	3/Medium	3/Medium 4/High in an extreme case	Unmoderated comments may be mitigated through comment moderations, but

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	is risk associated with comment moderation (or lack thereof).				that introduces risk, as well. A balance will need to be struck and potentially evolve as each round occurs.

## 5.29. Topic 29: Name Collisions

ICANN org notes that, in general, the SubPro Final Report outputs related to name collisions can be implemented as-is but has previously noted concerns regarding Implementation Guidance 29.6. See the [Overarching Considerations](#) section for a detailed discussion of this topic.

ICANN org also notes that the NCAP could have an impact on the implementation of the SubPro Final Report outputs related to name collisions. Please see the [Dependencies section](#) for further discussion on NCAP.

See also ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.30. Topic 30: GAC Consensus Advice and GAC Early Warning

The process for GAC Advice on new gTLDs is intended to address applications that are identified by governments to be problematic (e.g., that potentially violate national law or raise sensitivities). GAC members can raise concerns about any application to the GAC. A GAC Early Warning typically results from a notice to the GAC by one or more governments that an application might be problematic. The full GAC will consider concerns raised by individual GAC members and may come to consensus on GAC advice to forward to the ICANN Board. As stated in the ICANN Bylaws, GAC advice must include a clearly articulated rationale and must be limited to the scope set out in the applicable Bylaws provisions.

As detailed in Section 3.1 of the 2012 Applicant Guidebook, the GAC can issue advice on any



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application.<sup>133</sup> The GAC advice on new gTLDs must be submitted by the close of the objection filing period. If the Board receives GAC advice on new gTLDs stating that it is the consensus of the GAC that a particular application should not proceed, this will create a strong presumption for the ICANN Board that the application should not be approved. If the Board does not act in accordance with this type of advice, it must provide rationale for doing so.

Where GAC advice on new gTLDs is received by the Board concerning an application, ICANN will publish the advice and endeavor to notify the relevant applicant(s) promptly. The applicant has a period of 21 calendar days from the publication date in which to submit a response to the Board. ICANN org will consider the GAC advice on new gTLDs as soon as practicable.

In the Final Report, the SubPro PDP WG provided seven outputs on the topic of GAC Early Warning and GAC Consensus Advice. Overall, ICANN org has not identified any procedural issues concerning the implementation of the recommendations and believes that the recommendations related to GAC Early Warning and GAC advice can be implemented. However, the GAC voiced [concerns](#) about specific recommendations concerning the timing of GAC advice on future categories of TLDs and limiting the scope of GAC advice to the scope set out in the applicable Bylaws provisions.

The Final Report recommends that, if in the future the GAC issues advice on categories of TLDs, the GAC should provide this advice prior to the finalization and publication of the next Applicant Guidebook. If the GAC advice is issued thereafter, the Board must consider whether to accept or override such advice in accordance with relevant Bylaws provisions. Specifically, the GAC “does not consider that the PDP should make recommendations on GAC activities which are carried out in accordance with the ICANN Bylaws and the GAC’s internal procedures.”<sup>134</sup> In this regard, the GAC does not support the SubPro PDP WG recommendation “regarding the timing of GAC Consensus Advice on future categories of TLDs and particular applications, oriented to disincentivizing any such advice being submitted after the finalization and publication of the next Applicant Guidebook.”<sup>135</sup>

There also are diverse views within the GAC on the “strong presumption” language. Some GAC members believe that Section 3.1 of the 2012 Applicant Guidebook, which states that GAC Consensus Advice “...should be maintained, as they consider that “this language was part of a delicate compromise during the 2012 round preparations and further consider that it is consistent with past and present Bylaws provisions. Further, said GAC members consider that the possibility of maintaining a dialogue with the concerned applicant is not hampered by this

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<sup>133</sup> Section 3.1 of the Applicant Guidebook: <https://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf>

<sup>134</sup> See:

<https://gac.icann.org/statement/public/GAC%20Subpro%20Final%20Report%20Collective%20Comment%20-%20FINAL.pdf>, p. 7

<sup>135</sup> See *Ibid.*, p. 8

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language.”<sup>136</sup> Other GAC members “support the Working Group’s recommendation to remove this language, and believe that the text of any future Applicant Guidebook must be consistent with the Bylaws regarding GAC advice.”<sup>137</sup>

The GAC also noted that “applications may not always be able to be remedied in the opinion of the Government(s) issuing a GAC Early Warning.” As such, the GAC has proposed updated language to Recommendation 30.6 as follows: “[...] how the applicant may potentially address the GAC member’s concerns to the extent feasible”.<sup>138</sup>

## Considerations

In its input on the Draft Final Report, the Board noted that it is “committed to working closely with the GAC to encourage the issuing of advice prior to the finalization of the Applicant Guidebook, with the goal of reducing, if not eliminating, the need for wide-ranging GAC advice.”

As noted above, ICANN org believes the recommendations can be implemented as written. However, the Board may wish to engage with the GAC to address the GAC concerns with the Final Report outputs on Topic 30. Specifically, the Outputs recommended that GAC advice on future categories of TLDs and particular applications be provided as early as possible. It is important to note that the GAC is not prevented from submitting late advice or advice on TLD categories, as there are no binding impediments for the GAC regarding this recommendation. The Board may wish to note concerns regarding this issue and support clear expectations for all parties involved. Regarding the outputs on GAC Consensus Advice that is issued after finalization and publication of the Applicant Guidebook, the Board may wish to consider how it will handle disagreements concerning the possibility of the Board overriding GAC Consensus Advice in the event it is issued after the finalization and publication of the Applicant Guidebook.

Concerning the “strong presumption” language, the Board may consider a revision to the Applicant Guidebook per Recommendation 30.4 to remove language that creates a “strong presumption for the ICANN Board that the application should not be approved.” In place of the omitted language, the Applicant Guidebook may reference the applicable Bylaws provisions that describe the voting threshold for the Board to reject GAC Consensus Advice. As mentioned above, the GAC has previously stated its [concerns](#) over changes to this language.

The Board may also wish to discuss whether GAC Consensus Advice opposing the outputs is likely to be forthcoming. Note that while input was solicited, no meaningful feedback was received. However, if GAC Consensus Advice is forthcoming, the Board could engage with the GNSO Council as appropriate to provide notice and encourage the GNSO Council, once advice is issued, to work with the GAC, ICANN org, and/or Board on possible ways forward.

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<sup>136</sup> See *Ibid.*, p. 7

<sup>137</sup> See *Ibid.*, p. 7

<sup>138</sup> See *Ibid.*, p. 7



See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

Table A5-2. GAC Consensus Advice and GAC Early Warnings Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	<p><b>Consistency</b>            Materially conflicting or inconsistent application processing, applicant experiences, or dispute resolution could cause reputational/legitimacy risks.</p> <p>Materially conflicting or inconsistent advice, particularly advice from or relating to the GAC, could cause reputational/legitimacy risks.</p> <p>Advice may not arrive as expected or during expected time periods, which may increase risk in other parts of the process. Uncertainty and/or lengthy delays in dispute resolution could impact ICANN org’s reputation.</p>	Multistakeholder Governance and Legitimacy	2/Low	3/Medium	<p>A quality assurance program and/or system enforced processing may mitigate variability and help enforce consistency.</p> <p>Regardless of advice timing, content, or harmony the Board will consider advice as required by the Bylaws.</p>

## 5.31. Topic 31: Objections

Regarding Affirmation with Modification 31.3, the GNSO Council noted that the dispute resolution provider is not intended to get involved in any communication between the objecting party and the applicant during the cooling-off period. Still, the parties should have the ability to communicate with ICANN org to provide guidance should the dispute be settled. Guidance

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should be provided on a) what steps to follow if a settlement is reached, (b) what would be needed to effectuate the settlement if it would result in a change to one or more applications, (c) what changes to an application (or applications) would be acceptable, (d) the process to follow in terms of comment periods, etc. The GNSO Council also notes that the Final Report does not state whether there should be a ban on other communications with the dispute resolution provider.

The GNSO Council notes that many of the outputs in Section 31 center around increasing transparency in the process both to provide more predictability and to enable future review teams to assess what this PDP was unable to do because of a lack of information. Therefore, the recommendation is that future review teams have access to information on the fees paid for objections, disputes, etc.

In addition, if and when there is a review of the objection and dispute processes, the review team should be able to collect the data from all objections and disputes that have taken place prior to that review. For example, if a review is done in ten years, and there have been three application rounds prior to the review, then the fee amounts from the three rounds that spanned those ten years should be reviewable to assist the review team in its evaluation.

Regarding changes to the Registry Agreement, the RVCs used to resolve a formal objection, either (a) as a settlement between the objector(s) and the applicant(s) or (b) as a remedy ordered by an applicable dispute panelist, will need to be included in the Registry Agreement as binding contractual commitments for the term of the Agreement. Implementation will be subject to the enforceability of PICs and RVCs in light of current language in the ICANN Bylaws.

In consultation with the IRT, ICANN org will need to develop a “quick-look” mechanism to identify and eliminate frivolous and/or abusive objections for all formal objection types. ICANN org will also need to search for and select Dispute Resolution Service Providers, who are then subject to established requirements in a Memorandum of Understanding or contract.

See [Appendix 6: Business Process Design](#) for an overview of processes related to dispute resolution. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.32. Topic 32: Limited Challenge/Appeal Mechanism

The 2012 round of the New gTLD Program did not include an appeal or challenge mechanism specific to the New gTLD Program. Several applicants used the accountability mechanisms established in the ICANN Bylaws to challenge the substance of outcomes of the evaluation and objection proceedings concerning their applications. The ability for applicants to use the

accountability mechanisms in the Bylaws is called out in the “covenant not to sue” language included in the Terms and Conditions in Module 6 of the Applicant Guidebook.

Although there was not a New gTLD Program-specific appeal or challenge mechanism, the ICANN Board New gTLD Program Committee (NGPC) [took action](#) to address certain perceived inconsistent or otherwise unreasonable String Confusion Objection Expert Determinations by sending back to the International Centre for Dispute Resolution (ICDR) for a three-member panel evaluation of certain Expert Determinations. This NGPC action came as a result of the concerns raised by some stakeholders about the perceived inconsistencies with or unreasonableness of certain String Confusion Objection Expert Determinations. The NGPC monitored these concerns over a year and discussed the issue at several of its meetings, and eventually [identified certain Expert Determinations](#) as not in the best interest of the New gTLD Program and the Internet community. These decisions were sent back to a three-member panel at the ICDR for re-evaluation in line with the [procedures](#) developed to align with the NGPC’s resolution.

There are three policy recommendations issued by the SubPro PDP WG concerning limited challenges/appeal mechanisms. In summary, these recommendations call for ICANN org to establish a mechanism that allows specific parties to challenge or appeal certain types of actions or inactions, establish clear procedures and rules for challenge/appeal processes, and to design a limited challenge/appeal process in a manner that does not cause excessive, unnecessary costs or delays in the application process.

## Criteria and Processes for Challenges/Appeals

As part of the ODP, ICANN org has analyzed the policy recommendations and Implementation Guidance to see how a limited challenge/appeal mechanism could be operationalized. To begin operational planning, the team grouped the types of evaluations and formal objections decisions that are proposed to be subject to the limited challenge/appeal mechanism into five categories, as noted in Table A5-3. There are similarities in how ICANN org could approach designing a limited challenge/appeal mechanism for each category.

Table A5-3. Limited Challenge/Appeal Mechanism Categories

	Description of Category	Evaluation and Objection Processes
Category 1	Initial/Extended Evaluation Decisions made by ICANN	Background Screening
Category 2	Initial/Extended Evaluation Decisions Made by Third-Party Experts	Applicant Support; DNS Stability; Financial Evaluation; Geographic Names; Registry Services Evaluation; RSP Pre-evaluation;

	Description of Category	Evaluation and Objection Processes
		String Similarity; Technical/Operational Evaluation
Category 3	Formal Objections Decided by Third Party Dispute Resolution Providers	Community Objection; Limited Public Interest Objection; Limited Rights Objection; String Confusion Objection
Category 4	Contention Resolution Proceedings Decided by Third-Party Provider(s)	Community Priority Evaluation
Category 5	Applicable to all formal objection proceedings and subject to “de novo” standard of review	Conflict of Interest of Panelists

Overall, the team found that implementing the policy recommendations calling for one (or more if needed) limited challenge/appeal mechanism to be feasible but noted possible concerns with such a challenge/appeal mechanism if extended to cover Categories 1, 2 and 5 noted in Table A5-3. Based on our analysis to date, it is not clear that a challenge/appeal mechanism applicable to Initial/Extended Evaluation decisions made by ICANN or third-party providers or challenges concerning conflict of interest of panelists could be designed in a way that does not cause excessive, unnecessary costs or delays in the application process. These concerns are discussed further below. (Also, see discussion of Terms and Conditions in [Topic 18: Terms And Conditions](#) in [Appendix 5: Topic Analysis](#) concerning Implementation Guidance for the Limited Challenge/Appeal Mechanism).

## Selection of Arbiters for Challenges/Appeals

The Outputs generally call for challenges/appeals to be heard by an arbiter from the entity that conducted the original evaluation, but with a decision made by a person(s) who did not participate in the original evaluation. For formal objection decisions, the Outputs recommended that the arbiter for a challenge/appeal should typically be a panelist or multiple panelists from the entity that handled the original formal objection, but not the same panelist(s) that provided the original formal objection decision.<sup>139</sup>

Given the Outputs, ICANN org proposes to use a similar panel/evaluator selection process as it did in the 2012 round. Please refer to Section 2.4 of the [Applicant Guidebook](#) for further details. Similar to the approach taken for the 2012 round, ICANN org proposes to provide training to the

<sup>139</sup> See Final Report, Implementation Guidance 32.5.

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panelists and objection providers in order to support their understanding of the New gTLD Program and its relevant requirements. However, as discussed further below (see point 5), ICANN org has identified the proposal in the Final Outputs concerning the selection of arbiters as a key concern with operationalizing a limited challenge/appeal mechanism.

## Considerations

The following points highlight the concerns identified during the ODP with operationalizing some of the Outputs:

1. **Extending a limited challenge/appeal mechanism to cover evaluation decisions made by ICANN or third-party providers may cause unnecessary cost and delay, given the availability and purpose of Extended Evaluation.** Extended Evaluation is available only to certain applicants that do not pass Initial Evaluation. It allows for an additional exchange of information between the applicant and evaluators to clarify information contained in the application. Given this process and the flexibility allowed within it for applicants to present additional information to address concerns about an application, further consideration is needed concerning the interplay between the challenge/appeal mechanism and Extended Evaluation, and how the challenge/appeal mechanism can be implemented without creating a likelihood of unnecessary costs and delays.
2. The proposed scope of limited challenge/appeal mechanism covers processes, such as the Registry Service Provider Pre-Evaluation (RSP) and the Applicant Support Program, that must be completed prior to the gTLD application submission period. This **potentially challenges the ability to predictably plan for the opening and closing of the application submission period.**

For example, as outlined in Recommendations 6.5 and 6.9, RSP Pre-Evaluation is to occur prior to each application round, and a list of the pre-evaluated RSPs must be published on ICANN's website with all of the other new gTLD materials with adequate time to allow potential applicants to decide if they want to apply for a gTLD using a pre-evaluated RSP.

An applicant for RSP Pre-Evaluation that does not qualify as a "pre-approved" RSP could challenge that result through a limited challenge/appeal mechanism. ICANN org would need to factor the timing for the appeal process into establishing when ICANN org could start accepting applications, meaning that extra time may be needed between RSP Pre-Evaluation and the opening of the application submission period. The current assumption is that the list of pre-evaluated RSPs should be available six months prior to the application submission period. This timing consideration may also pose a risk to one of the goals of the Working Group to have a list of pre-approved RSPs available before the start of the application submission period.

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3. An additional concern with the scope of a limited challenge/appeal mechanism concerns the breadth of who would have standing to file a challenge/appeal. The **broad scope of parties who are recommended in the Final Report to have standing could potentially open the door to gaming/manipulating the process.**

The Implementation Guidance in Annex F identifies who should have standing to file a challenge/appeal for each of the application evaluation and objection processes. The stated criterion for standing is not limited to only the parties directly involved. ICANN org notes that such criteria could allow for challenges and appeals to be filed by third parties in an effort to gain some type of advantage or leverage (i.e., “game” the system) and/or possibly create a series of challenges that are beyond what is operationally manageable.

4. ICANN org notes another potential challenge related to the possibility for an **“endless loop” of challenges/appeals** regarding an application. Implementation Guidance 32.13 states, that **“A party should be limited to a single round of challenge/appeal for an issue....”** (Emphasis added).

When mapping out possible implementation for this guidance, ICANN org considered an appeal of a Limited Public Interest Objection as just one example. In such an example, an application is the subject of a Limited Public Interest Objection, and the applicant prevails in the objection. Per the Implementation Guidance in Annex F, the applicant (Party A), third party objectors (Party B and possibly B1, B2, B3...), and the independent objector (Party C) would all have standing to challenge the outcome of a Limited Public Interest Objection. If, for example, Party B challenges the initial outcome that the applicant (Party A) prevailed, and Party B prevails in the challenge/appeal, it seems that the door would still be open for the applicant (Party A) to challenge the appeals outcome. The language in Implementation Guidance 32.13 limits “a party” to a single round of challenge/appeal; however, in the example above, the applicant (Party A) was not the party (i.e., Party B) that submitted the initial challenge/appeal. However, ICANN org notes that Implementation Guidance 32.13 references a single round of challenge/appeal, which should be in respect of a final decision on an evaluation or objection; if this language were to eliminate the possibility of challenge/appeal against the outcome of a challenge/appeal, then this consideration would appear to be partially mitigated.

5. An additional challenge is that the process envisioned by the Final Report for selecting the arbiter of a challenge/appeal **may be a hindrance when trying to procure third-party experts to conduct elements of the Initial Evaluation.**

Implementation Guidance 32.5 states that, “In the case of challenges to evaluation decisions, the arbiter should typically be from the entity that conducted the original evaluation, but the person(s) responsible for making the ultimate decision in the appeal

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must be different from those that were responsible for the evaluation. In the case of an appeal of a formal objection decision, the arbiter will typically be a panelist or multiple panelists from the entity that handled the original formal objection, but will not be the same panelist(s) that provided the original formal objection decision.”

Given this guidance and the standard of review (e.g., clearly erroneous), it might prove difficult for a third-party evaluator to hear a challenge/appeal and reverse the initial decision made by a colleague or panel of colleagues from the same company or firm.

Also, it may be the case that only large entity third-party evaluators would have the resources to have multiple experts/panelists to hear an appeal/challenge, excluding small business or solo practitioners from applying. In addition, some, but not all, evaluations may be performed by more than one vendor. (See [Vendors and Third Parties section](#) for further discussion of vendors).

Where ICANN org is proposed to be the arbiter of a challenge/appeal (e.g., background screenings) it is not clear who could preside over such a challenge/appeal, or whether it would be proper for the review to be “conducted under the supervision of the Ombudsman” given the role of the Ombudsman as established in the [ICANN Bylaws Article 5](#).

## Implementation Conditions for Limited Challenge/Appeal Mechanism

In addition to the concerns noted above, ICANN org has also identified several key items that will require further exploration during the implementation process. The Implementation Review team “will serve as a resource to implementation staff on policy and technical questions that arise” for this process - as per the [Consensus Policy Implementation Framework](#). The following provides key questions to be explored during implementation:

1. What is the time for filing a challenge/appeal?
2. Would filing a challenge/appeal have any impact on applications in direct or indirect contention, or application processing?
3. What is the record on appeal? Are parties able to submit additional briefings?
4. Who certifies the record on appeal?
5. Would an appeals panel be permitted to consult outside sources or is the panel limited to the record on appeal?
6. Would an appeals panel be permitted to issue clarifying questions to the parties?
7. What happens to an application that is the subject of an appeal?
8. May a party seek emergency relief or an expedited appeal/challenge?
9. Are parties entitled to request oral argument?
10. Should cases on appeal be allowed to be consolidated?



11. Who should perform the “quick look” step at the beginning of the challenge/appeals process to identify and eliminate frivolous challenges/appeals?
12. If a party challenges the underlying decision through both the appeal mechanism and one or more accountability mechanisms, must it be done in a certain order?
13. Overall, how should the challenge/appeal mechanism work alongside the accountability mechanisms in the Bylaws?
14. How should the challenge/appeal mechanism work alongside Extended Evaluation so as to ensure that only “final decisions” are able to be challenged/appealed?

See [Appendix 6: Business Process Design](#) for an overview of processes related to dispute resolution. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the Outputs. Risks associated with the challenge/appeal mechanism are outlined in Table A5-4.

Table A5-4. Limited Challenge/Appeal Mechanism Risks

Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
1	<p>Advice that causes the creation of a Contention Set, or advice that seeks to block delegation of a specific string, creates the opportunity for litigation. Specifically, creating and resolving Contention Sets creates the opportunity for invocation of accountability mechanisms and litigation. Based on 2012 experience, this is almost certain to occur in future rounds.</p> <p>Contracting one or more dispute resolution service providers (DRSP) creates the risk that disputes may be resolved unevenly (i.e., DRSPs reach conflicting resolutions).</p>	Legal	3/Medium	<p>3/Medium</p> <p>4/High in an extreme case</p>	<p>The limited challenge/appeal mechanism may reduce litigation.</p> <p>If multiple DRSPs are used for a single challenge, a quality assurance mechanism may mitigate conflicting outcomes.</p>



Risk #	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	String Confusion, Legal Rights, Limited Public Interest, and Community Objections are highly contentious and may require litigation to resolve.				

### 5.33. Topic 33: Dispute Resolution Proceedings After Delegation

Post-delegation Dispute Resolution Procedures provide an avenue for pursuing complaints against a gTLD registry operator's conduct. Sometimes, a complainant may be required to take specific steps to address their issues before filing a formal complaint. Qualified third-party providers administer these dispute resolution procedures, and an Expert Panel determines whether a registry operator is at fault and, if so, recommends remedies to ICANN.

The Public Interest Commitment Dispute Resolution Procedure ([PICDRP](#)) and the Registration Restrictions Dispute Resolution Procedure ([RRDRP](#)) are for those alleging harm by a new gTLD registry operator's conduct. The [PICDRP](#) addresses complaints that a registry may not be complying with one or more Public Interest Commitments (PICs) in Specification 11 of its Registry Agreement. The RRDRP addresses circumstances in which a community-based new gTLD registry operator deviates from the registration restrictions outlined in its Registry Agreement.

Registry operators will comply with the dispute resolution mechanisms outlined in the Registry Agreement and agree to be bound by any determination by the PICDRP or RRDRP panel, and to implement and adhere to any remedies subsequently imposed by ICANN org.

Regarding Recommendation 33.2, the GNSO Council [notes](#) that publishing all relevant guidance on the scope of the Public Interest Commitment Dispute Resolution Procedures (PICDRP) and Registration Restrictions Dispute Resolution Procedures (RRDRP) will not be sufficient to implement this recommendation. As noted in ICANN org's comments to the Draft Final Report, the SubPro PDP WG could only assess the PICDRP process prior to the February 2020 updates. In its response, the GNSO Council acknowledges that ICANN org's February 2020 update did include more details on the PICDRP process and states that the IRT should assess whether the February 2020 updates satisfy this recommendation.

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## PICDRP Procedures

To submit a complaint, complainants must use an [online complaint system](#) before filing a formal PICDRP proceeding. This first step allows the complainant to submit an initial report claiming that a registry may not comply with one or more of its PICs per Specification 11 of its Registry Agreement with ICANN.

Under the PICDRP, ICANN org will conduct a preliminary review of the initial report to ensure that it is complete, that it states a claim of non-compliance with at least one PIC, and that the reporter is in good standing. Parties will be given the opportunity and provided with a timeline to resolve issues raised before ICANN org determines whether to proceed with a compliance investigation or to undertake an enforcement action. A panel of three people may also be appointed by ICANN org (Standing Panel) at ICANN's expense. Members of the PICDRP Standing Panel may be called upon to review the report and recommend remedies to ICANN, org if necessary.

## RRDRP Procedures

Per the RRDRP rules, an RRDRP complaint may only be filed by an established institution.<sup>140</sup> A complainant may [submit a report](#) to ICANN org before filing a formal RRDRP proceeding. Any providers eventually selected to administer the RRDRP will implement the procedure and follow the rules established in the RRDRP. This includes publishing all expert determinations on the provider's website. The provider will communicate directly with the parties regarding any complaints filed against a community-based gTLD registry operator. The RRDRP provider will provide an opportunity and timeline for the registry operator to file a response to each complaint, as well as for the complainant to submit a reply addressing the statements made in the response.

## Considerations

Per Recommendation 33.2, ICANN org intends to develop “clearer, more detailed, and better-defined” educational materials on the scope of the procedures, the role of all parties, and the adjudication process. ICANN org will need to make these materials available to users of the procedures and publish them on [icann.org](#). As [noted](#) by the Council, publishing all relevant guidance on the scope of the PICDRP and RRDRP will not be sufficient to implement this recommendation.

As part of the effort to implement Recommendation 33.2, ICANN org intends to determine which documentation needs to be made clearer as well as develop any new guidance on the scope of

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<sup>140</sup> See: <https://www.icann.org/resources/pages/rrdrp-2014-01-09-en>.

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the procedures, the role of all parties, and the adjudication process. In addition, ICANN org intends to determine if any users of the procedure should be involved in developing clearer and more detailed documentation for these procedures.

See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.34. Topic 34: Community Applications

Community Priority Evaluation (CPE) was a contention resolution mechanism available to applicants during the 2012 round that self-designated their applications as community applications. Prevailing in CPE allowed the community applicant to gain priority within a contention set, i.e., all other applicants in a contention set were not allowed to proceed in the New gTLD Program, assuming the prevailing applicant successfully completed all other New gTLD Program processes. As noted in the Program Implementation Review Report (PIRR), “ICANN received complaints from applicants (both community and standard applicants) regarding the outcomes of CPE, through formal correspondence and ICANN Accountability Mechanisms.”<sup>141</sup> Additionally, based on the number of accountability mechanisms and considerable conversation in the ICANN community regarding CPE, the Board requested a review of the CPE process.<sup>142</sup>

The SubPro Final Report affirms “the continued prioritization of applications in contention sets that have passed Community Priority Evaluation (CPE)”<sup>143</sup> (affirmation with Modification 34.1). The rationale for this states that “the Working Group supports the overall approach used in the 2012 round for community-based applications, as well as the continued prioritization of applications in contention sets that have passed Community Priority Evaluation...”<sup>144</sup> In addition, the SubPro Final Report proposes Implementation Guidance for improving the definitions and applications of CPE Criteria from the 2012 Applicant Guidebook. The SubPro Final Report also includes recommendations to improve the CPE process, in terms of information sharing, transparency, efficiency, and predictability.

In its comments on the Draft Final Report, the Board noted that “the PDP WG recommended very few substantive changes related to the community application process, and more specifically to the Community Priority Evaluation (CPE) process.”<sup>145</sup> The Board expressed concern that there were “...not sufficiently detailed recommendations to address the issues that

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<sup>141</sup> See: <https://www.icann.org/en/system/files/files/program-review-29jan16-en.pdf>.

<sup>142</sup> See: <https://www.icann.org/resources/board-material/resolutions-2016-09-17-en>.

<sup>143</sup> See: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-20jan21-en.pdf>, p. 163.

<sup>144</sup> Ibid, p. 168.

<sup>145</sup> Board Input on Draft Final Report, 30 Sept. 2020

<https://www.icann.org/en/system/files/correspondence/botterman-to-langdon-orr-neuman-30sep20-en.pdf>

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arose during the 2012 round.”<sup>146</sup>

## Considerations

As indicated in the [Issues](#) section, there are continued concerns that the SubPro Final Report outputs will not sufficiently mitigate the risks of CPE, as experienced in 2012. These include: lack of understanding about the objectives of CPE; avoiding gaming and misuse of CPE; perceptions of inconsistent evaluation results; an evaluation process misaligned with the diversity of communities; and legal liabilities associated with conducting CPE. While the SubPro Final Report offers some improvements, ICANN org proposes exploring additional improvements to mitigate remaining concerns with CPE.

As depicted in [Appendix 6: Business Process Design](#), ICANN org anticipates moving forward with the SubPro Final Report outputs on community applications and has designed the process accordingly. During the Operational Design Phase, ICANN org identified potential improvements to further mitigate risk in Table A5-5. Mitigation of some risks is related to other topics and outputs (e.g., avoiding gaming of CPE through registration policies (PICs and RVCs)). Further modifications to these proposed improvements can be explored with the IRT during implementation.

Table A5-5. Proposed Additional Improvements to Mitigate Risks Associated with CPE

Problems Experienced in 2012	Potential Improvement
High level of legal challenges	<ul style="list-style-type: none"><li>● Exploring opportunities for string changes as a mechanism for reducing the quantity of evaluations and contention, in line with Application Change Request outputs (Topic 20)</li></ul>
Perceived inconsistencies in evaluation results	<ul style="list-style-type: none"><li>● Introducing a single-panel evaluation process</li><li>● Providing aggregate review of CPE results</li></ul>
Evaluation process design inclusive of diverse types of communities	<ul style="list-style-type: none"><li>● Involving experts in development of evaluation criteria and to advise/work with evaluator</li></ul>

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<sup>146</sup> Board Input on Draft Final Report, 30 Sept. 2020

<https://www.icann.org/en/system/files/correspondence/botterman-to-langdon-orr-neuman-30sep20-en.pdf>

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In light of the above, the Board may wish to consider how it will handle the Outputs related to CPE. The Board can either direct ICANN org to implement the recommendations while conducting activities to work through concerns related to CPE in the 2012 round, or to implement the recommendations as written without any additional activities.

See [Appendix 6: Business Process Design](#) for an overview of processes related to contention resolution. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.35. Topic 35: Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets

Contention resolution can occur in several ways. If the set contains a community application, the applicant can undergo a Community Priority Evaluation (CPE). If CPE is successful, the application will be considered prevailing within the contention set.

If no application successfully completes CPE, the set may be resolved in a private negotiation among the parties in the contention set. Private resolution can take a variety of forms and can also include the creation of a joint venture between applicants, which would replace the individual applicants and potentially resolve contention. In that case, the joint venture would proceed to contracting.

If contention remains unresolved, ICANN org will schedule and conduct an Auction of Last Resort, resulting in a single application that will prevail. Remaining applications will not be able to proceed and will be eligible for any applicable refunds.

### Private Resolution of Contention Sets

Private resolution of contention sets was encouraged in the 2012 round, and many applicants made use of auctions outside of ICANN’s Auctions of Last Resort to do so. Specifically, the Applicant Guidebook notes, “Applicants that are identified as being in contention are encouraged to reach a settlement or agreement among themselves that resolves the contention.” As a result, private resolutions (including private auctions) were commonly used to resolve string contention sets in the 2012 gTLD application round. Out of a total of 234 contention sets in the 2012 round, 224 were resolved privately.

The ICANN Board and SubPro PDP WG raised concerns on how permitting private auctions in future rounds may have the potential for misuse and/or gaming, based on experience from 2012. Specifically, the Board noted in its submission to the initial report: “applications should not be submitted as a means to engage in private auctions, including for the purpose of using private auctions as a method of financing their other applications. In particular, we are concerned about how gaming for the purpose of financing other applications, or with

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no intent to operate the gTLD as stated in the application.”<sup>147</sup> Additionally, the Working Group “further considered that in the future, former 2012 applicants and potential new applicants will be aware that certain parties benefited from losing private auctions in the 2012 round, which will therefore become an incentive for potential applicants to submit applications for purposes other than to operate a gTLD.”

For example, applicants may finance multiple bids on new gTLD strings that they valued more highly by applying proceeds from private auctions on strings that had a lower priority for these applicants. Applicants also may apply for a specific string with the sole intention of losing a private auction for financial gain rather than wanting to operate that gTLD, effectively applying with no intention to operate. Furthermore, SubPro PDP WG members believed that applicants in future new gTLD rounds will be aware that some applicants benefited financially from the use of private auctions in the 2012 round. This awareness makes it more likely that applicants will try to make similar financial gains during future rounds of new gTLDs.

The SubPro PDP WG attempted to address concerns raised from the 2012 gTLD application round in the 2021 Final Report concerning the possible misuse or gaming of the process. However, the SubPro PDP WG did not reach consensus support on Recommendations 35.2 and 35.4 concerning the use of private resolutions and Auctions of Last Resort, nor were the recommendations approved by the GNSO Council.

To address concerns regarding private auctions enabling the potential misuse of the process, the SubPro PDP WG drafted and approved Recommendation 35.3, which provides a potential non-exhaustive list of factors that ICANN may consider in determining whether an application was submitted with a bona fide (“good faith”) intention to operate the gTLD, which may prevent some applicants from trying to game the system:

1. “If an applicant participates in six or more private auctions and fifty percent (50%) or greater of its contention strings produce a financial windfall from losing.
2. If an applicant’s string is not delegated into the root within two (2) years of the Effective Date of the Registry Agreement, this may be a factor considered by ICANN in determining the lack of bona fide intention to operate the gTLD for that applicant.
3. If an applicant is awarded a top-level domain and [sells or assigns] [attempts to sell] the TLD (separate and apart from a sale of all or substantially all of its non-TLD-related assets) within one (1) year, this may be a factor considered by ICANN in determining lack of bona fide intention to operate the gTLD for that applicant.
4. If an applicant with multiple applications resolves contention sets by means other than private auctions and does not win any TLDs.”<sup>148</sup>

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<sup>147</sup> See: <https://www.icann.org/en/system/files/correspondence/chalaby-to-langdon-orr-neuman-26sep18-en.pdf>.

<sup>148</sup> See: <https://gns0.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=174%22>, p. 174.

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In addition, the SubPro PDP WG requires that applicants who chose to resolve contention privately adhere to the requirements in the Contention Resolution Transparency Requirement specified in Recommendation 35.5. Transparency requirements will be incorporated into the Applicant Guidebook during implementation.

The SubPro PDP WG attempted to address these concerns around private resolution of contention sets that were raised from the 2012 gTLD application round by recommending applicants include bona fide commitments with each application, as well as adhering to the Contention Resolution Transparency Requirements when resolving string contention.<sup>149</sup> The SubPro PDP WG recommended that applicants be required to submit applications for strings with an explicit, bona fide intention to operate a gTLD, along with a list of non-exhaustive factors to determine if an applicant applies for a string with the genuine intention of running the TLD. This requirement would provide a mechanism to minimize the likelihood that an applicant is planning to game the system, based on the experience of some during the 2012 round.

The SubPro PDP WG recommendations aim to mitigate against abuse of the system, yet these mitigations alone may not provide enough safeguard against the concerns raised. Specific vulnerabilities include:

1. The bona fide factors will be difficult to enforce because it puts ICANN org and the Board in the position of subjectively determining the state of mind of applicants, especially when applicants are not aware if their application will be part of a contention set. (Note: The Board previously noted this concern to the SubPro WG.)<sup>150</sup>
2. The factors do not include potential remedies to address if an applicant went against their bona fide statement. For example, if an applicant violates their bona fide commitment prior to signing the Registry Agreement, there is no clarity on potential remedies such as if the applicant should be removed from the New gTLD Program or barred from applying for additional TLDs. Similarly, if an applicant violates their bona fide statement after the Registry Agreement is signed, there is no clarity on whether this should be considered a breach of contract.
3. It will be difficult to determine which applicant violated their bona fide statement, as monitoring of the TLD can only take place after the Registry Agreement is signed and the TLD is operated.

The SubPro PDP WG noted the addition of these factors will guard against applicants applying for new gTLD strings without the intent of actually operating the TLD, yet private resolutions that

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<sup>149</sup> The Contention Resolution Transparency Requirements note that “In the case of a private auction or an ICANN Auction of Last Resort, all parties in interest to any agreements relating to participation of the applicant in the private auction or ICANN Auction of Last Resort must be disclosed to ICANN within 72 hours of resolution and ICANN must, in turn, publish the same within 72 hours of receipt. For further details see [Recommendation 35.5 of the Final Report](#).

<sup>150</sup> See: <https://www.icann.org/en/system/files/correspondence/botterman-to-langdon-orr-neuman-30sep20-en.pdf>, p. 9.

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include ‘paying off’ another competitor to drop out of a contention set cannot be prevented. In addition, ruling out the use of private resolutions to resolve contention sets may also not be a suitable option, since business combinations or joint ventures are forms of private resolution of contention sets, which the SubPro PDP WG supported. Specifically, SubPro PDP WG stated “the Applicant Guidebook (AGB) must reflect that applicants will be permitted to creatively resolve contention sets in a multitude of manners, including but not limited to business combinations or other forms of joint ventures and private resolutions (including private auctions).”

The SubPro PDP WG reached consensus support on Recommendation 35.2 and each of the bullet points contained therein, except to the extent that it mentions “private auctions.” There was significant opposition to the use of private auctions as a means of private resolution of contention sets, which resulted in the SubPro PDP WG not reaching consensus support on Recommendation 35.2, which subsequently was not approved by the GNSO Council.

## Considerations for Private Resolution

As described in the three points above, the approved recommendations may not provide sufficient safeguards against the gaming of private auctions solely for the purposes of profit. Therefore, the Board may wish to review previous input and questions to identify if any additional actions should be taken on this topic. The Board may wish to consider instructing ICANN org to specify the bona fide requirements as part of implementation, including considerations on how to make them enforceable to the extent possible. For example, it will be important to specify penalties in case applicants are found at any stage that they did not submit applications with the bona fide intention to operate a gTLD. Per the Final Report, such measures can include the potential loss of the registry, barring participation in any future rounds (both for the individuals as well as the entities [and their affiliates] involved), or financial penalties. The Board could also consider instructing ICANN org to seek third-party expertise in auction design to assist in determining alternative methods to disincentivize applicants from applying for gTLDs with the purpose of financial gain through private resolution of contention sets, including, but not limited to private auctions.

## Auction of Last Resort

The SubPro PDP WG did not reach consensus support for Recommendation 35.4, which pertains to conducting Auctions of Last Resort using a second-price, sealed-bid method.

The SubPro PDP WG members ultimately did not reach consensus because they could not agree on the precise auction methodology that should be used instead of the 2012 process. The GNSO Council notes in its resolution on the Final Report “that the Working Group operated under the assumption that, in the event the Working Group was unable to reach consensus in recommending an alternate course of action, the ‘status quo’ should remain in place as a default



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position, with the status quo consisting of the 2007 policy, the final 2012 Applicant Guidebook, and any implementation elements that were put into practice in the 2012 application round.” Therefore, the GNSO Council did not approve this recommendation, and, like Recommendation 35.2, it is not up for Board consideration. This means that flexibility remains in determining during implementation whether an alternative auction method for ICANN org’s auctions of last resort should be used in subsequent rounds.

## Considerations for Auction of Last Resort

There are no policy recommendations requiring a specific auction methodology to resolve contention sets. Therefore, from an operational standpoint, the ascending bid auctions used in the 2012 round can be used for subsequent rounds. It is worth bearing in mind that community concerns about the allocation of proceeds from the 2012 round’s Auctions of Last Resort have since been addressed. The community has developed recommendations that can be applied in future rounds, based on the criteria outlined in the Cross-Community Working Group (CCWG) on Auction Proceeds Final Report recommendations.

Subject to Board approval, ICANN org proposes two steps during the implementation process. First, consult with the IRT to specify the bona fide requirements, including considerations on how to make them enforceable to the extent possible. Consulting with third-party experts and potentially the contracted parties will be required to specify the bona fide requirements, including considerations on how to make them as enforceable as possible. For example, penalties should be identified for those submitting applications without a genuine intention to operate a gTLD. Per the Final Report, such measures could include the loss of the registry, restricted participation in any future rounds (for the individuals as well as the entities and the affiliates involved), or financial penalties.

Second, ICANN org proposes to seek third-party expertise in auction design to assist in determining supplemental methods to disincentivize applicants from applying for gTLDs with the purpose of financial gain through private resolution of contention sets, including, but not limited to private auctions. The policy recommendations themselves do not suggest new processes or procedures. However, as directed by the Board, implementation outcomes may create new processes due to the lack of policy recommendations about private resolutions to resolve contention sets. As a potential baseline to make bona fide statements enforceable, applicants will likely be required to sign a commitment of bona fide intent in the Registry Agreement.

See [Appendix 6: Business Process Design](#) for an overview of processes related to contention resolution. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

## 5.36. Topic 36: Base Registry Agreement

In Table A5-6, ICANN org has identified potential changes to be taken into account when developing the base Registry Agreement (RA) for a future round. ICANN org notes that additional changes may be identified upon further review and during implementation. Based on review of the outputs, ICANN org has identified at least ten potential changes that may be required in developing the base RA for future rounds. These include contractual changes related to applicant support, different string types, reserved names, and other topics.

Table A5-6. Potential Changes to the Base Registry Agreement Based on the Outputs

Topic	Relevant Outputs	Potential Changes
Different String Types ( <a href="#">Topic 4 - Different TLD Types</a> )	<b>Implementation Guidance 4.3:</b> To the extent that in the future, the then-current application process and/or base Registry Agreement unduly impedes an otherwise allowable TLD application by application type, string type, or applicant type, there should be a predictable community process by which potential changes can be considered. This process should follow the Predictability Framework.	Depending on the interpretation of this output, future changes to the base RA are tied to the outcomes of the Predictability Framework.
Registry Voluntary Commitments/Public Interest Commitments ( <a href="#">Topic 9 - RVCs/PICs</a> )	<b>Recommendation 9.2:</b> Provide single-registrant TLDs with exemptions and/or waivers to mandatory PICs included in Specification 11 3(a) and Specification 11 3(b).	This recommendation may be addressed within a Specification instead of the base RA.
Registry Voluntary Commitments/Public Interest Commitments ( <a href="#">Topic 9 - RVCs/PICs</a> ) and String Similarity Evaluations ( <a href="#">Topic - 24 String Similarity Evaluations</a> )	<b>Recommendation 9.9:</b> ICANN must allow applicants to submit Registry Voluntary Commitments in subsequent rounds in their applications or to respond to public comments; objections, whether formal or informal GAC Early Warnings; GAC Consensus	Changes in response to the Outputs impact the Base RA.  Changes to Specification 11 will likely need to take place in order to adhere to the changes provided by the Final Report. Recommendation 24.5 would allow for singular and plural

Topic	Relevant Outputs	Potential Changes
	<p>Advice; and/or other comments from the GAC.</p> <p><b>Recommendation 9.13:</b> In support of the principle of transparency, RVCs must be readily accessible and presented in a manner that is usable, as further described in the implementation guidance.</p> <p><b>Recommendation 24.5:</b> If two applications are submitted during the same application window for strings that create the probability of a user assuming that they are single and plural versions of the same word, but the applicants intend to use the strings in connection with two different meanings, the applications will only be able to proceed if each of the applicants agrees to the inclusion of a mandatory Public Interest Commitment (PIC) in its Registry Agreement.</p>	<p>strings to be allowed if the strings were being used for different purposes and would require a permanent, immutable public interest commitment.</p>
<p>Applicant Support (<a href="#">Topic 17 - Applicant Support</a>)</p>	<p><b>Implementation Guidance 17.17:</b> If the applicant receiving 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</p>	<p>ICANN org may need to update the Registry Transition Process (RTP) to reflect the operational implementation of the outputs, including the requirement of having applicants “repay the full amount of financial support received through the ASP” if an Assignment or Change of Control takes place prior to the seventh year.</p>

Topic	Relevant Outputs	Potential Changes
	<p>Applicant Support Program, whereby an applicant transfers ownership of a registry to a third party in exchange for any form of financial gain. 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</p>	
<p>Applicant Support (<a href="#">Topic 17 - Applicant Support</a>)</p>	<p><b>Implementation Guidance 17.17:</b> If the Applicant Support recipient 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. 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)</p>	<p>ICANN org may need to update Article 7, Section 7.5- Change of Control; Assignment and Subcontracting to reflect the operational implementation of the outputs, including the requirement of having applicants “repay the full amount of financial support received through the ASP” if an Assignment or Change of Control takes place prior to the seventh year.</p>

Topic	Relevant Outputs	Potential Changes
	<p>year, but prior to the seventh (7th) year, shall require the applicant to repay the full amount of financial support received through the ASP</p>	
<p>Specification 13 (<a href="#">Topic 20: Application Change Requests - Application Change Requests</a>)</p>	<p><b>Recommendation 20.8:</b> The Working Group recommends allowing .brand TLDs to change the applied-for string as a result of a contention set where (a) the change adds a descriptive word to the string, (b) the descriptive word is in the description of goods and services of the Trademark Registration, (c) such a change does not create a new contention set or expand an existing contention set, (d) the change triggers a new operational comment period and opportunity for objection, and (e) the new string complies with all New gTLD Program requirements.</p>	<p>Changes to Specification 13 to allow exceptions or modifications may be needed to implement this recommendation.</p>
<p>Reserved Names (<a href="#">Topic 21 - Reserved Names</a>)</p>	<p><b>Recommendation 21.6:</b> The Working Group recommends updating Specification 5 of the Registry Agreement (Schedule of Reserved Names) to include the measures for second level Letter/Letter Two-Character ASCII labels to avoid confusion with corresponding country codes adopted by the ICANN Board on 8 November 2016.</p>	<p>This would require an addition to the base RA that would include measures for second-level Letter/Letter Two-Character ASCII labels to avoid confusion with corresponding country codes.</p>

Topic	Relevant Outputs	Potential Changes
<p>Continued Operations Instrument (<a href="#">Topic 22 - Registrant Protections</a>)</p>	<p><b>Recommendation 22.5:</b> The Working Group supports Recommendation 7.1.a. in the Program Implementation Review Report, which states: “Explore whether there are more effective and efficient ways to fund emergency back-end registry operator in the event of a TLD failure [other than requiring Continuing Operations Instruments].”</p>	<p>Pending ongoing discussions on the Continued Operations Instrument (COI) for EBERO (Emergency Back-End Registry Operator), the Registry Agreement may need to be modified.</p> <p>In particular, Specification 8, which relates to the COI, may need to be re-written if the COI is abandoned and a new method of financing EBERO is chosen. Specification 9 stipulates a Code of Conduct exemption and would also affect funding. Having said that, COI is mentioned throughout the agreement, so changes would have to be made on other specifications too.</p>
<p>Internationalized Domain Names (IDNs) (<a href="#">Topic 25 - IDNs</a>)</p>	<p><b>Recommendation 25.5:</b> IDN gTLDs identified as variant TLDs of already existing or applied-for gTLDs will be allowed only if labels are allocated to the same entity and, when delegated, only if they have the same back-end registry service provider. This policy must be captured in relevant Registry Agreements.</p> <p><b>Recommendation 25.6:</b> A given second-level label under any allocated variant TLD must only be allocated to the same entity/registrant, or else</p>	<p>Recommendations concerning IDNs have an impact on various parts of the base RA. Though there is no specific section dedicated to IDNs, they are mentioned in the following sections of the Base RA:</p> <ul style="list-style-type: none"> <li>● Specification 2</li> <li>● Specification 3</li> <li>● Specification 5</li> <li>● Specification 6</li> <li>● Exhibit A</li> </ul> <p>A change to the base RA concerning IDNs may be added depending on the work conducted by the IDN</p>

Topic	Relevant Outputs	Potential Changes
	<p>withheld for possible allocation only to that entity.</p> <p><b>Recommendation 25.7:</b> For second-level variant labels that arise from a registration based on a second-level IDN table, all allocatable variant labels in the set must only be allocated to the same entity or withheld for possible allocation only to that entity.</p> <p><b>Recommendation 25.8:</b> Second-level labels derived from Recommendation 25.6 or Recommendation 25.7 are not required to act, behave, or be perceived as identical.</p>	<p>Expedited Policy Development Process (EPDP).</p>
<p>Pre-delegation (<a href="#">Topic 29 - Name Collisions</a>)</p>	<p><b>Recommendation 29.1:</b> ICANN must have ready, prior to the opening of the Application Submission Period, a mechanism to evaluate the risk of name collisions in the New gTLD evaluation process as well as during the Transition to Delegation Phase.</p>	<p>This output implies that not only does ICANN org need to monitor name collision up to delegation, but that ICANN org needs to amend termination provisions of the base RA to have the ability to pause delegation and potentially terminate the agreement to keep the string out of the root in the case of name collisions.</p>
<p>Objections (<a href="#">Topic 31 - Objections</a>)</p>	<p><b>Recommendation 31.17:</b> To the extent that RVCs are used to resolve a formal objection, those RVCs must be included in the applicable applicant(s) Registry Agreement(s) as binding contractual commitments.</p>	<p>This output recommends the addition of language to the RA that would make RVCs contractually binding commitments that would be enforced by ICANN org through the PICDRP.</p>

Topic	Relevant Outputs	Potential Changes
Base Registry Agreement <a href="#">(Topic 36 - Base Registry Agreement)</a>	<b>Affirmation 36.1:</b> The Working Group affirms the recommendations and implementation guidelines from the 2007 policy related to the base RA.	ICANN org may consider using the current base RA as a foundation for the base RA for future rounds of the New gTLD Program.
Base Registry Agreement <a href="#">(Topic 36 - Base Registry Agreement)</a>	<b>Affirmation 36.2:</b> The Working Group affirms the current practice of maintaining a single base Registry Agreement with “Specifications.”	<p>ICANN org assumes there will be one base RA for future rounds of the New gTLD Program. There will not be different RAs based on application type (e.g., Brand, community, etc.)</p> <p>Specifications to the base RA will continue to be used, though some specifications may require revisions in order to adapt to recommended changes. New specifications may also be needed to adapt to the recommended changes.</p>
Base Registry Agreement <a href="#">(Topic 36 - Base Registry Agreement)</a>	<b>Recommendation 36.3:</b> There must be a clearer, structured, and efficient method to apply for, negotiate, and obtain exemptions to certain provisions of the base Registry Agreement.	Negotiations and exemptions may lead to additional specifications that have not yet been considered or drafted. See <a href="#">Appendix 6.6: Contracting</a> for additional details.
Base Registry Agreement <a href="#">(Topic 36 - Base Registry Agreement)</a>	<b>Recommendation 36.4:</b> ICANN must add a contractual provision stating that the registry operator will not engage in fraudulent or deceptive practices.	This provision is not part of the existing base RA, though ICANN org may consider adding it. ICANN org could rely on official assessments of fraud from local or national authorities, or other third-party information. Enforcement of the contents of this output is



Topic	Relevant Outputs	Potential Changes
		undetermined.

See the [Overarching Considerations](#) section for ICANN org’s discussion of the Base Registry Agreement. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

### 5.37. Topic 37: Registrar Non-Discrimination and Registry/Registrar Standardization

ICANN org has reviewed this topic and does not note any additional concerns or issues. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

### 5.38. Topic 38: Registrar Support for New gTLDs

ICANN org has reviewed this topic and does not note any additional concerns or issues. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

### 5.39. Topic 39: Registry System Testing

See [Appendix 6: Business Process Design](#) for an overview of processes related to registry system testing. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

### 5.40. Topic 40: TLD Rollout

ICANN org has reviewed this topic and does not note any additional concerns or issues. See ICANN org’s analysis of this topic in [Appendix 3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org’s assumptions regarding the outputs.

### 5.41. Topic 41: Contractual Compliance

Recommendations 41.1 and 41.2 from the Final Report deal with contractual compliance. The former affirms Recommendation 17 from the [2007 Final Report](#), which states that a clear compliance and sanctions process must be set out in the base contract, which could lead to contract termination.

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The latter recommends more robust reporting on compliance enforcement. Overall, ICANN org's Contractual Compliance department will require additional resources to update their processes and procedures once the new base agreement is finalized. ICANN org's Contractual Compliance department will also need additional staff to monitor and respond to complaints about what is anticipated to be a significant number of new TLDs. ICANN org assumes that the implementation of Recommendations 41.1 and 41.2 needs to be completed prior to the execution of agreements in the next round.

Per the [2016 Program Implementation Review report](#), ICANN org did not note any concerns with contractual compliance processes during the 2012 round.

The Working Group noted, in its affirmation of Recommendation 17 of the Final Report, that “a clear compliance and sanctions process is important for ensuring that contracted parties meet their contractual obligations and face appropriate consequences when they fail to do so, including the potential for contract termination.”<sup>151</sup> Regarding Recommendation 41.2, the Final Report states that the Working Group “believes that by providing additional data and corresponding insights based on that data about the activities of ICANN org's Contractual Compliance department and the nature of complaints handled, ICANN org can better support the community in evaluating the functioning of the New gTLD Program and developing policy on this topic in the future.”<sup>152</sup>

Following the [2007 policy recommendations](#), which call for the gathering of additional data where appropriate, ICANN org's Contractual Compliance department is actively monitoring registry operators and is currently responding to complaints for existing, contracted registry operators. Additionally, ICANN's Contractual Compliance department currently publishes information depicting the number of cases that are closed due to action taken by the registry operator, or due to a finding that the registry operator was never out of compliance. Following Recommendations 41.1 and 41.2, which, respectively, confirm the 2012 policy, compliance activities will continue to evolve.

The Final Report did not provide any concrete details on what additional data points should be collected. Therefore, ICANN org, in consultation with the IRT, will establish which additional, relevant data points may be collected during future rounds, in line with the wording of recommendation 41.2.

For information on the operational design of the contractual compliance process, please refer to [Appendix 6.7: Post-Contracting](#). For a discussion on Public Interest Commitments/Registry Voluntary Commitments and related compliance issues, please see [Topic 9: Registry Voluntary Commitments/Public Interest Commitments](#). See ICANN org's analysis of this topic in [Appendix](#)

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<sup>151</sup> Final Report (p. 193).

<sup>152</sup> Final Report (p. 193).

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[3: Policy Analysis](#) and [Appendix 1: Assumptions](#) for ICANN org's assumptions regarding the outputs.

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# Appendix 6: Business Process Design

This appendix contains an overview and discussion of different processes and workflows needed to implement the next round of new gTLDs. It is divided into seven sections: New gTLD Program foundations, application submissions and processing, application evaluation, dispute resolution, New gTLD Program operations, contracting, and post-contracting.

## 6.1 New gTLD Program Foundations

Underpinning the New gTLD Program are a series of concepts and approaches about application processes, evaluation panels, legal compliance, and sub-programs that must be in place before the application window opens. The New gTLD Program foundations section describes the elements that lay the groundwork for the New gTLD Program launch.

### 6.1.1 Common Concepts

This section describes several concepts used throughout the business process design. They are introduced here to reduce duplication in individual sections and demonstrate how common elements can be reused while providing a consistent and predictable experience for applicants.

Additionally, the concepts demonstrate how future rounds will be designed with reusable methods to provide a consistent experience. The following information is particularly useful for [Topic 6: Registry Service Provider \(RSP\) Pre-Evaluation](#), the [Applicant Support Program](#) section, and the [Application Submission and Processing](#) section.

#### 6.1.1.1 Application Processes

The business process design consists of a number of proposals for application processes and workflows. These proposed application processes incorporate outputs from the Final Report, content from the 2012 Applicant Guidebook, recommendations from the Program Implementation Review Report, knowledge gained from over a decade of New gTLD Program operations, and experience gained from providing services for more than 1,000 registry agreements.

The design is described at a summary level to keep the content as brief as possible while being understandable for the typical reader. The design narrative does not seek to provide details (e.g., application questions, evaluation criteria) that are appropriately developed during the implementation process with input from the IRT.

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## 6.1.1.2 Evaluation Panels

Nearly all specific evaluation areas that are assessed during the New gTLD Program involve use of evaluation panels. Panels are composed of one or more individuals who evaluate applications against criteria for a specific subject matter. The work of these evaluation panels is often described as “reviews.” These reviews are conducted “on paper” through the exchange of questions and answers as well as evaluation of supporting documentation. These reviews are notably different from actual testing, which only occurs for specific technical configurations either during RSP Pre-Evaluation or after passing the Technical Review.

Some evaluation areas are very targeted and will not involve interaction between the evaluation panel and applicant. For example, the DNS Stability Panel will determine whether a string might adversely affect the security or stability of the Domain Name System. This evaluation is solely focused on the proposed string in each application.

Other more complex evaluations, in which multiple questions are asked and/or attachments are provided, may require applicant interaction with evaluation panels. As each evaluation panel reviews the applicant responses, the panel may seek clarification or note deficiencies in particular responses. The panel may issue clarifying questions (CQ) to request that the applicant provide additional information or further explain the responses given.

Applicants will have a limited time period to respond to each panel, with the period length to be determined during implementation. The panel will then consider the response and determine the score for each question. Some questions may require data entry within the system and others may require or allow for the use of attachments. For example, the applicant may need to provide complex information via digital documents. Recommendation 27.2 requires that each response to a question will be scored as either pass or fail.

## 6.1.2 Application Systems

ICANN org intends to select or build a single platform to enable applicants to provide applicable information. The platform will provide a different experience depending on the nature of the interaction. As noted below, there are two sub-programs (RSP Pre-Approval and the Applicant Support Program) that some applicants may apply for before the gTLD application submission period. Each will request different information from applicants for distinctly different purposes prior to the gTLD application process. Nonetheless, there will be similarities, as described below.

There will be a registration process for each of the different application processes: Applicant Support, RSP Pre-Evaluation, and gTLD Application Submission. The registration process allows individuals to set up an account within the system that will be subject to limited review and verification. The system will require information for two different individual users so that

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there is a primary and secondary contact. The secondary contact helps ensure contactability of applicants and security of the account if the primary contact becomes unreachable. Following that step, users will be able to create one or more applicant accounts that may submit applications. This allows applicants representing multiple entities (a consultant, for example) to submit multiple applications. For all aspects of the New gTLD Program and the sub-programs, applicants must be business entities; individuals may not apply.

During the user registration process, relevant contact information must be submitted along with other required information for the business entity applying. To ensure that data are accurate, wherever possible, the application system will apply validations upon data entered. Validations will vary by the type of data entered. A simple example for the entry of a date would be that the date contains a valid day, month, and year.

The user interface will be designed with the goal of providing a straightforward workflow. The interface will also strive to present requests for information clearly. ICANN org intends to provide a user experience that facilitates use by those who are not fluent in English. Where possible, questions will be accompanied by additional context to assist applicants in providing a response that meets criteria.

### 6.1.3 Legal Compliance

ICANN org must comply with all relevant laws, rules, and regulations. One such set of regulations is the economic and trade sanctions program administered by the Office of Foreign Assets Control (OFAC) of the U.S. Department of the Treasury. These sanctions have been imposed on certain countries, as well as individuals and entities that appear on OFAC's List of Specially Designated Nationals and Blocked Persons (the SDN List). ICANN org is prohibited from providing most goods or services to residents of sanctioned countries or their governmental entities or to SDNs without an applicable U.S. government authorization or exemption. ICANN org generally will not seek a license to provide goods or services to an individual or entity on the SDN List. In the past, when ICANN org has been requested to provide services to individuals or entities that are not SDNs, but are residents of sanctioned countries, ICANN org has sought and been granted licenses as required. In any given case, however, OFAC could decide not to issue a requested license.

### 6.1.4 Sub-Programs

Prior to the opening of the application submission period, ICANN org expects to conduct two foundational sub-programs. These will include a general communication and awareness initiative that will also build understanding for the other two: the RSP Pre-Evaluation Program and Applicant Support Programs. These two programs are explained below and are separate from the gTLD application submission and evaluation processes (see [Application Submission and Processing](#)).

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## 6.1.4.1 Registry Service Provider (RSP) Pre-Evaluation Program

### 6.1.4.1.1 Overview

The Final Report included a significant innovation for subsequent rounds in the form of an RSP Pre-Evaluation Program. This program will allow registry service providers to be evaluated once for the services they intend to provide to applicants. This contrasts with the 2012 round, in which the requirement was for every application to be evaluated for technical capability even if multiple applications used the same provider. Technical testing will still occur for each gTLD prior to delegation but is not intended to be duplicative.

The greatest benefit of this approach will be for applicants that choose to use a pre-approved RSP. However, the Final Report outputs also included several optimizations that are expected to increase efficiency, reduce redundancy, and add clarity of process for all applicants. Participation in the RSP Pre-Evaluation Program is voluntary and does not prevent an applicant from using an unapproved RSP. However, if an application includes an unapproved RSP, that RSP will still be subject to the same technical review and testing process and the applicant will be responsible for any additional costs.

The technical aspects of gTLD operations are subject to a technical review. This technical review includes a review of documentation and answers to specific questions, along with a technical test where various elements of the infrastructure are tested to verify proper and/or compliant functioning. RSPs that successfully complete the Pre-Evaluation Program will be considered pre-approved for the duration of the upcoming round of new gTLDs. Pre-approved RSPs will be subject to certain requirements, such as maintaining sufficient capacity to support projected domains under management (DUMs) throughout the round. If a pre-approved RSP does lose its approved status, applications that incorporate that pre-approved RSP will be placed on hold until the RSP regains approval status, or the applicant makes a change request to another technical provider.

Applicants for the RSP Pre-Evaluation Program may apply for pre-approval for different services.<sup>153</sup> An organization may be pre-approved for one or more services. Furthermore, a Main RSP may also apply for pre-evaluation of certain registry services, including specific IDN tables for registration at the second level. Additional requested services will be evaluated in accordance with the principles of the [Registry Services Evaluation Policy](#) (RSEP).

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<sup>153</sup> These may services include “Main RSP” (encompassing all tests and evaluations), “DNS RSP” (limited to providing DNS service), “DNSSEC RSP” (limited to DNSSEC signing), and “Proxy RSP” (limited to “Registration Validation per Applicable Law with Proxy” evaluation).

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RSPs that are not pre-approved are still allowed to partner with applicants to provide technical services. However, criteria and testing during the round will be the same as that which occurs during the RSP Pre-Evaluation Program. If an RSP attempted the pre-evaluation process and did not become pre-approved, the RSP must rectify any gaps to pass the evaluation conducted during gTLD application evaluation.

The RSP Pre-Evaluation Program will begin approximately 18 months prior to acceptance of gTLD applications. This will allow applicants for the RSP Pre-Evaluation Program time to complete the process and be listed as approved. That, in turn, will provide time for gTLD applicants to select an RSP and negotiate applicable business relationships prior to submitting their application(s).

#### 6.1.4.1.2 RSP Pre-Evaluation Application Process

This section describes the RSP Pre-Evaluation application process. For a description of the process to submit an application to operate a registry for a gTLD, please see the [Application Submission and Processing section](#).

The RSP application submission period is expected to open for 60 days, beginning approximately 18 months before the gTLD application submission period. After the initial 60-day period, no applications for RSP Pre-Evaluation for that round will be accepted. In support of consistency and transparency, ICANN org expects to publish a list of all Pre-approved RSPs at one time.

During the application process, each RSP applicant will be required to specify one or more services for which they seek to become pre-approved. The RSP applicant must provide all applicable information, submit the application, and pay applicable fees promptly. For each service, the RSP applicant must supply responses to applicable questions and those responses will be evaluated against established criteria. Each question will be scored pass or fail. RSP applicants that do not receive a passing score for their responses to all questions for a particular service will not proceed to technical testing for that service.

The Final Report specified in Implementation Guidance 27.8 a change to Application Question 30 from the 2012 round, which required that a complete security policy be provided as part of the evaluation. ICANN org proposes this question be updated to allow the RSP applicant to demonstrate that sufficient policies and information security management systems are in place. An example of such a certification is ISO 27001.<sup>154</sup> In addition, noting the general focus of the community and learning achieved since the last round, ICANN org proposes to collaborate with the IRT during implementation to improve the clarity and expectations for the question regarding abuse prevention and mitigation.

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<sup>154</sup> <https://www.iso.org/isoiec-27001-information-security.html>



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RSP applicants will need to pass technical tests, known as Registry System Testing (RST), to demonstrate their capabilities for each service they are applying to support. An RSP applicant must pass all applicable technical tests to be pre-approved for that service. If an RSP applicant does not pass both the evaluation and testing for at least one service, they will not appear on the pre-approved RSP list for the round.

As noted in [Application Evaluation](#) RSP applicants may invoke the Limited Challenge mechanism in the event they do not receive pre-approval for one or more service areas. The Limited Challenge mechanism allows for a single challenge of the evaluation results. The RSP must indicate that they wish to invoke the mechanism within 15 days of receiving the results and has 15 additional days to submit the required materials and fees.

The same evaluation and testing process will occur during a Limited Challenge, with the exception that a different evaluator will review the materials. If an RSP is successful in the Limited Challenge, then that applicant is pre-approved for those services. See [Topic 32: Limited Challenge/Appeal Mechanisms](#).

Pre-Approved RSPs will have obligations to maintain current information with ICANN org including contact information, capacity of their infrastructure, management of pre-approved services, and any other information required in their role as an RSP. If pre-approved RSPs do not meet ongoing obligations, they may be removed from the pre-approved list. Accordingly, the list will be updated throughout each round.

After each round, ICANN org will review the RSP Pre-Evaluation Program to assess the RSP applicant experience, cost of the program, levels of quality, and effectiveness of documentation, tools, and staff. The review will also include an analysis of CQs and responses to determine whether and how questions can be improved.

## 6.1.4.2 Applicant Support Program

### 6.1.4.2.1 Overview

The Applicant Support Program (ASP) will offer a reduction in ICANN fees related to the New gTLD Program to qualified applicants with demonstrated financial need.<sup>155</sup> To improve the awareness, accessibility, and utilization of the ASP called for in the SubPro Final Report as well as the Competition, Consumer Trust, and Consumer Choice Review,<sup>156</sup> ICANN org proposes

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<sup>155</sup> ICANN org notes that it has identified potential issues regarding [Topic 17: Applicant Support](#), which are discussed in [Issues](#).

<sup>156</sup> “One barrier to entry, especially in Latin America, was the limited time window between the provision of information to the close of the new round. While many in the ICANN Community have been waiting for the start of a new gTLD round, it was news to many in the Global South. A number of interviewees in the AMGlobal Study admonished ICANN for providing information

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opening the ASP 18 months before the gTLD application round opens and concluding the ASP six months in advance of the application submission period. Applicants seeking support will be able to apply for and receive a response to their request in advance of, and separate from, their gTLD application.

The opening of the ASP application period 18 months before the next round launch is intended to:

- Provide ICANN org time to determine how many applicants are requesting support and increase funding if demand is high.
- Avoid applicants having to pay significant fees upfront if they have clear financial need.
- Provide unqualified ASP applicants time to seek alternative support from other potential funders.

As noted in the Final Report, “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...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.”<sup>157</sup>

Executing an advanced timeline for ASP will require significant cross-functional collaborative efforts to conduct comprehensive communications, outreach, and engagement strategies. Outreach and engagement will also depend upon the ICANN community, as well as relevant regional organizations and partners.

Applicants seeking support must demonstrate qualifications for the ASP according to criteria set based upon research conducted by ICANN org and in consultation with the IRT. In the 2012 round, the criteria were public interest, financial need, and financial capabilities. Financial capabilities are relevant because assistance only extends to gTLD applicants; the ASP does not encompass assistance for contracted registry operators. ICANN org has proposed exploring reductions for other ICANN fees in [Appendix 16: Applicant Support Program](#), but this must be investigated further in implementation.

Portions of the existing criteria in the Financial Assistance Handbook can be used in the next round. However, it is likely that the criteria will need to be updated to account for Implementation Guidance (IG), such as:

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too late, thus providing inadequate time for decision-making.” Competition, Consumer Trust, and Consumer Choice Review Final Report. September 2018. pp. 142-146.

<https://www.icann.org/en/system/files/files/cct-rt-final-08sep18-en.pdf>

<sup>157</sup> See: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-20jan21-en.pdf>, p. 77-78.

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- IG 17.6: Criterion 1, Section 4 (Operation in a developing country) will need to be updated/amended based on this IG. For example, it could be removed entirely, or may need to be updated to reflect different types of eligible regions, economies, and communities.
  - IG 17.7: Are “globally recognized procedures” reflected in the current criteria? How might they be updated in light of globally recognized procedures?
  - IG 17.8: Similarly, the criteria may need to be updated based on review and input from regional experts. For example, do the criteria appropriately account for regional differences in developing business plans, applications, funding sources, and capabilities?

ICANN org intends to ensure that information related to generating awareness and preparing applicants for the ASP is distributed widely. Materials may include an Applicant Pre-Planning Guide that outlines the broad criteria and eligibility requirements for ASP and general planning information about the New gTLD Program. ICANN org will ensure that ASP requirements are included in the Applicant Guidebook, in line with Rec 17.19, and also published in a dedicated Applicant Support Program Handbook. These documents, materials, and other online content will be translated as described in the [Communications, Global Engagement, and Inclusion](#) section.

The ICANN Board would need to consider allocating dedicated funds to support the ASP. Should demand overwhelm available funds, ICANN org will explore the possibility of additional budget allocation and/or opportunities for ASP sponsorship with the goal of providing meaningful levels of support for all eligible ASP applicants.

ICANN org intends to offer the following assistance to qualified applicants:

- Reduction of the base application fee.
- A curated list of pro bono and/or reduced cost providers to assist with the development of applications and related content, such as registry policies.
- Reduction or elimination of certain other fees such as Community Priority Evaluation.
- A bid credit or multiplier if the application undergoes an ICANN Auction of Last Resort.

As future rounds are conducted, ICANN org expects to learn more about what activities and types of outreach are most effective. Accordingly, ICANN org will seek to incorporate those learnings and evolve the approach and processes within current policy. Such learnings may also provide insight into applicant needs such that ICANN org may be able to expand the scope of assistance in the future.

#### 6.1.4.2.2 Applicant Support Program Application Process

As proposed, evaluation of applications to the Applicant Support Program will start approximately 18 months prior to the opening of the gTLD application round. The application

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submission period will be open for nine months to allow all applicants to register and provide responses to questions and all supporting documentation. The nine-month period will ensure that there is enough time to review all ASP applications and to provide a determination of the support level, if any, at least six months prior to the start of the gTLD application submission period. In support of transparency and consistency, ICANN org expects to deliver results to all applicants at the same time, accompanied by clear rationale for each decision.

During the application process, ASP applicants will respond to questions related to the ASP criteria of public interest, financial need, and financial capabilities. The applicable questions will be developed in consultation with the IRT. Evaluation criteria will also be developed with the IRT and the scoring for each question will be in a pass/fail format.

Once all information has been provided, the ASP applicant must submit the application before the ASP application submission period ends. ICANN org will not accept submissions once the period has ended. ASP applicants may be subject to due diligence including, but not limited to, verification of the organization being in good standing (or local equivalent) and background screening.

Each applicant will be evaluated by a Support Application Review Panel (SARP). The panel will review the documents and responses provided by the applicant against the published criteria. If a response is deemed insufficient to pass, a Clarifying Question (CQ) may be issued to the applicant. The applicant will have a limited number of attempts and time to provide the requested clarity. Applicants that do not qualify for support will not be eligible for fee reductions.

Applicants that do not qualify for Applicant Support may invoke the Limited Challenge mechanism one time. The applicant must indicate that they wish to invoke the Limited Challenge mechanism within 15 days of receiving the results of their review and they have 15 additional days to submit the required materials.

The same evaluation and testing process will occur during a Limited Challenge. The only change is that a different decision-maker within the SARP will review the materials. If the Limited Challenge mechanism results in a different outcome, then an application will receive support.

If an ASP applicant meets the threshold score for the criteria (i.e., a certain number of the total points allotted), but does not receive support because funds have been exhausted, the applicant may still participate in the standard gTLD application process. Similarly, if an ASP applicant does not meet the threshold score, they may still participate in the standard gTLD application process. In both cases, should an ASP applicant choose to participate in the standard gTLD application process, they must pay the standard application fees and related costs. The applicants will be given a limited period of time in which to provide any additional information as required to convert to a standard application.

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After each round, ICANN org will review the ASP to consider the applicant's experience, program cost, effectiveness of documentation, systems, and staff. The review will include an analysis of all issued CQs and responses to determine if and how questions can be improved.

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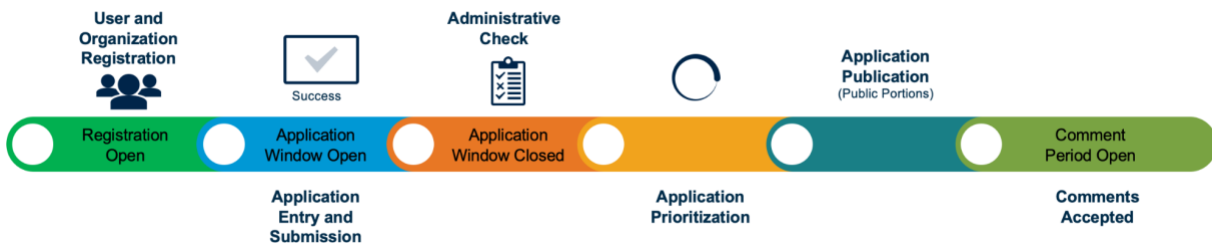
## 6.2 Application Submission and Processing

### 6.2.1 Overview

The application submission process, as outlined in Figure A6-1, is the start of the gTLD application process and lifecycle. This section covers the process for users to provide information within the application system, and how information will be administratively reviewed, prioritized, and published. This section also describes how application comments will be submitted during the initial application comment period.

This section expands upon concepts outlined in the [Common Concepts section](#) introduced earlier in this appendix.

Figure A6-1. gTLD Application Submission Process



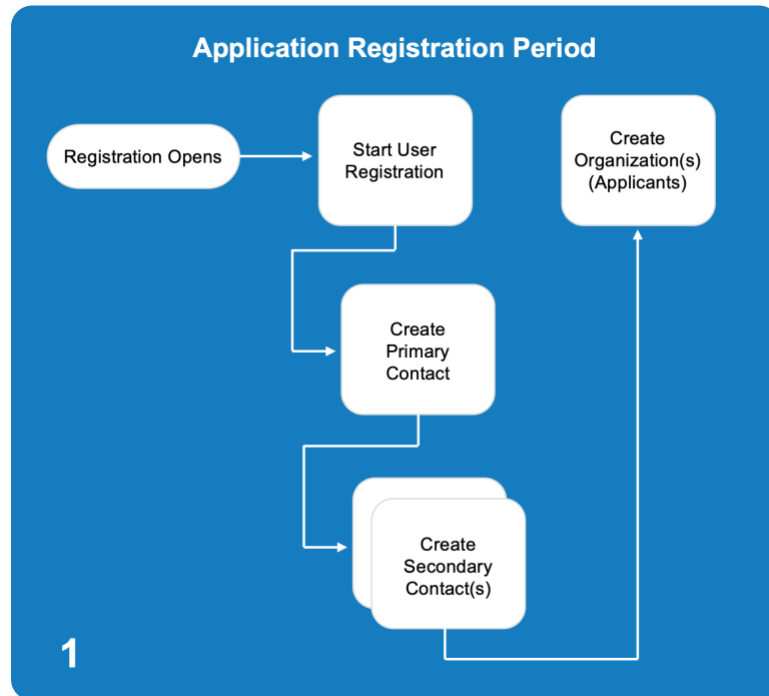
### 6.2.2 Registration Period

As previously mentioned, there will be a registration period for potential gTLD applicants. Figure A6-2 offers an overview of the application registration process. Approximately 30 calendar days before the application submission period begins, the registration process will open. The registration period provides applicants additional time to register prior to application submission so that applicants may use the entire application submission period to focus on creating applications.<sup>158</sup>

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<sup>158</sup> ICANN org notes that it has identified potential issues related to [Topic 18: Terms and Conditions](#), which are discussed in [Issues](#).

Figure A6-2. Application Registration Period



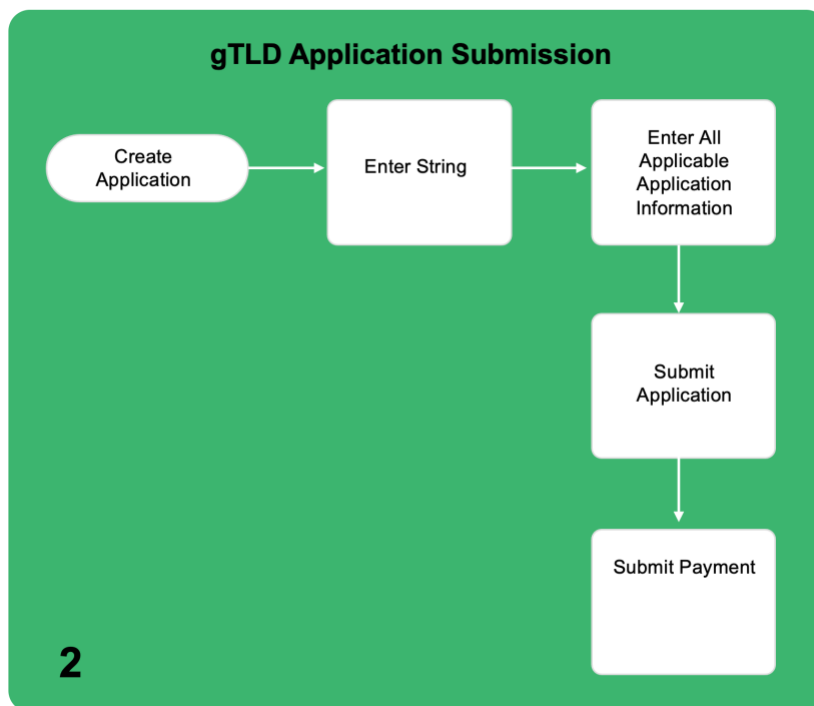
During the registration period, a number of services and support options will be available. General questions may be submitted via email and phone. ICANN org will also provide support for users within application systems, directly answering as many questions as possible and escalating the remainder to the appropriate group.

### 6.2.3 gTLD Application Submission

The application submission period will open on a designated date and time, remain open for 15 weeks, and close on the designated date and time.<sup>159</sup> Applications may be created and submitted at any time during the submission period. Applications may not be submitted after the submission period closes, regardless of how complete the application may be. Figure A6-3 provides an overview of the application submission process.

<sup>159</sup> 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.

Figure A6-3. gTLD Application Submission Process



Each application is for a single gTLD string, but this may change pending the outcomes of the [Expedited Policy Development Process on Internationalized Domain Names](#). The string entry process will attempt to perform as many eligibility tests as can be reasonably and accurately automated to reduce the likelihood that a string would later be found invalid. The automated system may accept a string which may fail a particular test later.

Examples of these tests include whether the string is:

- Currently delegated as a top-level domain in the DNS root zone.
- A reserved name established in the Applicant Guidebook.
- The subject of an application through another process, such as the IDN ccTLD Fast Track.
- Currently an applied-for string in an active application from a previous gTLD application round.
- Associated with an application in another open round, IDN gTLD specific checks, etc.

Unless required by the application or string, applicants will be able to leverage identical information without the need to re-enter data into the system. As part of completing the application, applicants may select among a set of defined application types, some of which may entail specific processing steps, as defined in the Applicant Guidebook.

Applications may also benefit from the Registry Service Provider (RSP) Pre-Evaluation Program (see the [RSP Pre-Evaluation Application Process section](#)). Applicants using pre-approved RSPs



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for services may only need to submit minimal technical information, such as indicating use of a pre-approved RSP.

The applicant may submit the application after providing all the relevant data and clearing all applicable system validations. The order in which applications are submitted and received will not determine the order of application processing (see [gTLD Application Prioritization](#)). Upon application submission, the system will generate an application identification code and, to the extent possible, determine the appropriate application fee. The applicant must submit payment in U.S. dollars. Applicants will be responsible for any bank and currency conversion fees. Applicants must submit complete payments promptly after the close of the application submission period within specific time periods that will be defined during implementation.

### 6.2.3.1 Application Fees

A gTLD evaluation fee is required from all applicants. The gTLD evaluation fee is set to recover costs associated with the New gTLD Program. The fee is set to ensure that the New gTLD Program is fully funded, revenue neutral, and not subsidized by existing contributions from ICANN funding sources, such as generic TLD registries and registrars, contributions from country code TLDs, and Regional Internet Registry (RIR) contributions. The gTLD evaluation fee covers all required reviews in Initial Evaluation and, in most cases, any additional reviews in Extended Evaluation.<sup>160</sup>

A portion of the evaluation fee may be refunded for applications that are withdrawn before the evaluation process is complete. An applicant may withdraw their application and request a refund at any time until it has executed a Registry Agreement with ICANN. The amount of the refund will depend on the point in the process at which the withdrawal is requested, the total application fee, and evaluations completed.

Applicants may need to pay additional fees in certain cases where specialized process steps are involved. Those extra fees may include: Dispute Resolution Filing Fee, Technical Evaluation and Technical Testing Fee, and Community Priority Evaluation (CPE) Fee. In the case of additional evaluation fees, the applicant will be advised of the cost before the review starts. However, in a situation where an applicant is working with a third party, such as a dispute resolution provider, during the objections process, related fees are not New gTLD Program fees and the third party would be the source of information related to services and fees.

Some organizations may be eligible for reduced application fees and other support, provided via ICANN org's Applicant Support Program. ICANN org seeks to increase global diversity and representation across regions within the New gTLD Program through the Applicant Support

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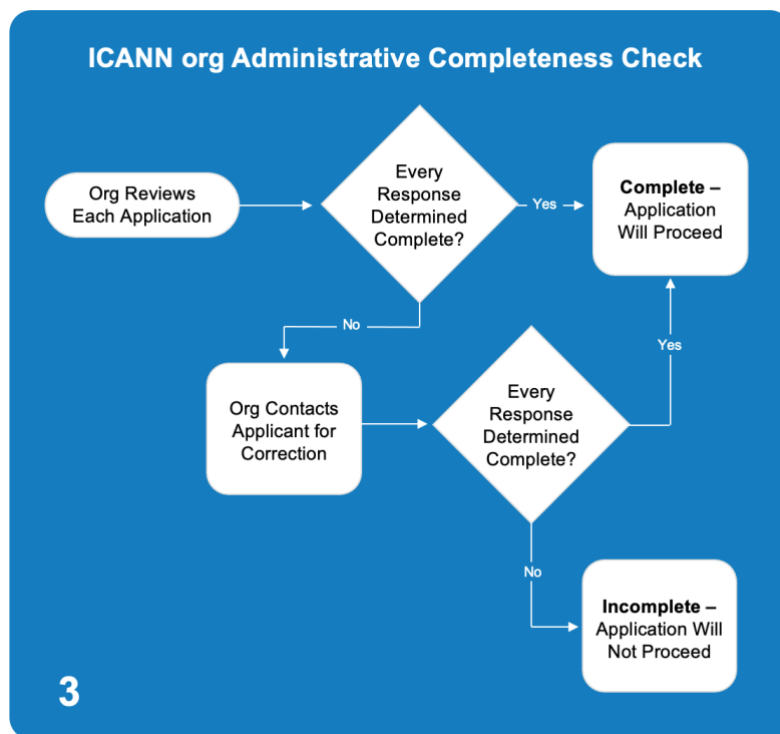
<sup>160</sup> ICANN org notes that it has identified potential issues related to [Topic 15: Application Fees](#), which are discussed in [Issues](#).

Program by assisting potential new gTLD applicants seeking both financial and non-financial support. Please see the [Applicant Support section](#) for more information.

## 6.2.4 Administrative Completeness Check

ICANN org will conduct an administrative completeness check on submitted applications. Administrative completeness consists of a review to ensure that application responses are legible and complete. No substantive review of application content or responses occurs during this step. Figure A6-4 provides an overview of the administrative completeness check process.

Figure A6-4. ICANN org Administrative Completeness Check



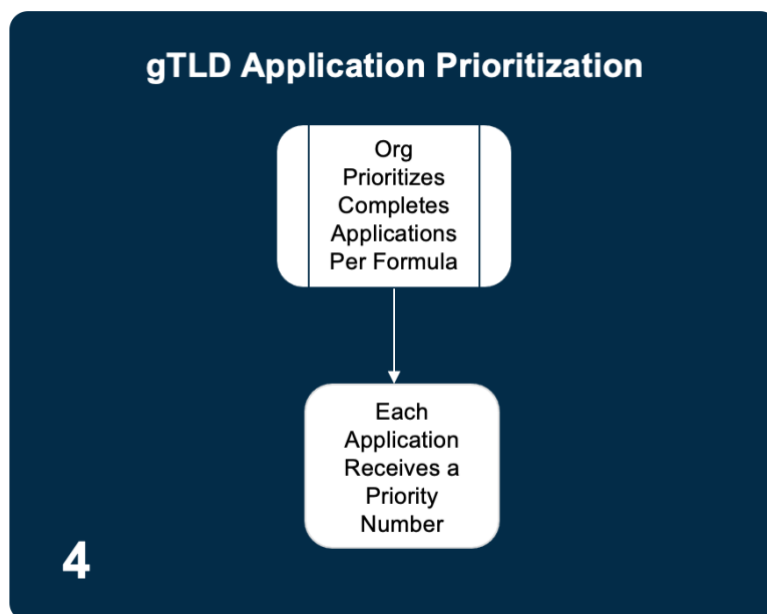
Application responses may be subject to certain criteria to assess whether they are complete. These criteria and details regarding specific timing of the completeness check and applicant response times will be determined during implementation. ICANN org will denote responses that do not meet the specified criteria as incomplete, notify applicants of the issues, and provide applicants a limited time period to correct them. If applicants do not correct issues within the required time period, the application will not proceed. It should also be noted that attempts to artificially extend the application submission period through knowingly providing incomplete information will be monitored and such applications may be subject to disqualification.

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Applications that clear the Administrative Completeness Check will be considered accepted. Accepted applications will proceed to application prioritization.

## 6.2.5 gTLD Application Prioritization

Figure A6-5. gTLD Application Prioritization



The Final Report affirmed the use of the Prioritization Draw (Draw) method and provided detailed examples of how this might be conducted. The Final Report also allowed for ICANN org to "explore ways to assign a prioritization number during the application process without the need for a distinctly separate drawing event."<sup>161</sup>

Applicable local law regarding drawings has not significantly changed since the [2012 Prioritization Draw](#). Accordingly, it is anticipated that for future rounds, prioritization will be established via a similar process, see Figure A6-5.

The Draw timing will be announced along with the schedule for each round. The intent will be to schedule the Draw as soon as practicable following the end of the application submission period while allowing for the Administrative Completeness Check to be completed. The Draw is optional and may require an additional fee and in-person attendance or attendance via proxy.

ICANN org will be reviewing the logistical approach used in 2012 to determine what, if any, improvements can be made. In addition, while the 2012 round prioritization process was a fully

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<sup>161</sup> See: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-20jan21-en.pdf>, p. 87.

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random process, prioritization will be conducted as specified by Recommendation 19.3. Per that recommendation, if more than 125 Internationalized Domain Name (IDN) applications are in the Draw, the Draw process will follow these steps:

1. Groups of 500 applications that have opted into the Draw will be created by random selection. The first 500 applications form the first group, and every subsequent 500 applications form another group until all applications are in a group, even if the last group is not a group of 500.
2. Within the first group of 500, the first 25 percent of the applications shall be IDN applications and those will be assigned priority numbers first. The remaining 75 percent may be a mix of IDN and non-IDN applications and will be prioritized randomly.
3. In all subsequent groups, a similar method will take place, though the percentage of IDN applications that receive high priority will be reduced to the first 10 percent.

For applicants that opt out of the Draw, a similar process will occur, but applications will receive prioritization numbers beginning where the Draw process stopped. For example, if the applications that were part of the Draw ended with a priority number of 1247, the highest priority a non-draw application may have is 1248.

The remaining applications shall be similarly and randomly placed into groups of 500, with the first 10 percent of priority numbers assigned to IDN applications until all IDN applications have been prioritized. At that point, the remaining prioritization will be a purely random assignment. ICANN org will inform applicants of the priority number for each application. The assigned priority number will persist throughout the life of the application and will not change even if application change requests are requested during a round.

It should be noted that there are a number of conditions in which applications might not strictly be processed in priority order. Conditions that can impact an application may include an active ICANN Accountability Mechanism, processing holds due to application change requests, or processing holds due to contention. If a given application is paused due to any of the above, the next application in priority order would be processed to ensure that New gTLD Program resources are used efficiently and that processing continues to the greatest extent possible for all applications.

Once an application has been cleared from any conditions, it will resume processing per its assigned priority position. When an application reaches a particular point in the New gTLD Program, it will be processed by priority order as capacity is available. For example, if an application has a priority number of 10 and the applications at that stage are priority numbers 3, 11, and 17, the application with priority 10 will be processed second, after priority 3.

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## 6.2.6 Application Publication

Figure A6-6. gTLD Application Publication



The Applicant Guidebook for each round will clearly indicate which elements of an application are considered public. As shown in Figure A6-6, ICANN org will publish the public elements of all applications together after all activities described above have been completed.

ICANN org anticipates that the publication of application content will be very similar in form and substance to published application materials from the 2012 round<sup>162</sup>. The information provided included details about the applicant, application status, contention and contention set status, etc.

ICANN org will update application status information as various aspects of the round occur. This will include general status updates, changes to the public information of the application due to an application change request, or the results of application evaluations.

ICANN org will announce the publication of applications to all accepted applicants, the ICANN community, and the general public. Interested parties who create an account will have the option to subscribe or follow specific applications to receive periodic emails regarding any changes to those applications.<sup>163</sup>

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<sup>162</sup> See: <https://gtldresult.icann.org/applicationstatus/viewstatus>

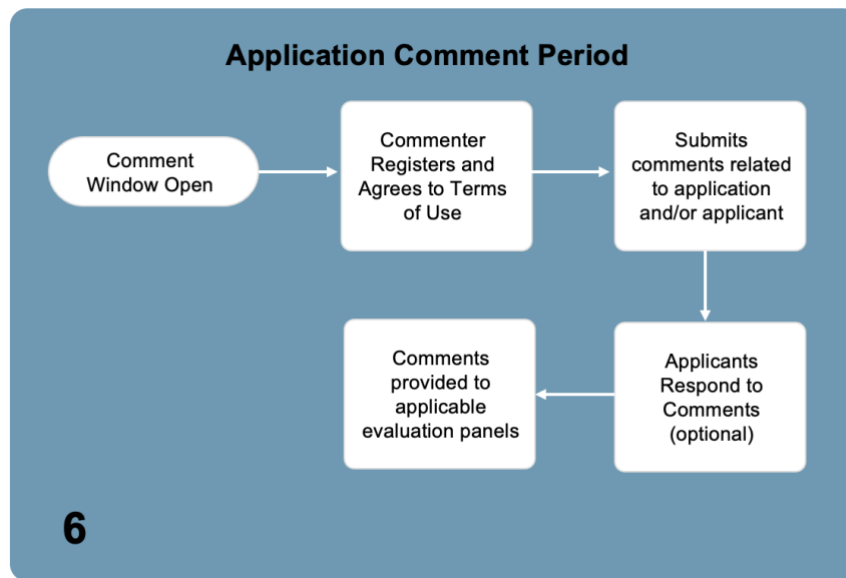
<sup>163</sup> Implementation Guidance 20.5 provides, for instance, that “Community members should have the option of being notified if an applicant submits an application change request that requires an operational comment period to be opened at the commencement of that operational comment period.”

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## 6.2.7 Application Comment Period Opens

After the applications have been published, the Application Comment Period will open. An overview of that process is shown in Figure A6-7.

Figure A6-7. Application Comment Period



In 2012, the first 60 days after applications were published was known as the Objection Filing Period. In future rounds, the period is 90 calendar days and will be known as the Community Review and Action Period to clarify that this is a period in which the community may take a number of actions. Comments may be submitted, objections may be filed (see [Objections](#)), and GAC Early Warning notices may be sent (see [GAC Early Warning](#)).

An application comment system will be made available for interested parties to provide comments on applications. Comments received during the objection period will be provided to appropriate panels. The system will be designed with usability and accessibility in mind and will include search and/or filtering options. The application system will also be designed to comply with appropriate data privacy laws and regulations, as applicable.

Commenters will be required to specify to which application(s), applicant(s), string, and/or specific evaluation(s) their comments relate. Commenters will select the relevant process relating to the comment (e.g., string similarity, geographic names) and comments will be directed to the relevant entities for that process, typically a panel performing the relevant review. Commenters will also be able to provide attachments along with their comments. All comments submitted will be publicly available, with potential for an alternative submission mechanism in exceptional circumstances.

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The relevant panels will incorporate a review of comments during the evaluation process and have the ability to issue CQs to the applicant based upon comments received. This period may be extended in certain circumstances, such as when an application has received a high volume of comments or in other circumstances, as required. Applicants will have a time-limited opportunity to respond to comments that are directly related to their application(s). Applicant responses will also be provided to applicable panels.

Some changes that occur during round processing may require additional operational comment periods. These may include certain application change requests. If comments are received, they will be considered when processing the change request.

Commenters will be required to agree to limited terms of use to provide comments. These terms of use will require commenters to disclose applicable information about their relationship to an employer, if they have a financial interest in an applicant or application, and/or are submitting a comment on behalf of an applicant.<sup>164</sup>

### 6.2.7.1 Internal Operations

While the Community Review and Action Period is open, applications will be reviewed internally. The goal will be to create an efficient plan for processing. Key elements of the plan will include prioritization numbers, overall volume, and the mix of application types. Consideration will be given to the different levels of evaluation that certain applicants may face. For example, when considering Implementation Guidance 27.18,<sup>165</sup> an applicant that is not currently operating a gTLD may require a different level of financial evaluation than other applicants.

A high-level plan will be established during the planning and implementation period. However, the volume and mix of application types and sub-types will remain unknown until the application submission period closes, the completeness check has been done, and the final list of accepted

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<sup>164</sup> Implementation Guidance 28.5: In addition, each commenter should be asked whether they are employed by, are under contract with, have a financial interest in, or are submitting the comment on behalf of an applicant.

<sup>165</sup> Implementation Guidance 27.18: If any of the following conditions are met, an applicant should be allowed to self-certify that it is able to meet the goals as described in Implementation Guidance 27.17. This self-certification will serve as evidence that the applicant has the financial wherewithal to support its application for the TLD. i. If the applicant is a publicly traded corporation, or an affiliate as defined in the current Registry Agreement, listed and in good standing on any of the world's largest 25 stock exchanges (as listed by the World Federation of Exchanges); ii. If the applicant and/or its officers are bound by law in its jurisdiction to represent financials accurately and the applicant is in good standing in that jurisdiction; or, iii. If the applicant is a current registry operator or an affiliate (as defined in the current Registry Agreement) of a current registry operator that is not in default on any of its financial obligations under its applicable Registry Agreements, and has not previously triggered the utilization of its Continued Operations Instrument.

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applications is produced. Once applications begin to be evaluated, timing for individual evaluations will vary, based on factors such as the number of CQs that are issued, the variability of responses from applicants, and differences in business days and response times around the world. Accordingly, the plan will need continual updates and will constitute a living document for the operating team.

## 6.2.7.2 Proposed Optimization

While carefully noting Recommendation 19.4 requiring that prioritization occur before application processing, a slight reordering of activities could enhance the data available for commenters, objectors, and advice providers.

For example, during the Administrative Completeness Check, the String Similarity Review could also occur.<sup>166</sup> This would establish which strings are similar and create contention sets and could provide applicants earlier notice of any string contention for their applications.

It is unlikely that the string similarity analysis would create any additional delays. The analysis does not review individual applications, so Recommendation 19.4 would still be met. Similar analyses could occur at this point, including the String Review for technical and DNS stability, determining the nature of the strings within the Safeguard Assessment and whether a string is considered geographic per New gTLD Program rules.

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<sup>166</sup> ICANN org notes that the IDN EPDP could have an impact on this proposed optimization and should be taken into account as appropriate. See [Appendix 4: Dependencies](#) for more information.



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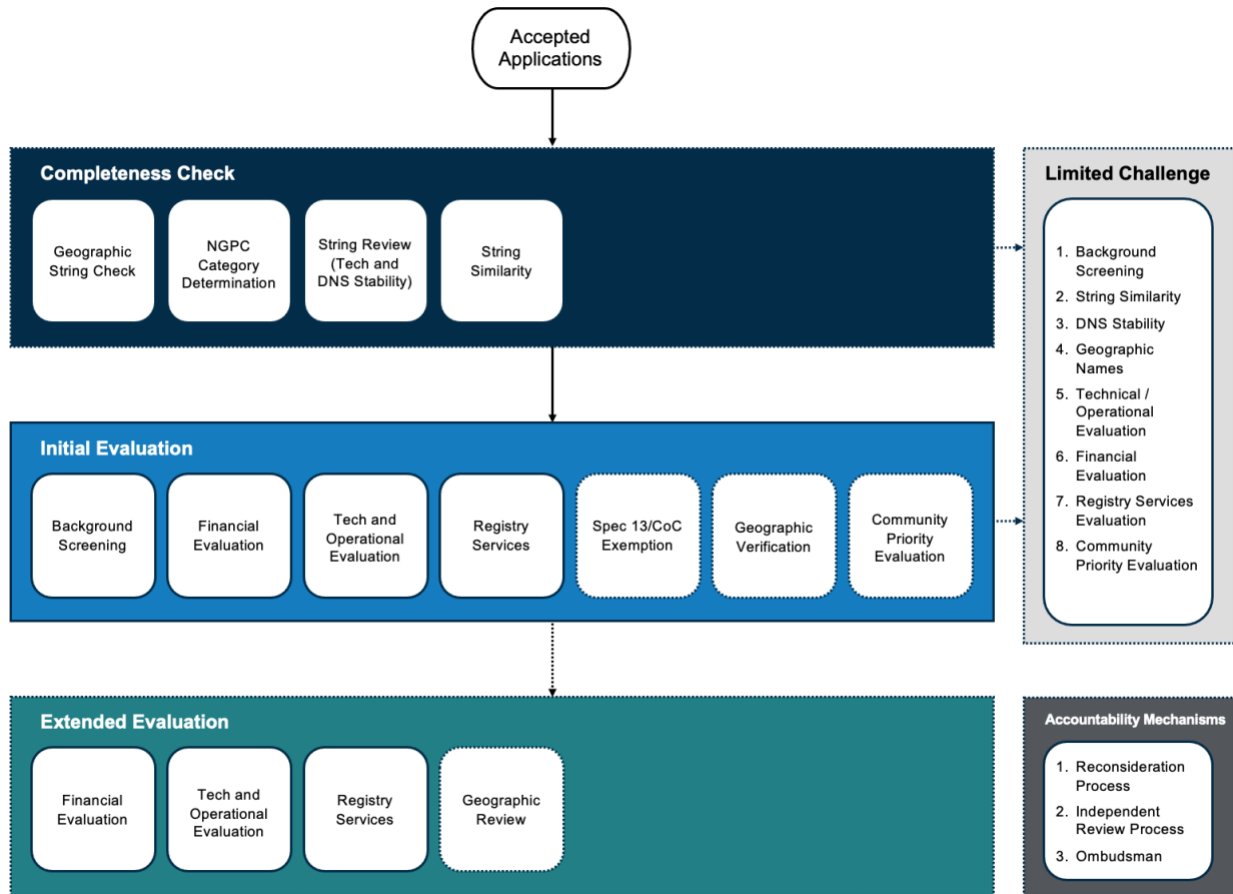
## 6.3 Application Evaluation

### 6.3.1 Overview

While the objection (see [Objections](#)) and comment (see [Application Comment Period Opens](#)) processes are underway, after application publication, evaluation of applications will begin. Evaluations where comments play a role cannot begin until the Community Review and Action Period has ended. However, evaluations that do not require use of application comments will begin, with applications being processed in priority order.

The diagram below generally illustrates how applications will progress through the application evaluation stage. Some of the evaluations described below occur at the string level, where specific application content is not evaluated. For example, these string-level reviews would consider whether a string may create security or stability issues in the DNS; whether the string is considered a geographic name; whether the string is similar to others; and whether it is subject to additional safeguards. Content-based application evaluations, such as financial or technical evaluation, occur during Initial Evaluation. Figure A6-8 also incorporates both the Limited Challenge/Appeal Mechanism, which is required by Final Report Outputs (see [Topic 32: Limited Challenge/Appeal Mechanism](#)), and [ICANN Accountability Mechanisms](#), which may be invoked at various points within the application evaluation period and the New gTLD Program.

Figure A6-8. Application Evaluation Stages



## 6.3.2 Applicable Evaluations

Certain evaluations are required for all applications, while others are based on the type of applicant or application. For an overview of all evaluation types, see Table A6-1. Each evaluation will be conducted by panelists who are trained on how to consistently evaluate application responses against the criteria established during implementation.

For example, only applications seeking a .brand status are required to participate in the Specification 13 Review. Additionally, applicants that apply as a community (as described in the [New gTLD Program Operations](#) section) may choose to participate in Community Priority Evaluation (CPE). CPE is a contention resolution mechanism (as described in New gTLD Program Operations) which is optional for community applications that are determined to be in contention. Community applicants may incur additional costs related to the CPE fee, which can be recouped if the applicant is successful in CPE.

Each evaluation may have different types of review depending upon the type of applicant and type of application. The following examples illustrate some of the variations:

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1. If the application identifies the use of a pre-approved registry service provider (RSP), then the technical evaluation will have been completed during the pre-evaluation process (as described in [Registry Service Provider \(RSP\) Pre-Evaluation Process](#)), leaving only administrative questions for the applicant, for example to verify that they have engaged with the pre-approved RSP.
  2. The financial evaluation will vary in depth depending on the status of the applicant, such as whether the applicant is publicly traded, subject to truthful financial reporting requirements, and in good standing in its jurisdiction, or a current registry operator or affiliate. Based on status, some applicants will be able to self-certify their financial capability to operate a top-level domain.
  3. Certain registry services will not require further evaluation if the applicant asserts that those services will be implemented as described on the [Fast Track RSEP](#) page.

It should be noted that ICANN org, under the supervision of the ICANN Board, is ultimately responsible for conducting round operations and for making decisions regarding eligibility, status, outcomes of evaluations, and with which entities it may ultimately enter into a contract.

Below is a short description of each evaluation area. The questions and criteria for each of these evaluations will be developed during implementation.

1. **Background Screening** will evaluate two areas: (1) general business due diligence and criminal history; and (2) history of cybersquatting behavior. The criteria used for criminal history are aligned with the “crimes of trust” standard sometimes used in the banking and finance industry. Such background screenings will take into account relevant laws and regulations concerning the collection and processing of personal data.
2. **Geographic String Verification** is a string-level review that determines whether an applied-for string is a geographic string as defined in the Applicant Guidebook.
3. **Geographic Review** will determine, in the case where a string is considered a geographic name, whether the applicant has provided evidence of requisite government approval or non-objection.
4. The **String Review** panel conducts a string-level review to determine whether each applied-for gTLD string might adversely affect DNS security or stability.
5. The **String Similarity Review** panel is a string-level review that evaluates whether applied-for strings are visually similar to all other applied-for strings, existing TLDs, reserved names, and variants. Visually similar strings may lead to user confusion should more than one be delegated. The implications of the review outcomes will vary based on whether a string is determined to be visually similar to other applied-for strings (creation of a contention set, as described in [Contention Set Management and Resolution](#)), or to existing TLDs, reserved names or variants (i.e., a string may be invalidated or an applicant may be required to change components of the application). Recommendation 24.3<sup>167</sup> provides clarity for string similarity where there are applications for the singular

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<sup>167</sup> Applications will not automatically be placed in the same contention set because they appear visually to be a single and plural of one another but have different intended uses. For example, .SPRING and

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and plural versions of a string. However, no process has yet been designed for such a scenario.

6. The **Financial Review** panel will review information about an applicant’s financial capabilities to operate a gTLD registry, understanding of cost, revenue dynamics, and resources to ensure long-term stability.
7. The **Technical and Operational Evaluation** panel will assess if the applicant can demonstrate a clear understanding and accomplishment of groundwork toward the key technical and operational aspects of a gTLD registry operation. Note that for those applicants that choose a [pre-approved registry service provider](#), these evaluations will not be required.
8. The **Registry Services** panel reviews any proposed registry services that can be reasonably foreseen to create any possible adverse impact on security or stability of the DNS.
9. **Community Priority Evaluation (CPE)** is an optional evaluation available to community applicants who are determined to be in contention with other applicants. As part of CPE, the evaluation panel will determine whether a community application fulfills the community priority criteria. CPE requires an additional fee, which is refundable if the applicant is successful.
10. The **Specification 13 Review** will determine whether or not an application qualifies for the requirements of Specification 13, also known as a .Brand or brand gTLD.
11. **Code of Conduct (Specification 9) Exemption Review** will determine whether an application qualifies for a Code of Conduct exemption.
12. The **Safeguard Assessment** panel will review all applied-for strings and determine if any will be assigned a particular [NGPC category](#), which may require certain safeguards in the registry agreement.
13. The **RVC Review** will occur for any application that includes one or more RVCs. Each RVC will be reviewed to determine if it can be enforced by ICANN Contractual Compliance.<sup>168</sup>

Table A6-1. Evaluation Panels

Evaluation Area	Type	Phases	Evaluator	Additional Components Considered?		Clarifying Questions Issued?	Limited Challenge Available?
				Comments?	Objections?		
Background Screening	Required	IE	External Expert	Y	N	Y	Y

.SPRINGS could both be allowed if one refers to the season and the other refers to elastic objects, because they are not singular and plural versions of the same word. However, if both are intended to be used in connection with the elastic object, then they will be placed into the same contention set. Similarly, if an existing TLD .SPRING is used in connection with the season and a new application for .SPRINGS is intended to be used in connection with elastic objects, the new application will not be automatically disqualified.

<sup>168</sup> ICANN org notes it has identified potential issues related to [Topic 9: Registry Voluntary Commitments \(RVCs\)/Public Interest Commitments \(PICs\)](#), which are discussed in [Issues](#).

Evaluation Area	Type	Phases	Evaluator	Additional Components Considered?		Clarifying Questions Issued?	Limited Challenge Available?
				Comments?	Objections?		
Code of Conduct (Specification 9) Exemption	Conditional	IE	Internal Review	N	N	Y	N
Community Priority Evaluation	Conditional	IE	External Expert	Y	Y	Y	Y
Financial Evaluation	Required	IE, EE	External Expert	Y	N	Y	Y
Geographic Review	Conditional	IE, EE	External Expert	Y	N	Y	Y
Geographic Determination	Required	Completeness Check	Internal Review	N	N	N	N
Safeguard Assessment Panel	Required	Completeness Check	Impl <sup>169</sup>	Impl	Impl	Impl	N
Registry Services	Required	IE, EE	External Expert	N	N	Y	Y
Registry Voluntary Commitments	Conditional	IE	Internal Review	Y	Y	Y	N
Specification 13	Conditional	IE	Internal Review	N	N	Y	N
String Review (Technical and DNS stability)	Required	Completeness Check	External Expert	N	N	N	Y
Technical and Operational	Required	IE, EE	External Expert	Y	N	Y	Y

### 6.3.3 Process Flow

Generally, each evaluation will follow the same process: a panel reviews submitted information against established evaluation criteria that will be developed during implementation and codified in the Applicant Guidebook. CQs may be used to communicate with the applicant to note any deficiencies in the responses and request additional information to determine if the requirements are met.

<sup>169</sup> To be determined during implementation.

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Each question and response will have a pass/fail scoring method. It is currently expected that all responses for each evaluation area will need to receive a passing score to be successful in an evaluation. If some responses fail, the evaluation will fail. Applicants that fail the Technical and Operational Review, Financial Review, Geographic Review, or Registry Services panel will have the option to request Extended Evaluation within 15 days of being notified of failure for any or all of those four reviews.

An Extended Evaluation uses the same criteria and generally offers the applicant an opportunity for additional time and the ability to submit additional information to address the reasons for failure. Extended Evaluation of Registry Services typically requires additional fees, as it requires the formation of a review team with members with appropriate qualifications to review the specific services proposed in the application. As all applicable evaluations must pass Extended Evaluation, a fail outcome would place the application into a status in which it cannot continue in the round. All applicants must pass all required technical evaluations for services the registry operator tends to offer.

### 6.3.4 Limited Challenge Mechanism

A number of evaluation areas are subject to a Limited Challenge mechanism during evaluation and are summarized in Table A6-1 above. They are:

1. Background Screening
2. String Similarity
3. DNS Stability
4. Geographic Names
5. Technical/Operational Evaluation
6. Financial Evaluation
7. Registry Services Evaluation
8. Community Priority Evaluation

The Limited Challenge mechanism is not solely limited to the applicant. In a number of situations, other stakeholders have standing to challenge the outcome of an evaluation.

As evaluation panel outcomes become available, ICANN org will publish the results. Publication of evaluation panel results will begin the Limited Challenge Intent Period, which will run for 15 days for each panel result. If, within that period, a party notifies ICANN org that they intend to challenge the outcome, the party will have an additional 15-day period to file the challenge and pay any applicable fees.

The one exception to the timeline above is related to a challenge alleging a conflict of interest for one or more panelists. The process for this is different because the natural trigger to object to one or more panelists occurs when the panel is formed. Once an applicant or objector is

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advised of the panel composition, they have 15 days to file a challenge. Once filed, the challenge stops the panel from proceeding until the challenge outcome has been reached.

### 6.3.5 Proposed Optimization

In the 2012 round, Extended Evaluation (EE) provided some of the mechanisms that are found in the Limited Challenge Mechanism. Extended Evaluation was limited to just four evaluations: Financial, Technical and Operational, Registry Services, and Geographic Review.

The Limited Challenge Mechanism extends the scope of challenge to include four more panels. Given that the Limited Challenge Mechanism as recommended in Topic 32 is broader than EE was in 2012, and that the Limited Challenge Mechanism recommendations specifically contemplate only a single challenge or appeal for an issue, it is possible that maintaining an option for EE may conflict with these recommendations.

Recommendation 32.10<sup>170</sup> seeks to limit cost and delays. Maintaining EE mechanisms, procedures, and methods would add cost to the New gTLD Program, increase complexity, extend the timeline for certain applications (with a cascading impact to any other applications in contention) and decrease predictability. For example, there is less predictability in maintaining EE mechanisms because panel outcomes that are in scope for EE would not be final even after a challenge has been initiated as there would still be an option for that outcome to be reconsidered.

It is possible that EE could be eliminated in favor of the Limited Challenge, which includes at least one additional mechanism in the “quick look” to determine if parties have standing to make the challenge.<sup>171</sup>

However, ICANN org also notes that it has identified some potential issues related to [Topic 32: Limited Challenge/Appeal Mechanism](#), which are detailed in [Issues](#).

### 6.3.6 Evaluation Results

Each application will move through the various evaluation processes according to the nature of the specific application. The applicant may invoke the limited challenge/appeal mechanisms,

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<sup>170</sup> Recommendation 32.10: The limited challenge/appeal process must be designed in a manner that does not cause excessive, unnecessary costs or delays in the application process, as described in the implementation guidance below.

<sup>171</sup> The Working Group has noted its expectation that the Implementation Review Team will determine in greater detail how the quick look mechanism will identify and eliminate frivolous and/or abusive objections for each objection type. The Working Group anticipates that standing will be one of issues that the quick look mechanism will review, where applicable.

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where applicable. The mechanism allows the applicant to have any of eight different evaluations carried out by a different panel composition.

Certain scenarios may allow applications to proceed even if the application does not pass a specific evaluation area. All such allowable changes will be documented in the Applicant Guidebook. The following is a non-exhaustive list of examples:

1. .brand applicants that applied with the intent of operating under Specification 13 may fail to meet all requirements. Should that occur, an applicant could pursue an application change request to ask for a Code of Conduct Exemption, for which it would be evaluated, or even change to a standard application if the Code of Conduct was not granted. There may be fees associated with these application changes. More information is available in the [Application Change Request Processing](#) section.
2. Each registry service that an applicant includes in their application will be subject to a security and stability review. If the security and stability review fails for a particular service, an applicant could change the application to remove that service, which would allow the application to remain active.
3. If an applicant fails the technical evaluation, the applicant would have the option to submit a change request to change their technical provider and be re-evaluated.

Applications may only retain a status of active if they have passed all evaluations or are actively being evaluated in one or more areas. Applications that are subject to the Limited Challenge/Appeal Mechanism or an ICANN Accountability Mechanism will generally be placed on hold pending the outcome of those processes.

In the case where an applicant has already signed a Registry Agreement and a string is subsequently delegated, ICANN org may require applicants for that string or those that have been determined to be visually similar to withdraw from the New gTLD Program. Applicants will be able to provide justification to remain in the New gTLD Program, but it will need to be supported with a valid reason. Examples of valid reasons may include ongoing accountability mechanisms or litigation.



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## 6.4 Dispute Resolution

### 6.4.1 Overview

The dispute resolution process is designed to protect certain interests and rights. This section of the business process design covers formal objections and advice from ICANN advisory committees. Objections are limited in type and require that objectors are qualified with a specific, limited interest in regards to the type of objection they invoke.

As noted in the [Application Evaluation](#) section, once applications have been published, the Community Review and Action Period opens for 90 days. During that time, qualified parties will have the option to object to a particular application.

### 6.4.2 Objections

As mentioned, the Community Review and Action Period opens once the applications have been published and remains open for 90 days. However, certain Application Change Requests may start another Community Review and Action Period (see [Application Change Request Processing](#)). Objections may be filed on the following grounds:

1. **String Confusion Objection:** The applied-for gTLD string is claimed to be confusingly similar to an existing TLD or to another applied-for gTLD string in the same round of applications. An objector may file a single objection that extends to all applications for the same string.
2. **Legal Rights Objection:** The applied-for gTLD string is claimed to infringe the existing legal rights of the objector.
3. **Limited Public Interest Objection:** The applied-for gTLD string is claimed to be contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.
4. **Community Objection:** There is substantial opposition to the gTLD application from a significant portion of the community to which the gTLD string may be explicitly or implicitly targeted.

For each of the types of objections, ICANN org will have contracted with one or more dispute resolution service providers (DRSP) to adjudicate. The name and contact information for all DRSPs will be published prior to the start of the Community Review and Action Period. Objectors must file formal objections with and pay relevant fees to the applicable DRSP. To file an objection, the objector must have standing, as defined during implementation.

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ICANN org will also engage an independent objector (IO) or a panel of multiple IOs<sup>172</sup> who will have standing to file certain types of objections. The IO does not act on behalf of any particular persons or entities but acts solely in the best interests of the public who use the global Internet to bring objections on the grounds of Limited Public Interest and community. ICANN org will provide the funds to cover objection fees for the IO.

If the At-Large Advisory Committee develops and publishes an approved process by which objections will be considered and approved, ICANN org will also make funding available to the ALAC for objection filing fees. Any process developed by the ALAC will also need to take into account elements of the objection process that ICANN org will develop during implementation in consultation with the IRT, but the objection process is generally envisioned to have similar requirements as in the 2012 round.

Lastly, funding will be made available to individual national governments, with the intent to pay the full filing fees for at least one objection per national government. This funding will only cover filing fees and will not extend to other fees incurred, such as legal advice.

DRSPs will follow the established procedures for each type of objection as documented in the Applicant Guidebook. This includes publishing all objections that have been filed. ICANN org will also post a notice of all filed objections. DRSPs will communicate directly with applicants regarding any objections filed against them or their application and provide an opportunity and timeline for the applicant to respond to the objection. When the response is filed, the applicant will pay a similar fee as the objector.

Applicants or objectors may request the DRSP to consider similar types of objections together. Consolidation requests are at the discretion of the DRSP.

Applicants and objectors may negotiate privately to resolve the objection, including availing themselves of fee-based mediation services offered by the DRSP. However, if the parties are not able to resolve the objection privately, the panel will make a determination.

### 6.4.3 GAC Early Warning

The Community Review and Action Period also serves as the period in which members of the Governmental Advisory Committee (GAC) are able to issue an “Early Warning” for a particular application or applications. An Early Warning is a notice from a GAC member that a particular application is seen as potentially sensitive or problematic. An Early Warning is not Consensus GAC Advice or a formal objection and does not affect the evaluation of an application nor its eligibility to be processed. The purpose of an Early Warning is to provide notice, and applicants

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<sup>172</sup> Implementation Guidance 31.9: “A mechanism should be established (e.g., standing panel of multiple IO panelists) that mitigates the possible conflict of interest issues that may arise from having a single panelist serving as the IO.”

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may take a number of actions in response, including withdrawal, application change request, or submission of a Registry Voluntary Commitment. For the Early Warning to be most effective, the notices should include the reason for the warning, the list of governments that share the concern, and potential solutions. The notices will be delivered to the ICANN Board and provided to applicants promptly. The Early Warning notice period may be extended beyond the period specified in the Applicant Guidebook, should the need arise. The length of any potential extension will be detailed during the implementation process in consultation with the IRT.

## 6.4.4 GAC Advice

In addition to Early Warning, the GAC may issue advice to the ICANN Board regarding any application, as per the ICANN Bylaws. Receiving advice on a specific application will not pause application processing and evaluation. However, depending on the action ultimately taken by the Board on the advice, the application may not be able to proceed beyond the current phase, as described below.

ICANN's Bylaws require the Board to consider and act on public policy advice issued by the GAC. To ensure that any advice on a gTLD application can be properly considered during the evaluation process, it should be given within the Community Review and Action Period. Advice on specific gTLD applications will be published and the respective applicants will be promptly notified. Applicants will have up to 21 days to respond to the advice via the application system and ICANN org will promptly make responses available to the Board.

Per Bylaws requirements ([Section 12](#)), the Board will consider advice in a reasonable time period, including review of objections, consultation with experts, outreach and discussion with the GAC, and/or any other applicable resources. After consideration, the Board will make a determination on the advice and, if applicable, direct ICANN org to take appropriate action.

## 6.4.5 Advisory Committee Advice

ICANN's Bylaws provide that the At-Large Advisory Committee, Governmental Advisory Committee, Root Server System Advisory Committee, and Security and Stability Advisory Committee may issue advice to the Board. Advice sent to the Board will be published and considered by the Board after a common understanding has been reached and an analysis conducted.

ICANN org has established a methodology for receiving, understanding, evaluating, and presenting the advice for Board consideration. If the advice requires implementation, then the methodology also incorporates reporting on status.

Received advice is posted and processed via the five-phase process described on the [Board Advice](#) page.

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## 6.4.6 Addressing Advice and Objections

Applicants will be able to initiate an application change request (see [Application Change Request Processing](#)) to address Early Warning concerns, advice, and objections. Applicants may propose Registry Voluntary Commitments that would be incorporated into the Registry Agreement between ICANN and the applicant, if invited to contracting.

Additionally, as with all New gTLD Program processes that result in a determination about the application, applicants will have the option of appealing formal objection decisions (see [Topic 32: Limited Challenge/Appeal Mechanism](#)).

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## 6.5 New gTLD Program Operations

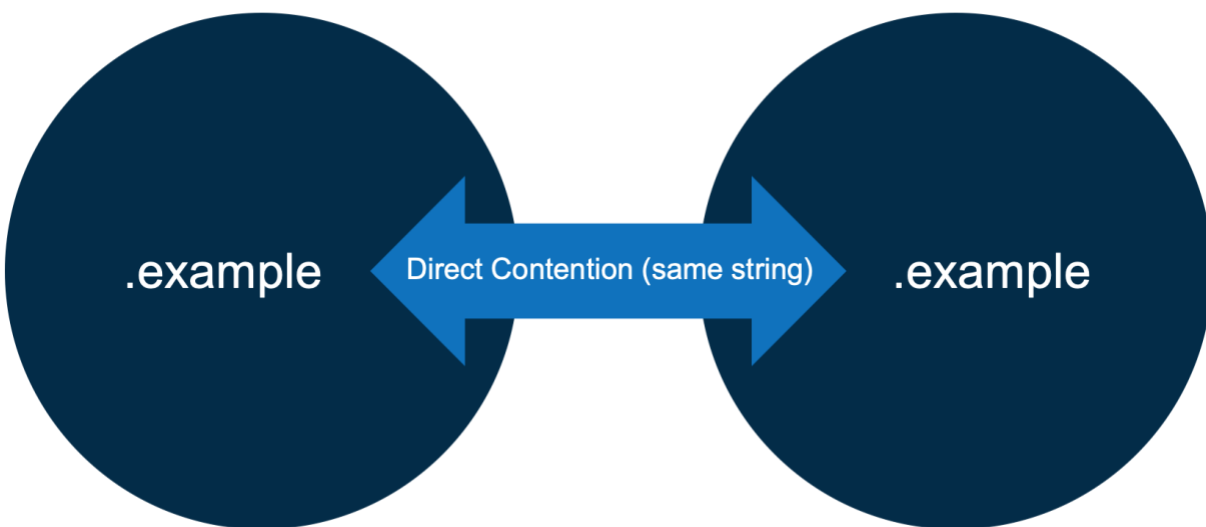
### 6.5.1 Contention Set Management and Resolution

The String Similarity Review determines if applied-for strings are similar to existing TLDs or to other applied-for strings in the current round. Generally, only one string in a group of similar strings can be delegated in order to maintain DNS security and stability. Similar strings are placed into contention sets. The sets may consist of direct contention and/or indirect contention.

#### 6.5.1.1 Direct vs Indirect Contention

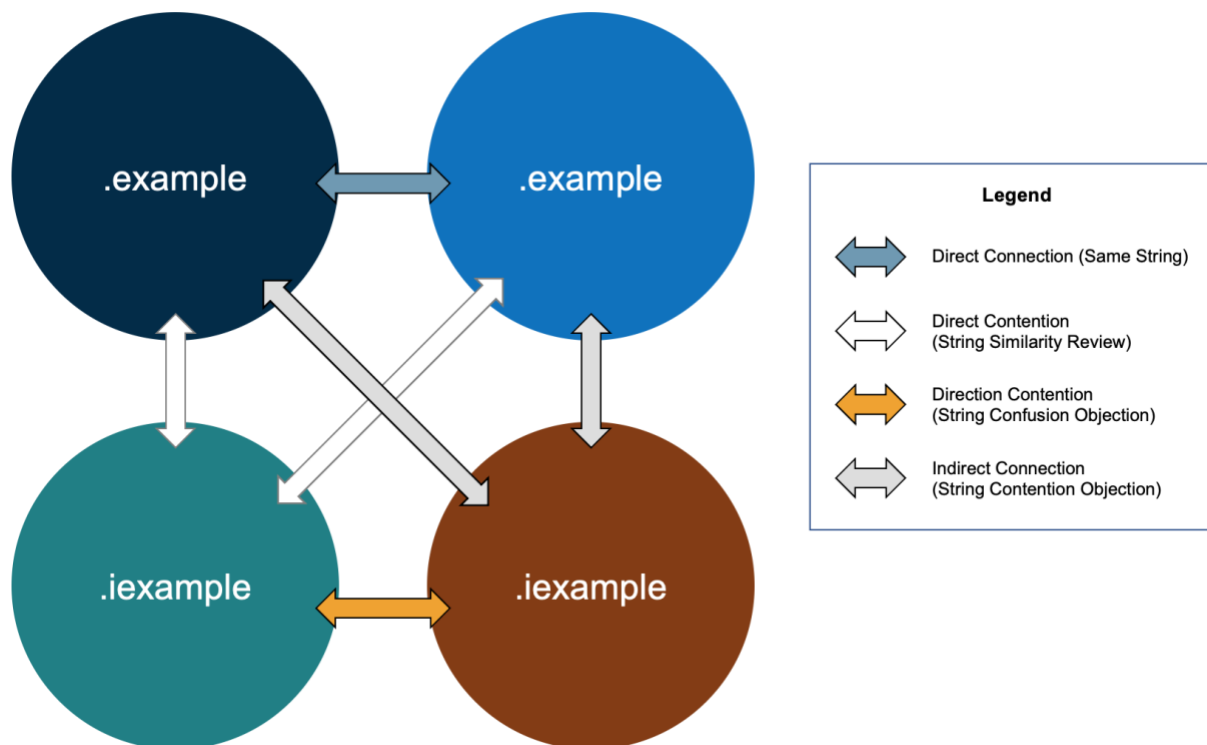
Direct contention occurs when two or more strings are identical or deemed similar to each other. In Figure A6-9, a simple contention set is shown and illustrates a common scenario in which two applications applied for the same string.

Figure A6-9. Simple Contention Set Scenario



Indirect contention occurs when two strings are in direct contention with one or more other strings, but not directly with one another. In Figure A6-10 below, a more complicated scenario is illustrated. Two applications that applied for the .example gTLD remain in direct contention. However, another application included a string that was deemed confusingly similar during the String Similarity Review. This adds to the direct contention set and places .example and .iexample in direct contention. Indirect contention occurs when a third string, .iexamples, is found to be in direct contention with .iexample. This places .iexamples in indirect contention with .example.

Figure A6-10. Indirect Contention Set Scenario



If an application is placed into a contention set, the applicant may not proceed to contracting even if the application has completed all evaluations. A contention set remains active until resolved, at which point the prevailing applicant may proceed to contracting. A contention set can be resolved in a number of ways:

- Community Priority Evaluation (CPE): If the contention set contains a community application (see [Topic 4: Different TLD Types](#) regarding application types), the applicant will have the option to participate in CPE (see [Topic 34: Community Applications](#) regarding CPE). If a single community-based applicant is successful in CPE, the applicant would be considered prevailing within the contention set. For discussion of what would happen if more than one community-based application is found to meet the CPE criteria, please refer to the 2012 Applicant Guidebook, Section 4.2.2.
- Self-Resolution: Contention sets always have the option to self-resolve through private negotiation among the parties involved. Private resolution can take a variety of forms and may also include the creation of a joint venture between applicants that would operate the resulting gTLD.
- Auction of Last Resort: If a contention set is not resolved by one of the methods noted above, ICANN org will conduct an Auction of Last Resort (see [Topic 35: Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets](#)).

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ICANN org notes that it has identified potential issues related to both [Topic 34: Community Applications](#) and [Topic 35: Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets](#), which are discussed in [Issues](#).

## 6.5.2 Application Change Request Processing

Applicants may wish to change or update their applications throughout the application processing and evaluation, and during the contracting process. In general, all applicants will be required to update ICANN org in a timely manner of any material changes to previously submitted application information.

The applicant may need to adjust its application due to Objections, advice to the ICANN Board, and/or the invocation of ICANN Accountability Mechanisms concerning the application. As noted previously, the applicant may add or modify registry voluntary commitments to address any or all of the above. If the applicant fails to address these issues, the application may not proceed.

The types of permitted changes will be enumerated in the Applicant Guidebook. To the extent possible, the Applicant Guidebook will also advise applicants of expected costs for each of those changes and, if applicable, a list of criteria that would indicate the relative likelihood of a change request being approved or denied. Furthermore, wherever possible, the Applicant Guidebook will indicate which of the change types will require an operational comment period. While the below list is not exhaustive, these examples are provided to reflect relevant SubPro Final Report outputs.

Allowable application changes include, but are not limited to:

- Changes to key individuals, such as Board members, officers, etc.
- Material changes to financial condition or related information.
- Changes in the control of the applicant.
- Changes in the string (for .brands in contention and with limits).
- Changes for .brand applicants to instead seek a Code of Conduct Exemption.
- Changes in the applying entity in the case of a joint venture to resolve contention.
- Adding, removing, or modifying registry voluntary commitments.

Prohibited changes include, but are not limited to:

- Transferring the application to another non-affiliated entity. Generally, applications may only be transferred to affiliated entities, such as a parent or child organization.
- Changes to the string for non-brands.
- Changes to the application type to reflect community status.

Application change requests may be submitted within the application system at any time after application submission, for those areas where change requests are permitted. The change

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request itself will be reviewed by ICANN org for compliance with New gTLD Program and round rules. Some requested changes may require a re-evaluation of one or more sections of the application and may incur additional costs. All reevaluations will be conducted using the established criteria for area(s) that are being changed and would typically be conducted in the same manner as all round evaluations, either by the same vendors or ICANN org. For all allowable changes within the round, ICANN org will maintain the applicable evaluation services throughout the round.

Changes that result in updates to an application will be subject to an operational comment period using the same comment mechanism used for the Community Review and Action Period (see the [Application Comment Period Opens](#) section). If the change is to the public portion of the application, the updated information will be displayed.

In the 2012 round, applicants were not allowed to change the applied-for string. Recommendation 20.8 allows for a change to the string in a limited circumstance. A .brand applicant will be able to submit a request to change the string associated with the application to include a descriptive word to the string that already exists in the trademark registration, as long as the string is still technically viable, does not create another contention set, and otherwise complies with all other aspects of the round. See also [Topic 20: Application Change Requests](#) for further discussion on this topic.

The new proposed string will be subject to a number of reviews including, but not limited to: Geographic Review, Safeguard Assessment, String Review (Technical and DNS stability), and String Similarity. If the string change is accepted, a Community Review and Action Period would begin for the application to allow for the filing of objections and comments.

### 6.5.2.1 Considerations Related to String Changes

Allowing applicants to alter the applied-for string in specific circumstances is different from how things were done in the 2012 round. This Recommendation presents several challenges in the form of higher costs, additional complexity, and an extended burden on potential commenters, objectors, and advisory committees.

- Higher costs would occur because each round would need to maintain additional expert panels throughout the round which, in 2012, only needed to be conducted once. These would at least include String Similarity, String Stability (Tech and DNS Stability), Geographic String Verification, and several Dispute Resolution Service providers for the various objection types.
- Additional complexity would occur in process and system design to have additional processes for string change.
- A string change would be of interest to potentially many stakeholders and because a string could change at any time, it would require such stakeholders to continually monitor for this type of change.



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Some challenges may be mitigated by certain operational limits that could be considered during implementation, such as:

- A limit on the amount of time during which strings may be changed. The time period could be relative to when applications are published. This is quite simple to implement, but unless such a time period is limited to significantly less than the Community Review and Action Period, it would likely still create multiple periods that stakeholders may need to track. For example, a 90-day period in which strings may be changed would result in strings not being included in the review period.
- A dedicated time period during which strings could be changed. Such a period would need to occur prior to the Community Review and Action Period so that all strings are updated before the review period. This would result in some delay to certain evaluations, as some of them include a review of comments that are made during the review period. All other evaluations could proceed; so the maximum delay to the round would be the time period allotted for string changes.

### 6.5.3 Conflict of Interest Policies and Mechanisms

ICANN org expects to use a sizable number of vendors to provide a variety of analyses, services, and expert knowledge in the design, development, and operation of each round. Accordingly, ICANN org will apply a variety of mechanisms to assess that vendors involved in any aspects of the New gTLD Program, including dispute resolution providers, the independent objector, and evaluators/panelists, are free of real or perceived conflicts of interest.

### 6.5.4 Panelist Code of Conduct

Specifically, within the New gTLD Program, a Code of Conduct (CoC) will be detailed in the Applicant Guidebook<sup>173</sup> and be applicable to all panelists. The CoC requirement extends to any primary, secondary, and contingent third-party panelists as well as immediate family members and their own professional services. Panelists are expected to comply with equity and high ethical standards while assuring the Internet community, its constituents, and the public of objectivity, integrity, confidentiality, and credibility. Unethical actions, or the appearance of any potentially unethical actions, are not acceptable. The CoC includes limitations and requirements related to potential conflicts, such as bias, compensation or gifts, and confidentiality. The CoC also includes guidelines for panelists regarding what might constitute a conflict. ICANN org will monitor for any potential violations of these policies and will investigate allegations of conflict. Should ICANN org determine there is a conflict after an evaluation has been completed, ICANN org will consider the results of the evaluation invalid and restart the evaluation process.

Applicants will have the ability to challenge the composition of panels assigned to conduct

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<sup>173</sup> Please see Applicant Guidebook, pages 2-34 and 2-35.

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evaluations as noted in the Limited Challenge/Appeal Mechanism.

## 6.5.5 Withdrawals and Refunds

An applicant may withdraw an application any time from the point of application submission up until a Registry Agreement has been executed. Once a Registry Agreement is in force, the applicant has become a registry operator and is subject to the terms of the agreement.

Applicants will be able to withdraw their application(s) through the application system and will follow the process determined during implementation. Depending upon the conditions under which the applicant withdraws its application(s), the refund amount will vary. A schedule of refund amounts based upon foreseeable withdrawal points in the application process will be included in the Applicant Guidebook.

Withdrawal of an application is final and irrevocable. Refunds will only be issued to the organization that submitted the original payment. ICANN org will confirm refund mechanisms such as banking details with applicants who withdraw applications. Any bank transfer or transaction fees incurred by ICANN, or any unpaid evaluation fees, will be deducted from the amount paid. Any refund paid will be in full satisfaction of ICANN's obligations to the applicant. The applicant will have no entitlement to any additional amounts, including interest or currency exchange rate changes.

## 6.5.6 ICANN Accountability Mechanisms

While the New gTLD Program will include mechanisms for challenges and appeals, the ICANN Bylaws also provide a number of [accountability mechanisms](#) that the community may use. If an accountability mechanism is invoked and applies to one or more applications, ICANN org will pause processing of those applications until the accountability mechanism has been resolved. If a single application within a contention set invokes or is subject to an accountability mechanism, ICANN org will place all applications within the contention set on hold.

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## 6.6 Contracting

### 6.6.1 Overview

Contracting is the process by which applicants who have successfully completed all required New gTLD Program steps enter into a Registry Agreement (RA) with ICANN org to operate the applied-for string as a gTLD. Applicants are required to complete all contracting processes and execute the RA within nine months of being notified that they are eligible to proceed with contracting. ICANN org maintains the right to extend the nine-month period if it determines the applicant is working in good faith to execute the RA.

### 6.6.2 Contracting Process

Contracting is the last step before an applicant signs the RA and becomes a registry operator (RO). The Contracting stage is also the last phase in which an applicant may withdraw an application. Once the RA has been executed (i.e., both the applicant and ICANN org have signed), the RA is considered to be in force, and both parties must abide by its terms.

ICANN org will offer translations of the base Registry Agreement that will be used in the next round. However, applicants should note that the English language version of the agreement (and all referenced specifications) is the official and controlling version and translations are provided for reference only.

Background Screening, eligibility determination, and submission of contracting information are the three most significant elements of the contracting process. These steps can only take place after all prerequisites noted below are completed. Each element is described further in this section.

#### 6.6.2.1 Complete Deferred Background Screening

Background Screening is initially conducted during Initial Evaluation. However, Implementation Guidance 22.3<sup>174</sup> provides that if one or more change requests related to individuals named in an application or to the entity were approved during the round, any subsequent background screening should be done just before contracting.

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<sup>174</sup> Implementation Guidance 22.3: If there is a change in the application that requires additional or repeat Background Screening (for example, a change in applying entity or change to major shareholders, officers, or directors of the applying entity) this additional Background Screening should occur prior to execution of the Registry Agreement. Deferring the re-screening until just prior to execution of the Registry Agreement represents a change to the process from 2012.

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The screening methods will be exactly the same, regardless of when they are conducted. If the limited challenge on Background Screening was not already invoked, the Limited Challenge mechanism could be requested if there is disagreement with the Background Screening results. Such a challenge would extend the time to meet eligibility.

### 6.6.2.2 Attain Eligibility

Generally speaking, an application must meet three conditions to be eligible to start the contracting workflow:

1. The application has received a passing score for all applicable evaluations.
2. The application is in an unencumbered status, meaning the application is not pending the resolution to any New gTLD Program processes (objections, open change requests) or ICANN Accountability Mechanisms, Board-accepted Advice, or similar that prevent the application from proceeding.
3. If the application was in a contention set, the contention set has been resolved.

During implementation, other aspects may be added to eligibility considerations.

### 6.6.2.3 Contracting Information Request

After an application meets the above conditions, the applicant will be directly notified that they are eligible to start the contracting process.

1. ICANN org will collect and confirm information from the applicant. Information requested includes details about the signatory, whether there is any cross-ownership of registrars, whether the applicant would like to request negotiation of the agreement, and if they require a physical document for signature rather than electronic signatures. There will also be an option to specify the individuals who will be involved in negotiation and reviewing the draft RA, if different from the application contacts.
2. After the information is provided, ICANN org will review the content and issue CQs regarding any application information requiring additional clarity.
3. Applicants may be subject to ICANN Contractual Compliance review if the applicant is already a contracted party, declares cross-ownership, or both. If ICANN org determines there are issues, the applicant must address the issues prior to contract execution.
4. If required per the Applicant Guidebook for a particular round of new gTLDs, ICANN org will also request a final, compliant Continued Operations Instrument (COI) for the applicant.
5. Once the draft RA has been prepared it will be sent to the applicant for review and signature. The draft agreement will be created for the applicant and will incorporate any language appropriate to elements such as the legal entity, legal type, the appropriate specifications, Exhibit A language (additional services that the registry offers), and any registry voluntary commitments.

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6. If negotiation is requested, ICANN org will request that the applicant produce a tracked-changes version of the agreement, along with a documented rationale for each suggested modification. ICANN org will review and provide feedback, and/or arrange meetings with the applicant, as needed.

Note: many of the aspects of the RA are a codification of policies and exist to protect the security, stability, and interoperability of the Domain Name System and are not subject to negotiation.<sup>175</sup>

7. After the text of the agreement has been confirmed by both parties, ICANN org will arrange to have the document executed (i.e., signed by both parties). The standard approach will be to use digital signatures, but physical signatures will be available for applicants in jurisdictions where physical documents are required.
8. Once the agreement is fully executed, the applicant becomes an RO. The RO will receive a fully executed copy, and a redacted version of the RA will be posted publicly.
9. The RO will receive access to the contracted party system of record, currently the Naming Services Portal (NSp).

Within the NSp, the RO will be able to complete onboarding, coordinate any required testing, provide required technical information, request delegation, and request services under the terms of the agreement.

### 6.6.3 Proposed Optimization

Affirmation 22.2 requires that Background Screening occur during Initial Evaluation, while Implementation Guidance 22.3 provides a specific use case in which subsequent screening is deferred to just before contracting.

One way to reduce complexity would be to conduct all Background Screening just prior to contracting. It is anticipated that this would not impact the vast majority of applications as the most common result for Background Screening is a clear result. This is likely due to the robust description of Background Screening provided in the Applicant Guidebook and that publicly-held companies are largely held to the same standards by the exchanges upon which their shares are traded.

As noted above, the Limited Challenge mechanism could still be invoked based on the Background Screening results. Accordingly, there is a risk of delay to applicants that end up with problematic results as well as those who invoke the Limited Challenge mechanism. This risk is mitigated in two ways: Background Screening results are generally available more quickly relative to other evaluations and applicants may be motivated by the urgency to sign an RA and ensure they are readily available to participate in the Background Screening process. This might

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<sup>175</sup> See also [Topic 36: Base Registry Agreement](#) for more information regarding the Registry Agreement.

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not be the case if the Background Screening occurs earlier in the evaluation process, in which case the screening would take longer.

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## 6.7 Post-Contracting

### 6.7.1 Overview

As applicants become ROs, they move out of the New gTLD Program and become contracted parties. ICANN org enables contracted parties to meet their obligations in a variety of ways. This section covers the steps a newly contracted RO must take and briefly introduces the methods by which ROs can request services from ICANN org.

ICANN org provides a secure interface for ROs to submit information and request services through a system called the Naming Services portal (NSp). The NSp is monitored by ICANN org staff members who respond to inquiries or service requests. For new gTLDs, ICANN org staff will guide ROs through the onboarding process. On an ongoing basis, ICANN org staff will also process operational requests or any Contractual Compliance issues.

### 6.7.2 Onboarding

Once the RA is signed, the RO must complete the onboarding process within 12 months, or they may be found in noncompliance. ICANN org will notify new ROs of the three steps they need to take to become eligible for delegation:

1. Providing all required contact information.
2. Providing all required information for technical configuration for the gTLD.
3. Completing technical testing.

While information for several contacts is provided during contracting, additional contact information needs to be provided during onboarding for operational areas, such as 24x7 emergency contacts, abuse, technical, and Uniform Rapid Suspension contacts, among others.

The RO also must provide technical information related to the operation of the gTLD, such as configuration information related to the [Centralized Zone Data Service](#) and zone file downloads, the location of the Bulk Registration Data Access file, public keys to secure transmission of information, and IP address ranges for whitelisting.

Lastly, the RO, or its designated registry service provider, will need to pass registry system testing. Technical tests at this stage are limited to the TLD-specific aspects.

Once all three steps are completed, the gTLD becomes eligible for the delegation process.

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## 6.7.3 Delegation

After onboarding has been completed, ICANN org will coordinate with the Internet Assigned Names Authority (IANA) to begin the delegation process. Delegation of a TLD is a function of IANA and is the process by which a TLD is made active in the DNS root zone.

As part of the delegation process, ICANN org will conduct all checks and approvals and then verify to IANA that the RO has completed all of the required steps. Next, ICANN org will issue a token or code that the RO provides to IANA to gain access to the Root Zone Management System. When the RO receives the token, it will also receive instructions for redemption. At this point, the delegation process will begin, which will require confirmation from the RO. The delegation process typically takes 10-12 days. Once delegation has occurred, the RO is notified.

ICANN org will monitor the stability of the root zone and the rate of change as a result of delegations. ICANN org will coordinate with IANA and may pause and/or re-schedule delegation requests in the event of high rates of change or root zone instability.

## 6.7.4 Name Collision

During the 2012 round, the ICANN Board New gTLD Program Committee approved the [Name Collision Occurrence Management Framework](#). This framework established several definitions and requirements. ROs are required to implement controlled interruption for newly delegated gTLDs for a period of at least 90 days. *Controlled interruption* refers to inserting specific records in the TLD zone file to respond to all requests with the same response to alert Internet users of potential name collisions. The 90-day controlled interruption period must be completed before the gTLD can launch, as noted in the next section.

For future rounds, ICANN org expects the same name collision approach will be used unless the ICANN Board adopts an alternate framework or mechanism based on community<sup>176</sup> discussions. See also [Topic 29: Name Collisions](#) in [Appendix 5: Topic Analysis](#) for more information.

## 6.7.5 TLD Startup

The Trademark Clearinghouse (TMCH) was established as part of the 2012 round and continues to operate. The capacity within the existing system has shown to be sufficient for that round and is expected to be sufficient for future rounds. Additionally, during a recent [policy development process](#), in which the TMCH was reviewed, no significant changes were

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<sup>176</sup> ICANN org acknowledges the efforts underway as part of the SSAC Name Collision Analysis Program. More information can be found on the wiki page: <https://community.icann.org/display/NCAP/NCAP+Discussion+Group>.



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recommended. Any changes made to the TMCH because of those recommendations would be minor for all parties involved. It is expected that a Request for Proposal (RFP) would be conducted to select an operator for future rounds.

ROs must comply with the processes and procedures for the launch of each gTLD, including requirements for initial registration-related and ongoing protection of the legal rights of third parties. These details are further described in the [Trademark Clearinghouse Rights Protection Mechanism \(RPM\) Requirements](#).

Each RO is required to complete certification with the Trademark Database (TMDB). ICANN org intends to provide instructions and information to the RO regarding the process and requirements. The TMDB is operated by an external vendor that will verify that the RO has completed the configuration setup and conducted the specific tests which ensure the RO can perform the functions required during TLD startup periods.

After certification, the RO may submit the launch plan, requested dates, and applicable policies to ICANN org for review. Submitted content will be reviewed for compliance with requirements. ICANN org will notify the RO if there are any questions or concerns, and work to resolve any issues. Upon approval, dates will be scheduled and posted on the TLD Startup Information page. The RO must then execute their launch plan.

## 6.7.6 Registry Operator (RO) Services

Over the lifecycle of the RA, the RO will need to fulfill various obligations that are listed in the agreement. These include, but are not limited to, maintaining service levels, keeping contact information up to date with ICANN org, and responding to abuse complaints. An RO may request approximately 30 different types of services via the NSp. ICANN org staff monitor the portal for any requests and promptly provide responses, conduct a review of the requests, and process requests, as appropriate.

## 6.7.7 Contractual Compliance

ICANN Contractual Compliance monitors various aspects of RO obligations and receives, reviews, and responds to complaints from the public regarding contracted party conduct. Examples of obligations that are monitored include the performance metrics listed in Specification 10 of the RA. If such metrics are not met, Contractual Compliance may send automatically or manually generated messages. For example, these messages would state the detected issue and request more information about the outage, as well as remediation efforts that would be taken to avoid a recurrence.

Complaints received by Contractual Compliance are examined and validated prior to opening an inquiry or other type of communication to a contracted party. Contractual Compliance will engage with the contracted party to understand and address the situation. If remediation is

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required by the RO, that would be monitored. The Contractual Compliance approach and processes are described in detail on the [Contractual Compliance](#) page on icann.org.

## 6.7.8 The Emergency Back-End Registry Operator (EBERO)

The Emergency Back-End Registry Operator (EBERO) Program criteria and processes do not require any changes based on Final Report outputs. However, the EBERO program was supported by the required Continued Operations Instrument (COI), a financial instrument that could be drawn upon to provide funds to maintain critical registry functions in the event of an emergency transition. Registry operators were required to maintain a COI for at least six years after the registry agreement was signed. The outputs allowed that there may be other ways to fund such occurrences.<sup>177</sup>

ICANN org notes the significant administrative burden in managing almost 2000 COIs at the peak of the 2012 round. ICANN org also highlights the cost and effort required of applicants and ROs. Over the course of the New gTLD Program, applicants from certain regions also struggled to provide COIs due to changes in banking services.

Accordingly, ICANN org proposes to explore alternatives to COIs that may address the burden and collective cost, such as the creation of a segregated fund from application fees or a custom insurance plan.

Furthermore, the [RSP Pre-Evaluation Program](#) may allow for additional mechanisms. Pre-approved RSPs will have passed technical evaluations and testing and will be required to maintain sufficient capacity to support their managed TLDs. Therefore, pre-approved RSPs could be leveraged to continue to provide services for a gTLD in the event of a business failure (insufficient funds or similar) rather than a technical failure. Such operations could be funded by ICANN org and avoid the impact to registrants that would occur during an emergency transition.

ICANN org is monitoring the development and passage of data protection legislation and will take steps to ensure that the number of EBERO providers and their respective locations allow the EBERO Program to continue to provide appropriate protection to registrants. Such changes may result in increased costs to operate the EBERO Program.

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<sup>177</sup> Recommendation 22.5: The Working Group supports Recommendation 7.1(a) in the Program Implementation Review Report, which states: “Explore whether there are more effective and efficient ways to fund emergency back-end registry operator in the event of a TLD failure [other than requiring Continued Operations Instruments.]”

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## Appendix 7: Operational Assessment

This appendix provides an overview of the estimation of work that should be considered to support and operate the next round of the New gTLD Program. This appendix has been provided as supplemental information to support the [Operational Considerations](#) section of the main ODA and [Appendix 6: Business Process Design](#). The appendix includes sections on resource estimates by phase, and systems and process maintenance and development for future rounds.

### Overview

The scope of the operational assessment includes an estimation of work that will need to be done to:

- Support the implementation process.
- Develop operational processes and procedures.
- Document system requirements required for operational activities and processing.
- Develop training materials and methods.
- Operate the various aspects of the New gTLD Program including supporting potential and actual applicants.

Based on all of the work conducted during the ODP, several themes emerged and are noted below. These themes influenced the [Appendix 6: Business Process Design](#) and have an impact on resource estimates and risks:

1. Various elements of the New gTLD Program must remain flexible as the application volume for each round will be unknown until the application submission period closes. ICANN org intends to maintain flexibility through a combination of permanent staff, temporary staff, and vendors. For evaluation panel services, dispute resolution providers, and temporary staffing firms, ICANN org will incorporate consideration of how those vendors can adjust operations and services to process any number of applications that are ultimately received.
2. ICANN org may have a higher percentage of permanent staff than in the 2012 round since the Final Report intends for ICANN org to hold additional rounds. Implementation Guidance 15.5<sup>178</sup> highlights this and notes the importance of maintaining staff expertise to reduce delays between rounds.

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<sup>178</sup> Implementation Guidance 15.5: Although ICANN must operate the new gTLD Program on a cost recovery basis (subject to any floors as set forth in this report), ICANN org may set aside a certain small percentage of excess fees (to the extent there are excess fees) to apply toward covering the costs of maintaining the capability to assemble future subsequent rounds of new gTLDs with minimum delay and

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3. Given a multiple round approach, it is sensible to develop sustainable tools and systems. It was unclear in 2012 when another round would occur. Systems from that era were largely ad hoc and are not usable today. Going forward, systems need to reduce manual efforts by staff; offer systemically enforced, procedural guardrails to ensure consistency; produce quality, low-effort reporting; and continually evolve. Such an approach can improve scalability of staff over time and reduce overall operational costs, even though it requires a larger initial investment.

## Resource Estimates by Phase

The various operational estimates are described by phase below. Some elements of these phases may be conducted concurrently. Resource estimates are constructed with several inputs, including the [Appendix 6: Business Process Design](#), assumptions within the ODA, the [Program Implementation Review Report](#) developed by ICANN org in January 2016, general experience gained from the 2012 round, and operational experience from supporting contracted parties since 2014.

Resource estimates are uncertain as there are a number of unknowns at this stage of analysis, including:

1. The distribution of application volume per application type. Application types are discussed in [Appendix 6: Business Process Design](#).
2. The specific software platform that application systems and processing tools will be built with. This platform may include automation and productivity tools, or these tools may need to be built. The degree to which features and functions may be added impact cost and time to build and will ultimately influence staffing requirements.

## Phase 1: Policy Implementation and Program Design

The Policy Implementation and Program Design Phase addresses the definition of services, including rules and requirements of the New gTLD Program. However, as the next round is defined, operational design elements will be concurrently developed. Activities in this phase will include support for the Implementation Review Team<sup>179</sup> (IRT) and development of potential operational solutions. The skills needed in this phase will include guideline and rule development, process architecture and process design skills, and capabilities of defining system and tool requirements for both new and existing systems.

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to ensure that the new gTLD Program is able to continue into the future. Examples of such costs include retaining staff with program expertise and maintaining requisite systems.

<sup>179</sup> More information about the implementation process and role of the IRT is available at [https://www.icann.org/uploads/ckeditor/CPIF\\_v2.0\\_2019CLEAN.pdf](https://www.icann.org/uploads/ckeditor/CPIF_v2.0_2019CLEAN.pdf)

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## Phase 2: Infrastructure Development and Operationalization

During this phase, resources will focus on developing:

- Processes
- Procedures
- Required role definitions
- Plans for talent acquisition
- Training materials and mechanisms
- Quality assurance processes and procedures
- Reporting requirements.

Staff at this phase will need to be experienced in process design and implementation, which includes the ability to define system requirements for processing and automation. After these elements are established, additional required skills will include development of educational material, training curricula, and internal trainers, and quality assurance experience.

Efforts will be made to update and enhance existing contracted party support functions. This includes enhancements to tools and systems, any applicable evolution of existing processes and procedures, and reporting. For example, during the 2012 round, the automation related to the Contracting Information Request was enhanced significantly to address application confusion and to streamline data collection. Any similar changes in future rounds will focus on enhancing usability and scalability of existing tools to prepare for significant future numbers of additional contracted parties. The skills required for this are similar to those identified above.

Care will be taken to develop applicant services as the above elements are developed. Services will be available to potential applicants before the gTLD application submission period. Applicant services will include a combination of the support functions provided by ICANN org and potentially other services, such as guidance from personnel who are knowledgeable about the application process.

## Phase 3: Application Processing and Ongoing Operations

There are several different operational teams and functions that will directly and indirectly support New gTLD Program operations.

### Support Functions

Some existing operational functions will need to expand to provide support to the New gTLD Program. For example, ICANN org's Global Support team that provides services to contracted

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parties, community members, and registrants is expected to start receiving significant volumes of inquiries related to the New gTLD Program once the Final Report Outputs have been approved. ICANN org expects that expansion of this and other support functions will need to occur quickly after Board action on the Final Report. Global Support personnel typically have a customer service background with the ability to learn and support complex topics.

These support functions will require such capacity on a permanent basis since rounds will continue indefinitely and contracted parties will always be supported even if new applications are no longer received.

## Round Operations

Round operations include all aspects of directly processing applications, such as:

- Routing of applications for evaluation
- Engaging with applicants to answer questions and provide information
- [Contention set management and resolution](#)
- Processing exceptions
- Reporting

All these aspects are designed in the previous stage and include reviewing results and ensuring that appropriate and applicable steps have been taken, procedures have been followed, and treatment and outcomes are consistent.

Required skills for this group will be wide ranging and will be composed of various levels of leadership, trainers, personnel who excel when performing repeatable tasks, those who have strong reporting and analysis skills, personnel who have experience and knowledge to develop quality assurance processes and procedures, vendor management skills, and other related skills and knowledge. Permanent and temporary staff members brought on board will undergo orientation and training to ensure that processing of applications and treatment of potential and actual applicants is consistent and predictable (see the [Timeline](#), [Finance](#), and [Resources and Staffing](#) sections for more information).

## Contracted Party Support

ICANN org has several teams devoted to providing services to contracted parties as defined by consensus policy and through contracted party agreements. The Service Delivery team has been in place since 2014 and has developed a robust set of contracted party support processes and procedures. ICANN org expects to receive approximately two thousand applications for the next round. When applying the same conversion rate from the 2012 round (from number of applications to contracts), it is expected that approximately 1,200 new contracts will be issued. The Service Delivery team will need to expand to accommodate the additional volume of requests associated with additional contracted parties.

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The ICANN org Finance team provides support to contracted parties, including issuing invoices and collecting payments. ICANN Contractual Compliance monitors contracted party obligations and processes third-party complaints. Both teams will need to update their processes and procedures based on updates made to the Registry Agreement and add staff members to support the increase in agreements. As part of the development of the Operational Design Assessment, staffing estimates have been devised to quantify costs and resources (see the [Finance section](#) and [Resources and Staffing section](#) for more information).

## Phase 4: Maintenance

Maintenance is included in normal operations. Such tasks include improving efficiencies, updating process and procedure documentation, training and cross-training, reporting system bugs, and testing system fixes. No specific resources are allocated to maintenance.

## Systems and Process Maintenance and Development for Future Rounds

It is not currently possible to know what elements might change from round to round. However, updates to application questions, criteria for evaluation, clarifying questions, etc., all may have significant impacts on systems and processes. Significant changes may take time to implement and changes to evaluation such as in criteria may require the selection of new vendors, rebidding of contracts, additional training, updating the quality assurance processes and procedures, etc.



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## Appendix 8: Finance Assessment

ICANN org is evaluating all aspects of the New gTLD Program with the intent of improving upon past processes and ensuring that the proper infrastructure is in place to handle subsequent rounds in the future. The financials are organized according to the five categories of costs: 1) New gTLD Program Assessment and ODP-Related Work; 2) New gTLD Program Scope; 3) New gTLD Program Development; 4) New gTLD Program Operations; and 5) New gTLD Program Maintenance. This appendix has been provided as supplemental information to support the [Finance](#) subsection found in the [Operational Considerations](#) section of the main ODA.

### Estimating Methodology

In collaboration with the relevant ICANN org functions, ICANN org estimated ICANN org staff time to complete designated tasks as well as the external consultant/panel costs to perform evaluations. ICANN org has also included in these estimates other costs, such as setup, training, integration, and management for the New gTLD Program. ICANN org estimated probabilities to move an application from each step to the next, resulting in an average cost per application. Whenever possible, ICANN org conducted sensitivity analyses and reasonableness checks.

### Estimating Questions

ICANN org used the following questions in order to make its estimates:

1. How much would the total processing cost be if an application went through the most complex path? Standard path? Simplest path?
2. Could the specific task be accomplished by the assigned person in a reasonable amount of time?
3. Is time provided for supervision, training, onboarding, project management, and oversight?
4. Are all support costs, such as rent, furniture, supplies, communications, and computer support, properly estimated?
5. Is there consistency bias in which minor, but consistent conservatism (or liberalism) across a great many parameters may yield results that in total make the overall results overly conservative (or overly liberal)?
6. How are fixed versus variable costs estimated? If a process is routine and repetitive, is it possible to perform it more efficiently with a hired staff at a lower rate than with a consultant working on a project basis?
7. What is the impact of increasing efficiency in processing applications over time?
8. Is quality control properly considered?



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9. What is the impact of the number of applications? If the number is significantly higher or lower than assumed, what happens?
  10. Were outsourcing vs insourcing options considered?
  11. What level of system development and automation is necessary?

## Cost Elements

The baseline application fee is based on a detailed cost estimation process that has been organized according to the five cost categories noted above. These five cost categories include the following components:

1. **ICANN org personnel and support costs.** ICANN org personnel costs, travel, and meetings for work related to the New gTLD Program, professional services and overhead costs.
2. **Application processing costs.** Processing costs include all costs required to process applications from the day of application submission until final delegation (or non-delegation) of the string into the root zone. Processing costs include fixed costs such as setup, integration, and one-time communication costs, as well as variable costs required to pay ICANN org staff and panelists to evaluate each application.
3. **Unforeseen costs.** Unforeseen costs are those that are uncertain or harder to predict (i.e., costs related to risks), including unanticipated costs that are difficult to estimate. For example, ICANN org considered the following questions in determining such unforeseen costs:
  - a. What would happen if many more or many fewer applications were received than anticipated?
  - b. How simple or complex will the average application be (indicating how many process steps must be executed for each application)?
  - c. Have expected fees from outside consultants been estimated correctly?
  - d. Are the time estimates for each task accurate?
  - e. What happens if additional tasks are required?
  - f. Have expenses for support functions, such as information technology systems, legal support, contract support, and the like, been fully identified?
  - g. Will additional external costs be required to shore up defense against unanticipated events?

The first three cost categories (New gTLD Program Assessment and ODP-Related Work through New gTLD Program Development) capture the costs associated with development and implementation of the New gTLD Program. This effort encompassed fine-tuning of all the GNSO policy points, clarifying important implementation details, and setting up systems and procedures that honor the policy but also satisfy the practical requirements of a workable processing system. These are sunk costs and thus will not be incurred in the future during application processing. However, because these costs are essential in making new gTLDs available, they are incorporated into the application fee. Because these New gTLD Program

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costs will be incurred before the application launch, this element of the evaluation fee will be used to repay funds that came from ICANN's general budget for New gTLD Program development.

The New gTLD Program Operations cost category includes the costs to process and evaluate applications. The SubPro Final Report outputs identify a set of policy outcomes and implementation guidelines that require detailed information from applicants and a detailed evaluation of that information. The tasks required to process applications, per the SubPro Final Report outputs, are numerous and complex.

The plan for processing applications is to form a separate group within ICANN that will focus exclusively on processing new gTLD applications. This group will have offices, staffing, and support systems. This plan ensures that applicant information is secure and provides more efficient mechanisms for the new gTLD process. The general approach for creating this group is to minimize the growth of ICANN's permanent headcount and use a global network of consultants to provide specific expertise necessary for application processing.

To ensure that the overall costs are minimized and yet sufficient to support the process adequately, two approaches to costs have been developed: Variable Costs and Fixed Costs.

## Variable Costs

Variable costs are those that change depending on the number of applications that require a given task to be completed. For example, a panelist charged with technical evaluation is paid only if he or she receives an application for review. Another example are labor costs (plus appropriate overhead factors) associated with an ICANN org staff member to perform a specific task for a given application, or a per-application amount of time to review the results of a panel's score and to post the results of that score.

## Fixed Costs

Fixed costs include one-time costs incurred for evaluations and are not associated with an individual application. These costs include evaluation panel integration costs, such as training of evaluation panels before receiving applications for review.

## Costs Covered by Registry Fees

In addition, as is the case for all existing gTLD registries, ongoing registry fees are paid to ICANN based on contractual agreements. Once a new gTLD is delegated and in operation, it will also be subject to registry fees. These ongoing registry fees would pay for additional support required for new TLDs, including compliance, registry liaison, possible increased registrar activity, and possibly other registry support activities. These fees, their relationship with other

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ICANN fees, and the uses for these fees will be handled in the same way registrar fees are handled today, through the ICANN annual planning and budgetary process.

## Program Financials

As highlighted throughout this analysis, accurate cost estimating is a challenge as the New gTLD Program is complex and expected to continue with future rounds. The proposed design results in an overall implementation and program cost significantly higher than the 2012 round. Compounded inflation alone since 2012 is estimated at 20 percent or higher to baseline program services. In addition, after review of the 2012 round, there were multiple lessons learned that call for enhanced development to address applicant and community concerns and improve consistency in operations. Furthermore, this proposed subsequent round takes into account additional services and complexities, such as string changes and the broad scope of registry voluntary commitments; as well as other recommendations from the [Final Report](#). Lastly, a direct comparison to the 2012 round is difficult to produce, since the program was not fully defined at the time of launch and cost elements are not easily separated into the cost categories as is proposed this round. ICANN org will ensure documenting all expenditures for better comparison and analysis to future rounds.

ICANN org estimates that the first year of Policy Implementation and New gTLD Program Design development, including supporting the Implementation Review Team (IRT), will include 35 to 40 current staff working partially on the New gTLD Program, 25 to 30 dedicated new staff hired throughout the phase, 10 to 15 contractors, and multiple external vendors.

ICANN org anticipates that 50 to 60 new dedicated staff will be hired throughout the New gTLD Program and remain within the New gTLD Program for this SubPro round and all future rounds. In addition, 35 to 40 current ICANN staff will work partially on the New gTLD Program as needed and the levels of effort will vary, depending on phase and requirements. Contractors will be engaged as needed for New gTLD Program elements that are temporary in nature. ICANN org estimates that resource needs will peak at 125 Full-Time Equivalents (FTEs) during the Program Development phase and that ongoing requirements will be at 114 FTEs.

The subsequent round financials are based on an assumption of 2,000 applicants and a timeframe of five years for implementation and development before program launch. ICANN org estimates that application processing will take two years to complete. Program maintenance financials are presented in Table A8-1 for the additional annual ongoing operational costs that ICANN will incur as a result of the delegated TLDs. All cost estimates are preliminary and subject to change as policies are more defined during the IRT and as demand becomes more defined.

Table A8-1. Program Financials By Cost Category

<b>Estimated SubPro Financials</b>	<b>Program Costs</b>
<b>USD in millions</b>	<b>Total \$</b>
# of Applications	2,000
New gTLD Applicant Fees	\$540.0
Applicant Support	(\$2.0)
Refunds	(\$80.7)
<b>Applicant Fees (Net of Refunds)</b>	<b>\$457.3</b>
Program Assessment (ODP)	(\$8.0)
Program Scope (Policy & IRT)	(\$6.9)
Program Development	(\$110.1)
<b>Development / Implementation</b>	<b>(\$125.0)</b>
Initial and Extended Evaluation	(\$57.3)
Quality Control and Objection Processes	(\$15.4)
Pre-delegation	(\$14.7)
Program Operations	(\$168.7)
Risk / Unforeseen Costs	(\$76.2)
<b>Total Operating Costs</b>	<b>(\$332.3)</b>
<b>Total Program Costs</b>	<b>(\$457.3)</b>
<b>Program Excess/(Deficit)</b>	<b>(\$0.0)</b>
<b>Application Fee</b>	<b>\$ 270,000</b>

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# Appendix 9: Systems and Tools Assessment

This appendix provides an overview of the systems and tools necessary to support and operate the next round of the New gTLD Program. It also provides responses to Final Report outputs and Scoping Document questions related to systems and tools. This appendix has been provided as supplemental information to support the [Systems and Tools](#) subsection found in the [Operational Considerations](#) section of the main ODA. The appendix includes sections on assumptions, figures and tables outlining different systems and tools, and responses to the GNSO Final Report outputs and Scoping Document questions related to systems and tools.

## Assumptions

### Scoping Assumptions

- ICANN org is developing a system that can be reused for multiple rounds.
- Systems should be developed to reduce manual efforts by staff, offer systemically enforced, procedural guardrails to ensure consistency and quality, low-effort reporting, and continually evolve. Such an approach can improve scalability of staff over time and reduce overall operational costs, even though it requires a larger initial investment.
- ICANN org will automate business activities and processes to a significant degree (i.e., business process management and orchestration) from initial application intake through contracting and delegation.
- ICANN org will devote resources and attention to enhancing the user experience from the previous round, incorporating lessons learned from past projects and best practices for both internal and external users.
- All systems will be Universal Acceptance (UA)-compliant.
- The website icann.org is a multilingual-capable system, and informational content generated and published on that site can be translated into multiple languages; all other transactional systems are expected to be English-only.

### General Assumptions

- ICANN org will insource talent in key roles where possible but outsource when necessary or when there is potential for long-term resource reduction after the initial launch.
- ICANN org information security will be designed into the systems from the highest strategic level down to the individual service delivery teams to ensure stability and safety to the system and to ensure its sensitive data is preserved.

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- ICANN data privacy will be designed for adherence to legal standards. For example, ICANN org would explore whether any such personal data should also be encrypted, pseudonymized, or anonymized.
  - System design, functionality, sizing, response times, and tools will be based on a clear understanding of New gTLD Program processes and requirements as defined by the Applicant Guidebook and org functions.
  - ICANN org will have sufficient resources and time for systems and tools development to be completed prior to the opening of the next application round.
  - Technology and security investments will be sufficient and are planned to be limited to only those capabilities needed to ensure the security, stability, and consistency of application submission, processing, and communications.
  - System and security testing will be completed prior to the opening of future rounds and will be based on approved ICANN methodologies to ensure the systems and tools are fit-for-purpose, stable, and secure.

# Figures and Tables

Figure A9-1: Systems Overview Diagram

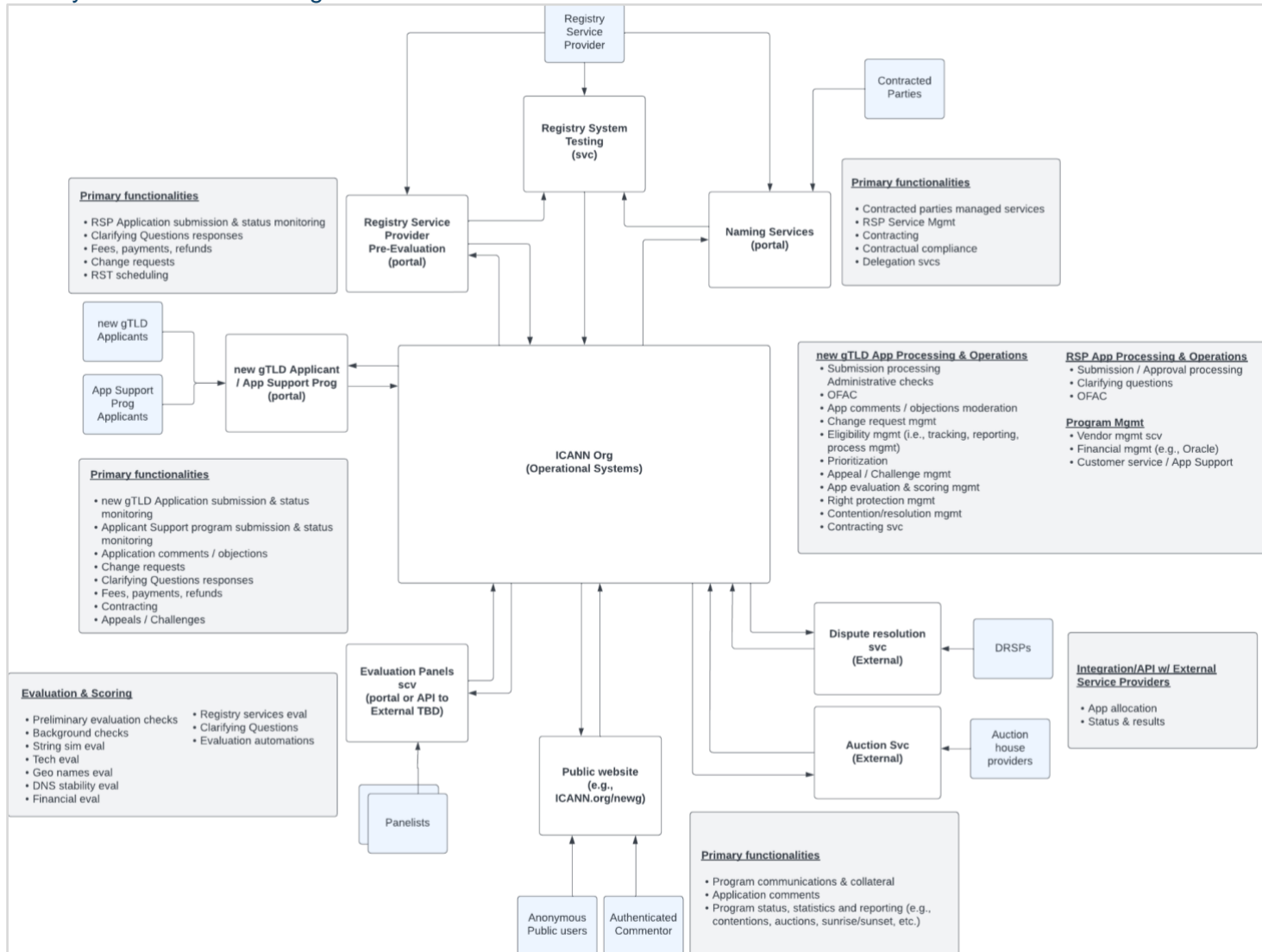


Table A9-1: Systems Overview Descriptions

System name	Persona (i.e., system-actor)	Description
New gTLD Applicant / Applicant Support Program system	New gTLD Applicant  Applicant Support Program applicant	Applicants manage their applications from submission through contracting via several integrated and embedded services to support the applicant through the application’s lifecycle, such as: responding to application comments, clarifying questions, withdrawals, and change-request capabilities.  In addition, this system could potentially handle the onboarding of applicants to the Applicant Support Program, as some of its data and functionality overlaps.
Registry Service Provider (RSP) Pre-Evaluation system	Registry Service Provider	Registry service providers can submit an application. While the functionality is similar to the New gTLD Applicant system, the users and data underlying will differ as will the internal processing.  See <a href="#">Appendix 6.1: New gTLD Program Foundations</a> for more information regarding the RSP Pre-Approval Program.
Registry System Testing (RST) system	Registry Service Provider	This is a system intended for use by both new and existing gTLDs, offering registries/RSPs the ability to provide applicable input data and run registry system testing with automations for back-end processing.  See <a href="#">Appendix 6.7: Post-Contracting</a> for more information regarding RST.
ICANN org Internal Operational Systems	ICANN org	These systems are the multiple internal operational system and IT service components that make up the operational processing required to intake, publish, moderate, and process new gTLD applications.
Evaluation Panels system	Evaluation panelist	This system integrates with ICANN org Internal Operational Systems and enables the independent, third-party evaluation panels to review and score applications.
Dispute Resolution and Auction Integration services	DRSP  Auction house provider	This is a system for ICANN org to send to and receive relevant data from third party dispute resolution and auction providers.



System name	Persona (i.e., system-actor)	Description
Public Website	Anonymous and authenticated public users	This is a website for gTLD communications, informational content, and status tracking and reporting.
Naming Services portal (NSp)	Contracted parties	This system is where registry operators communicate directly and securely with ICANN org. The secure and scalable architecture allows for ongoing improvements and increased efficiencies to better serve registry operators. The portal is already operational for existing contracted parties and provides services that include general inquiry and service request cases, and contractual compliance case management.

Figure A9-2: Business Services Architecture

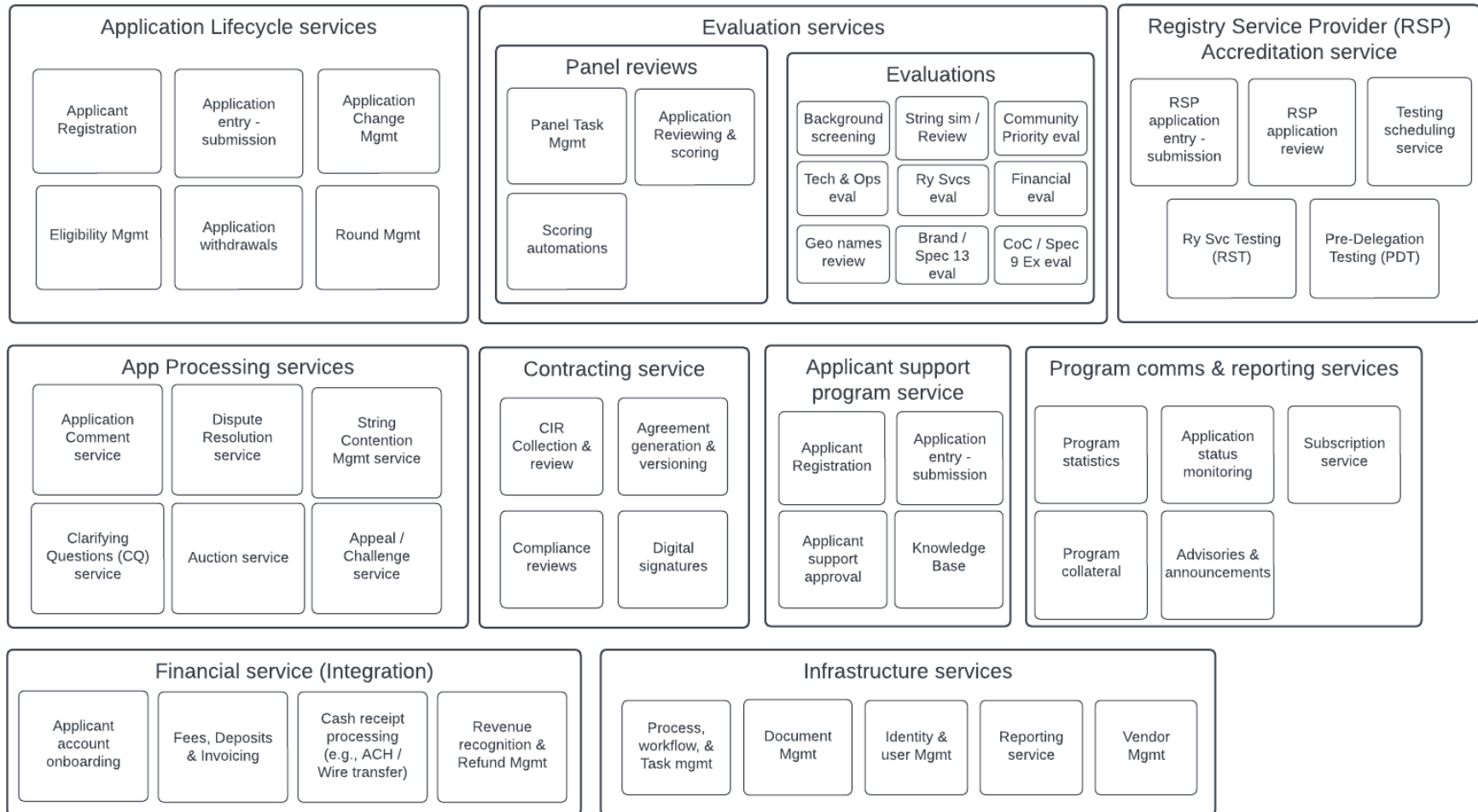


Table A9-2: Description of Business Services

#	Business Service	Associated System(s)	Description
1	Appeal and Challenge	<ul style="list-style-type: none"> <li>• New gTLD Applicant system</li> <li>• Internal operation systems</li> <li>• Evaluation panels</li> <li>• Registry Service Provider (RSP) Pre-Evaluation system</li> <li>• Applicant Support System (ASP)</li> </ul>	<p>Responsible for handling challenges and appeals for applicable decisions made.</p> <p>See <a href="#">Appendix 6.3.4: Limited Challenge Mechanism</a> for more information on Limited Challenges and Appeals.</p>
2	Application Comment	<ul style="list-style-type: none"> <li>• Public websites</li> <li>• Internal operation systems</li> <li>• New gTLD Applicant system</li> <li>• Evaluation panels</li> </ul>	<p>Responsible for managing the end-to-end process for application comments: from public users comment to internal moderation and applicant response mechanisms.</p> <p>See <a href="#">Appendix 6.2: Application Submission and Processing</a> for more information on Application Comments.</p>
3	Application Management	All systems	<p>Responsible for handling the end-to-end process and user experience involving applying for, evaluating, approving, and long-running end-to-end process orchestration supporting gTLD applicant, RSP, and ASP users.</p> <p>See <a href="#">Appendix 6: Business Process Design</a> for more information on the Application Lifecycle.</p>
4	Applicant Support Program (ASP)	<ul style="list-style-type: none"> <li>• New gTLD Applicant system</li> <li>• Internal operation systems</li> <li>• Public Website</li> <li>• Appeals/Challenge Service</li> </ul>	<p>Responsible for handling the end-to-end process and user experience involving applying for, evaluating, approving, and support-enabled capabilities for applicants in ASP.</p> <p>See <a href="#">Appendix 6.1: New gTLD Program Foundations</a> for more information on the Applicant Support Program as well as <a href="#">Appendix 5: Topic Analysis</a>.</p>
5	Auctions	<ul style="list-style-type: none"> <li>• External auction systems</li> </ul>	Responsible for integrating with auction

#	Business Service	Associated System(s)	Description
		<ul style="list-style-type: none"> <li>Internal operation systems</li> </ul>	<p>service providers with ability to send application and contention set data, and receiving outcomes for processing and publication purposes.</p> <p>See <a href="#">Appendix 6.5: New gTLD Program Operations</a> for more information on Auctions as well as <a href="#">Appendix 5: Topic Analysis</a>.</p>
6	Clarifying Questions	<ul style="list-style-type: none"> <li>New gTLD Applicant system</li> <li>Internal operation systems</li> <li>Evaluation panels</li> <li>RSP Pre-Evaluation system</li> <li>ASP system</li> </ul>	<p>Responsible for managing the back-and-forth communications between various users (e.g., evaluation panels, ICANN org, applicants) with respect to application questions.</p> <p>See <a href="#">Appendix 6.3: Application Evaluation</a> for more information on Clarifying Questions as well as <a href="#">Appendix 5: Topic Analysis</a>.</p>
7	Contracting	<ul style="list-style-type: none"> <li>New gTLD Applicant system</li> <li>Internal operation systems</li> <li>Public website</li> </ul>	<p>Responsible for managing the end-to-end contracting process at an enterprise level: generating contracts based on templates and disparate data inputs, redlining and negotiation management, signature processing (i.e., digital and wet), and document storage/versioning.</p> <p>See <a href="#">Appendix 6.6: Contracting</a> for more information on Contracting.</p>
8	Dispute Resolution	<ul style="list-style-type: none"> <li>External DRSP systems</li> <li>Internal operation systems</li> <li>Public website</li> </ul>	<p>Responsible for integrating with dispute resolution service providers with ability to send application and dispute data, and receiving back resolutions for processing and publication purposes.</p> <p>See <a href="#">Appendix 6.4: Dispute Resolution</a> for more information on Dispute Resolution as well as <a href="#">Appendix 5: Topic Analysis</a>.</p>

#	Business Service	Associated System(s)	Description
9	Evaluation Management	<ul style="list-style-type: none"> <li>Internal operation systems</li> <li>Evaluation panels</li> <li>Appeals/Challenge service</li> </ul>	<p>Responsible for managing application allocations to the various evaluation panels, tracking service level targets, outcomes, outputs, and various tools/automations with respect to each of the applicable evaluations.</p> <p>See <a href="#">Appendix 6.3: Application Evaluation</a> for more information on Evaluation.</p>
10	Finance	<ul style="list-style-type: none"> <li>New gTLD Applicant system</li> <li>Internal operation systems</li> </ul>	<p>Responsible for integrating with ICANN internal ERP to assist with managing fees, invoices, deposits, and refunds.</p> <p>See <a href="#">Appendix 6.5: New gTLD Program Operations</a> for more information on Refunds as well as <a href="#">Appendix 5: Topic Analysis</a>.</p>
11	Infrastructure	Varied	ICANN platforms and technologies that will be leveraged to build and support the New gTLD Program products and services.
12	Naming Services portal (NSp)	<ul style="list-style-type: none"> <li>NSp</li> <li>New gTLD Applicant system</li> <li>Internal operation systems</li> <li>RST</li> </ul>	Responsible for managing services with ICANN contracted parties; after contracting all new applicants, will transition to NSp, after which all application data will be frozen.
13	Portals, Interfaces, and Application Programming Interfaces (APIs)	<ul style="list-style-type: none"> <li>New gTLD Application system</li> <li>RSP Pre-Evaluation system</li> <li>ASP system</li> <li>Internal operations systems</li> <li>NSp</li> <li>Public websites</li> </ul>	Responsible for all the front-end user experiences, interface components, and APIs across the ecosystem.
14	Reporting / Dashboards	<ul style="list-style-type: none"> <li>New gTLD Application system</li> <li>RSP Pre-Evaluation system</li> <li>ASP system</li> <li>Internal operations systems</li> <li>NSp</li> <li>Public websites</li> </ul>	Responsible for generating the internal and external data and visual charting capabilities for all users within the ecosystem.

#	Business Service	Associated System(s)	Description
15	Round Management	<ul style="list-style-type: none"> <li>Internal operations systems</li> </ul>	Responsible for managing the current round, including opening and closing process phases, as well as centralized configurations for the round.
16	Registry Service Provider (RSP) Pre-Evaluation	<ul style="list-style-type: none"> <li>RSP Pre-Evaluation system</li> <li>Internal operations systems</li> <li>Evaluation Management</li> <li>Public website</li> <li>Appeals/Challenge Service</li> </ul>	<p>Responsible for handling the end-to-end process and user experience involving applying for, evaluating, approving, and scheduling for Registry Service Testing and various support capabilities for RSP applications.</p> <p>See <a href="#">Appendix 6.1: New gTLD Program Foundations</a> for more information on RSP Pre-Evaluation.</p>
17	Registry System Testing (RST)	<ul style="list-style-type: none"> <li>External RSP systems</li> <li>RSP Pre-Evaluation system</li> <li>Internal operations systems</li> <li>NSp</li> </ul>	<p>Responsible for handling new and existing gTLDs by automatically testing and publishing results for RST, including escalation processing. Includes integration with NSp and RSP Pre-Evaluation service.</p> <p>See <a href="#">Appendix 6.7: Post-Contracting</a> for more information on RST.</p>
18	String Contention Management	<ul style="list-style-type: none"> <li>Evaluation Management</li> <li>Internal operation systems</li> </ul>	<p>Responsible for generating and managing string contention sets.</p> <p>See <a href="#">Appendix 6.5: New gTLD Program Operations</a> for more information on Contention Resolution.</p>

Table A9-3: Project Size and Complexity

#	Project Size	Project / Service Name	Complexity Factors	Context
1	2XL	Application Management service	<ul style="list-style-type: none"> <li>• Need clear requirements</li> <li>• System tech and tools</li> <li>• Knowledge of resources</li> <li>• Number of system interfaces</li> <li>• Allocation of resources</li> <li>• Communications</li> </ul>	This is expected to be the largest system of the entire New gTLD Program, containing integrations with every other service. It also has front- and back-end user interfaces, processes, and features that are largely undefined to date. This service requires a highly skilled team that can work over an extended period of time interfacing with many SMEs.
2	XL	Naming Services portal (NSp)	<ul style="list-style-type: none"> <li>• Knowledge of resources</li> <li>• Number of issues and risks</li> <li>• Number of dependent tasks</li> <li>• # lines of code</li> </ul>	While this is an existing ICANN service in production today, the demands of future rounds will require not only a major evolution to the system's account data model, but also additional enhancements to support new round requirements. This requires highly skilled labor for an extended period of time.
3	XL	Registry System Testing (RST) service	<ul style="list-style-type: none"> <li>• Knowledge of resources</li> <li>• Redundancy in skillset</li> <li>• # lines of code</li> </ul>	This service requires a highly specialized team that can understand registry testing and build a custom application for testing in coordination with ICANN org's Technical Services team.
4	XL	RSP Pre-Evaluation system	<ul style="list-style-type: none"> <li>• Number of dependent tasks</li> <li>• Allocation of resources</li> <li>• Number of issues and risks</li> </ul>	This is a service intended to be implemented concurrently with the Application Management (back-office) system as the two must work in collaboration. Managing these concurrent systems requires appropriate resource allocation to ensure success.
5	XL	Dashboarding/Reporting	<ul style="list-style-type: none"> <li>• Knowledge of resources</li> <li>• Number of system interfaces</li> <li>• Clear requirements</li> <li>• Communications</li> </ul>	This service combines operational and public reporting requirements across all services in the New gTLD Program. There is inherent complexity to this service as it interfaces across all systems and requires a specialized team that supports requirements that are still to be defined.

#	Project Size	Project / Service Name	Complexity Factors	Context
6	XL	Evaluation Management service	<ul style="list-style-type: none"> <li>• Number of system interfaces</li> <li>• Allocation of resources</li> <li>• Communications</li> <li>• Clear requirements</li> </ul>	This is a service intended to be implemented concurrently with the Application Management (back-office) system, as the two must work in tandem. Managing these concurrent systems requires appropriate resource allocation to ensure success.
7	L	Clarifying Questions service	<ul style="list-style-type: none"> <li>• Novelty of technology</li> <li>• Number of system interfaces</li> <li>• Clear requirements</li> </ul>	This likely involves engineering customizations to off-the-shelf case management technology that integrates communications between panels, ICANN org for moderation (e.g., redaction capabilities), and applicants for response.
8	L	Application Comment service	<ul style="list-style-type: none"> <li>• Novelty of technology</li> <li>• Number of system interfaces</li> </ul>	This is likely a case management technology with the potential for engineering customizations to aid communications between multiple user personas and systems.
9	L	Applicant Support Program system	<ul style="list-style-type: none"> <li>• Number of dependent tasks</li> <li>• Allocation of resources</li> </ul>	This is a service intended to be implemented concurrently with the Application Management (back-office) system as the two must work in tandem. Managing these concurrent systems requires appropriate resource allocation to ensure success.
10	L	Appeal / Challenge service	<ul style="list-style-type: none"> <li>• Number of system interfaces</li> <li>• Clear requirements</li> </ul>	While the outcomes of this service may lead to multiple change management complexities (i.e., captured in the Application Management service), this service is likely limited to initiating and tracking across systems, and users appeals and challenges.
11	L	String Contention and Resolution	<ul style="list-style-type: none"> <li>• Number of system interfaces</li> <li>• Allocation of resources</li> <li>• Communications</li> </ul>	This service is expected to have limited functionality with the majority of the complexity residing in external vendor systems. The complexity to ICANN lies in its integration with other services, and the time allocated by the support services team implementing it. There is also the added complexity of working with external vendors and internal operations teams



#	Project Size	Project / Service Name	Complexity Factors	Context
				during implementation and long-running maintenance.
12	L	Contracting service	<ul style="list-style-type: none"> <li>• Novelty of technology</li> <li>• Number of system interfaces</li> <li>• Knowledge of resources</li> <li>• Communications</li> <li>• Clear requirements</li> </ul>	This service is expected to be an off-the-shelf purchase with simple configuration and administration; however, if ICANN org is unable to find a fit-for-purpose solution, the complexity increases significantly. This would be novel technology to ICANN org and would consume additional engineering resources to implement.
13	L	Vendor Management service	<ul style="list-style-type: none"> <li>• Number of issues and risks</li> <li>• Changes in scope</li> <li>• Novelty of technology</li> <li>• Knowledge of resources</li> <li>• Communications</li> <li>• Clear requirements</li> </ul>	This service is expected to be an off-the-shelf purchase with simple configuration and administration; however, if ICANN org is unable to find a fit-for-purpose solution, the complexity increases significantly. This would be novel technology to ICANN org and would consume additional engineering resources to implement.
14	M	Round Management service	<ul style="list-style-type: none"> <li>• Novelty of technology</li> <li>• Number of system interfaces</li> <li>• Clear requirements</li> <li>• Number of issues and risks</li> </ul>	Under current assumptions, this service is limited in scope and complexity, allowing administrators to manage the phases of a given round. If requirements change, and concurrent round management is required, the scope and complexity of this service increases significantly.
15	M	Financial services integration	<ul style="list-style-type: none"> <li>• Knowledge of resources</li> <li>• Number of system interfaces</li> <li>• Number of issues and risks</li> </ul>	This service requires integration with a number of systems and touchpoints with the back-end ERP financial systems at ICANN. It carries high risk if there are errors and therefore requires skill and precision, which increases the overall challenge and complexity.
16	M	Auction service	<ul style="list-style-type: none"> <li>• Number of system interfaces</li> <li>• Allocation of resources</li> <li>• Communications</li> </ul>	This service is expected to have limited functionality, with the majority of the complexity managed by an external vendor. The complexity to ICANN org lies in its integration with other services and the time allocated by the support

#	Project Size	Project / Service Name	Complexity Factors	Context
				services team implementing it. There is also the added complexity of working with external vendors and internal operations teams during implementation and long-running maintenance.
17	M	Dispute resolution service	<ul style="list-style-type: none"> <li>• Number of system interfaces</li> <li>• Allocation of resources</li> <li>• Communications</li> </ul>	This service is expected to have limited functionality with the majority of the complexity managed by an external vendor. The complexity to ICANN org lies in its integration with other services and the time allocated by the support services team implementing it. There is also the added complexity of working with external vendors and internal operations teams during implementation and long-running maintenance.
18	S	Portals, Interfaces, and APIs	<ul style="list-style-type: none"> <li>• Knowledge of resources</li> <li>• Number of system interfaces</li> <li>• Clear requirements</li> <li>• Communications</li> </ul>	This service combines a number of operational and public reporting requirements across all the services. This requires a specialized team that supports requirements that are not yet clear, and interfaces across all systems, adding to complexity.

## Responses to the GNSO Final Report Regarding Systems and Tools

**Affirmation 14.1: The Working Group affirms Implementation Guideline O from the 2007 Final Report, which states: “ICANN may put in place systems that could provide information about the gTLD process in major languages other than English, for example, in the six working languages of the United Nations.” The Working Group further affirms Implementation Guideline L, which states: “The use of personal data must be limited to the purpose for which it is collected.”**

Response: With respect to information about the gTLD process or other related collateral, ICANN org plans to leverage existing technologies used on the ICANN.org website, which includes multilingual and translation-related capabilities. As content is generated by ICANN org business functions, that content can be presented to site visitors in the languages provided. All other transactional systems, as defined within Table A9-2, are expected to remain English only,

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in accordance with ICANN's language policy. With respect to use of personal data, please see the [Data Protection and Privacy section](#).

**Recommendation 14.2: The design, development, and deployment of applicant-facing systems must prioritize security, stability, usability, and a positive user experience following industry best practices.**

Response: ICANN org will seek out tools and methods that allow for improvements in the implementation of user experience features including but not limited to single sign-on, improved submission forms, improved communications between users and ICANN org across the application lifecycle, and improved status monitoring and application visibility.

**Implementation Guidance 14.3: In support of security, stability, usability, and a positive user experience, systems should be designed and developed well in advance of the point that they need to be used by applicants, so that there is sufficient time for system testing without causing undue delay. System tests should follow industry best practices and ensure that all tools meet security, stability, and usability requirements and that confidential data will be kept private.**

Response: ICANN org plans to work during the IRT phase to build out and prototype the riskiest and/or most beneficial capabilities and features. In addition, ICANN org plans to perform stress testing on system components to ensure system responsiveness to Service Level Agreements (SLAs). Finally, ICANN org plans to spread the workload across a sufficient number of internal implementation teams such that they are able to work concurrently on the diverse set of systems and feature requirements. While this increases integration complexity, it will allow ICANN org to achieve speed-of-delivery improvements.

**Implementation Guidance 14.4: In support of improved usability, the Working Group advises that ICANN org should leverage prospective end-users to beta test systems, perhaps by setting up an Operational Test and Evaluation environment. The Working Group notes that if beta testing is conducted, it must be done in an open and transparent manner that does not provide the testers with an unfair advantage in the application process. The Working Group notes however that the mere access to beta testing does not in and of itself constitute such an unfair advantage. It further notes that ICANN org did not have an end user beta testing program in 2012 because it believed that allowing some users to have access to the system for beta testing provided those users with an unfair advantage over others. The Working Group does not agree with ICANN org's assertion from that time period.**

Response: ICANN org will perform, when possible and useful, user or open sessions on functionality to ensure features and functions are fit for purpose. ICANN org notes the need to carefully consider which scenarios warrant testing, noting the commentary on reducing the risks related to unfair advantages.

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**Implementation Guidance 14.5: In support of improved usability, the Working Group suggests integrating systems to the extent possible and simplifying login management. Specifically, if the use of multiple systems are required, the Working Group encourages enabling users to access different systems using a single login and, as recommended in the Program Implementation Review Report (Recommendation 1.1.b), “Implement a system that would allow applicants the flexibility to associate as many applications as desired to a single user account.”**

Response: As part of the initial assessment, ICANN org has evaluated existing systems and infrastructure expected for future rounds. Included in this assessment are the various integrations that will be needed to improve scalability and sustainability across the cross-functional operations in support of the New gTLD Program, including but not limited to single sign-on, financial services, contracting, and the NSp for managing ongoing services after the application process ends. With respect to multiple applications, these considerations have been included in the IT assessment in the ODA.

**Implementation Guidance 14.6: In support of improved usability, the Working Group suggests that specific data entry fields in applicant-facing systems should accept both ASCII and non-ASCII characters. Although the Working Group recognizes that English is the authoritative language for the New gTLD Program, there are a number of fields including the applied-for string, applicant’s name, and contact information (including email addresses) that should be collected and displayed in their native language / script. In addition, systems should accept standard nomenclature and terminology for services being proposed by the applicant, including associated characters.**

Response: ICANN systems will follow all Universal Acceptance (UA) criteria to ensure that all domain names, including new top-level domains (TLDs), Internationalized Domain Names (IDNs), and email addresses are treated equally within the systems described in the ODA and can be used by all Internet-enabled applications, devices, and systems. This means all application or other intake mechanisms as well as internal operational systems that have an integration with those data elements will be able to handle both ASCII and non-ASCII characters.

**Implementation Guidance 14.7: The Working Group suggests a number of feature enhancements to support an improved user experience. Specifically, the Working Group suggests the following capabilities for applicant-facing systems:**

- **Provide applicants with automated confirmation emails when information or documentation is submitted. Where applicable, applicants should also receive confirmation of payments.**
- **Provide applicants with automated invoices for application-related fees.**

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- **Allow applicants to view historical changes that have been made to the application by any system user, including ICANN org, both during the Application Phase and Evaluation Phase.**
  - **Allow applicants to upload application documents into the application system for additional questions where this was not possible in the 2012 round.**
  - **Allow applicants to auto-fill information/documentation in multiple fields across applications. This functionality should only be enabled in a limited number of fields where it would be appropriate for responses to be identical. It should not be possible to auto-fill responses to questions corresponding to the following questions in the 2012 Applicant Guidebook: 16,86 18(a),87 18(b),88 19,89 20,90 21,91 22,92 and 2393 (for question 23, autofill should not be allowed only if services are specified that are not pre-approved). It should not be possible to auto-fill Registry Voluntary Commitments (formerly called voluntary PICs).**
  - **Allow applicants to specify additional contacts to receive communication about the application and/or access the application and specify different levels of access for these additional points of contact.**

Response: Implementation Guidance 14.7 suggests a number of feature enhancements to improve usability and user experience. Upon initial review, ICANN org expects that the feature enhancements listed here will be implemented.

**Recommendation 14.8: The principles of predictability and transparency must be observed in the deployment and operation of applicant-facing systems.**

Response: The feature sets of applicant-facing systems will be planned as much in advance as possible, promoted on roadmaps, and communicated as appropriate. The use of testing can also aid in promoting transparency. In addition, ICANN org will take into consideration the need for publishing New gTLD Program statistics and statuses not only through public websites (e.g., ICANN.org) but also through individual portals (e.g., Applicant, Internal operational systems). Together these solutions will give a full picture of each round and the applications within the round as it progresses through the application lifecycle.

**Implementation Guidance 14.9: To ensure predictability and minimize obstacles and legal burdens for applicants, any Agreements or Terms of Use associated with systems access (including those required to be “clicked-through”) should be finalized in advance of the Applicant Guidebook’s publication and published with the Applicant Guidebook.**

Response: ICANN org notes the guidance to reduce obstacles and legal burdens for applicants.

**Implementation Guidance 14.10: In service of transparency, once the systems are in use, ICANN should communicate any system changes that may impact applicants or the application process. Processes described under Topic 2: Predictability should be followed.**

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Response: ICANN org recognizes the importance of transparency, especially in the event of system-related changes after launch and during an operational round. In the event of such a change, ICANN org would follow predictability processes to provide clarity and transparency, such as publishing release notes and notifications of system maintenance impacting users, as appropriate.

**Recommendation 14.11: With respect to its operation and administration of the systems, ICANN must retain the ability to act in emergency situations, including those where immediate action is necessary to remedy any service interruption, interference, service obstruction or other imminent threat to the systems, provided that ICANN gives notice to all impacted users of the affected system(s) as soon as reasonably practicable after such action has been taken. If such action involves any downtime to the system(s), ICANN shall provide updates to impacted users as to the root cause of the downtime, the impact of the downtime event on impacted users of the system(s), and when normal service can be restored.**

Response: All ICANN community-facing services adhere to SLAs based on assigned service tiers (see below). In order to maintain Tier 1-2 service levels, ICANN has built in redundancies to ensure it meets service level targets that includes standard disaster recovery and emergency support procedures.

- Tier 1, 99.99% service availability. Allowed downtime: 53 minutes per year.
- Tier 2, 99.95% service availability. Allowed downtime 4 hours, 23 minutes per year.
- Tier 3, 99.5% service availability. Allowed downtime 1 day 20 hours per year.

In cases of downtime, ICANN notifies users directly where user lists are available in addition to public reporting of all service uptime metrics at: <https://www.icann.org/resources/pages/metrics-systems-2015-08-05-en>

## Responses to Scoping Document Questions Related to Systems and Tools

The following questions and answers are in response to those published in the New gTLD Subsequent Procedures Operational Design Phase Scoping Document. For additional details please see the detailed analysis.

### What is the proposed information technology design?

Response: Please refer to the system assessment, Figure A9-1: Systems Overview diagram and Figure A9-2: Business Services Architecture.

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**How will the proposed information technology design support Universal Acceptance, including email address internationalization?**

Response: ICANN systems will follow all Universal Acceptance (UA) criteria to ensure that all domain names, including new top-level domains (TLDs), Internationalized Domain Names (IDNs), and email addresses are treated equally within the systems described in the ODA and can be used by all Internet-enabled applications, devices, and systems. This means, all application or other intake mechanisms as well as internal operational systems that have an integration with those data elements will be able to handle both ASCII and non-ASCII characters.

**Will the systems design be able to integrate into any existing ICANN systems? If yes, which ones?**

Response: As illustrated in the Systems Overview diagram (Figure A9-1), most of the systems are expected to be new implementations; however, ICANN org does intend to continue leveraging the existing technology stack and platforms as appropriate. With regards to existing systems, ICANN org expects some amount of integrations to exist between the newly developed systems/services, with technical services applications (e.g., Service Legal Agreement Monitoring) and the RSP Application Pre-Evaluation system, the Naming Service portal, and ICANN.org, among others.

**How will the ICANN systems that new registries must connect to integrate with information technology design so new registries can meet their contractual obligations for reporting, uptime, centralized zone data access, etc.?**

Response: All contracted parties are expected to continue to interface with ICANN org through the NSp. This system is already in place and will support both new and existing registries.

**How will the connections between ICANN org systems (Registry Reporting Interface (RRI), Registry Data Escrow (RyDE), Centralized Zone Data Service (CZDS), Customer Relationship Management (CRM), Service Level Agreement Monitoring System (SLAM)) and registry operator systems be established?**

Response: The connections between these systems are already established and operational within ICANN org. There may be continued enhancements to these systems during implementation, but at this time these systems remain stable and operational.

**What testing methodologies will be employed for deployment and updates for each ICANN system?**

Response: ICANN org will leverage established methodologies including Release Management, Continuous Integration/Continuous Deployment, User Acceptance, and beta testing to ensure



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deployment and updates to each ICANN system are done safely, efficiently, and meet both business and end-user needs and expectations. Information Security (InfoSec) recommends security testing during each phase of the software development lifecycle (SDLC) and or Continuous Integration/Continuous Delivery (CI/CD). Security testing for systems under development should be subject to testing a range of attack types (including but not limited to, vulnerability assessments, penetration testing, configuration review, and access control testing). Security testing should start as far left as possible to ensure inclusion in all phases of the SDLC. Where applicable, peer code review and static code analysis is also recommended (InfoSec does not provide these services). InfoSec can provide assistance with Dynamic Application Security Testing (DAST) where applicable.

### **What user testing will ICANN org execute for each ICANN system prior to launch?**

Response: Though such initiatives require considerable time and resources, testing with real users can provide valuable insights to ICANN org, not only for the business functions that operate the services but also for E&IT in understanding how effective services are scaling to demand. ICANN org will work with business functions in the planning and execution of testing programs. The goal of such programs would be to test key functionalities, ensure components achieve their objectives, and to reduce and eliminate various risks across systems.

### **What is the proposed maximum capacity each ICANN system will be able to support for each application?**

Response: The maximum capacity for each system is unknowable at this time. However, ICANN org is designing the overall system to be resilient, and to exceed operational capacity long before system capacity is reached.

### **What are the proposed Service Level Agreements (SLAs) for each ICANN system?**

Response: ICANN front-facing systems are treated as Tier 1 services within ICANN's 99.99% uptime SLA target. All ICANN community-facing services adhere to SLAs based on assigned service tiers (see bullets below):

- Tier 1, 99.99% service availability. Allowed downtime: 53 minutes per year
- Tier 2, 99.95% service availability. Allowed downtime: 4 hours, 23 minutes per year
- Tier 3, 99.5% service availability. Allowed downtime: 1 day 20 hours per year

### **What security measures are proposed to be in place for protecting applicant data and all other confidential information in each ICANN system?**

Response: ICANN respects and protects the privacy of its stakeholders and safeguards the confidentiality of information important to the ICANN mission. For that reason, ICANN org has classified its information assets into high-, moderate-, and low-risk categories to determine



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which levels of controls must be utilized to protect data against unauthorized access. Access to applicant data will follow the principle of least privilege, which is the same principle ICANN org implements for all systems within ICANN. Least privilege is defined as the principle that a security architecture should be designed so that each entity is granted the minimum system resources and authorizations that the entity needs to perform its function.

**What type of user access permissioning levels are proposed to be provided for each ICANN system?**

Response: A role and field-level permissions management system is planned across applicable services.

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## Appendix 10: Vendors and Third Parties

This appendix provides an overview of a rating scale that can be used to assess vendor and third-party criteria during New gTLD Program evaluation processes. This appendix has been provided as supplemental information to support the [Vendors and Third Parties](#) subsection found in the [Operational Considerations section](#) of the main ODA. The appendix includes sections on assumptions, the numerical rating scale for use by evaluators, and an example criteria matrix on the 2012 Round New gTLD Program evaluation areas.

### Assumptions

Below are the assumptions that served as the basis for the [Vendors and Third Parties assessment](#) included in the main body of the ODA.

- ICANN org will develop criteria for determining the end of an active round.
- ICANN org will not maintain different processes for separate active rounds.
- A vendor management policy will be developed to manage selection and maintenance of vendors for all future rounds.
- ICANN org assumes the majority of work outsourced to vendors during the 2012 round will also be outsourced in the next round.
- In some cases, vendors will need to be added throughout the implementation and operation of the New gTLD Program because:
  - Vendors may elect to cease providing services to ICANN org for the New gTLD Program.
  - ICANN org may elect to terminate a vendor agreement; or,
  - Vendor contracts may expire during the New gTLD Program.
- There will be sufficient legal contracting support resources to:
  - Participate in working sessions during RFP definition and development.
  - Develop contracts that are on ICANN paper.
  - Review contracts on vendor paper; and,
  - Modify and update contract language as a result of internal discussions or with potential vendors.
- ICANN org's procurement policy will be used when engaging vendors for this work.
- Work required by the New gTLD Program is often niche or specialized in nature, meaning that:
  - The number of vendors that can do the work may be limited; and,
  - Costs may be higher as there are fewer vendor options.
- For all vendors providing the same services, contracts will be as similar as possible, if not identical. For the avoidance of doubt, even though some contracts may require jurisdictional specifics, the language that defines the provided services will be identical.
- Certain services will require at least two vendors to ensure evaluation services can still be performed if a vendor has a conflict of interest for one or more applications.

- Where evaluation services are provided by more than one vendor, another vendor will be needed to review and ensure consistency of results.

## Example of a Numerical Rating Scale for use by Evaluators

A numerical rating scale will be used to provide management with an easy-to-read assessment of each criterion, with criteria weighting and mandatory minimums and maximums established before evaluating each New gTLD Program process. For example, if the cost estimate to internally evaluate applicants' financial data exceeds the allocated budget, then ICANN org may choose to outsource the work. This may be done even if risk and expertise have acceptable scores. In other cases, ICANN org may want to outsource high-risk work even if all the other scores are acceptable.

To demonstrate how the numerical rating scale would look, ICANN org has created a sample rating scale. This sample is presented in Table A10-1. See further discussion on this in the [Vendors and Third Parties assessment](#).

Table A10-1. Criteria Matrix on 2012 Round New gTLD Program Evaluation Areas [Example]

Evaluation Area	Type	Evaluator	2012 Phases	Capacity	Expertise	Risk	Cost*
Background Screening	Required	External	Initial Evaluation (IE)	1	1	3	1
Code of Conduct (Specification 9) Exemption	Conditional	Internal	IE	3	3	3	3
Community Priority Evaluation	Conditional	External	IE	3	1	1	1
Financial Evaluation	Required	External	IE, Extended Evaluation (EE)	1	1	2	1
Geographic Review	Conditional	External	IE, EE	1	1	2	1
Geographic Verification	Required	Internal	Completeness Check	3	3	3	3
ICANN Board New gTLD Program Committee (NGPC) Category Panel	Required	External	Completeness Check	1	1	1	1
Registry Services	Required	External	IE, EE	1	3	3	3
Registry Voluntary Commitments	Conditional	Internal	IE	2	3	2	3

Evaluation Area	Type	Evaluator	2012 Phases	Capacity	Expertise	Risk	Cost*
Specification 13	Conditional	Internal	IE	3	3	3	3
String Review (Technical and DNS stability)	Required	External	Completeness Check	1	2	3	2
Technical and Operational	Required	External	IE, EE	1	2	2	2

*\*Based on 2012 round expenses*

Table A10-1 is only for explanatory purposes and provides an example of how New gTLD Program evaluation processes would be assessed against the exploratory criteria. Tables such as this would be developed and used by management as a tool for determining whether work can be done internally or should be outsourced.

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# Appendix 11: Communications Strategy

This appendix has been provided as supplemental information to support the Communications, Global Engagement, and Inclusion subsection found in the [Overarching Considerations](#) section of the main ODA.

## Introduction

The SubPro Final Report outputs place significant emphasis on amplifying ICANN org's outreach, awareness-raising, and communication efforts around the next round of new gTLD applications.

ICANN's Global Communications team proposes to develop a robust and comprehensive global communications strategy in support of the New gTLD Program next round. That strategy represents a critical underpinning of ICANN org's work that will support outreach, engagement, capacity development, and responsiveness efforts undertaken by other ICANN org functions. These include ICANN org's Global Stakeholder Engagement, Government and Intergovernmental Organization Engagement, as well as work under the Global Domains and Strategy function related to Universal Acceptance (UA), Internationalized Domain Names (IDNs), and Global Support. Taken together, coordinated collaboration across these functions will ensure that their efforts in future new gTLD rounds are comprehensive and mutually reinforcing across multiple scales, regions, languages, and stakeholder groups.

In addition to the global communications campaign, ICANN org's work on global engagement will encompass all aspects of the New gTLD Program, including linguistic support and localization.

## Strategy

ICANN org has retained a global strategic communications consultancy to partner in the development and execution of a global communications campaign. There are two phases to this campaign:

- Phase 1: Create awareness of the importance of UA beyond the ICANN community, and build understanding of the link between UA, IDNs, and the next round.
- Phase 2: Conduct high-level stakeholder engagement in countries and regions that will most benefit from the next round of new gTLDs (in particular, those with non-Latin based scripts or an ASCII character set which is a seven-bit character code where every single bit represents a unique character). This education and awareness campaign is intended to set the stage for the launch campaign that will begin approximately 24 months in

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advance of the launch of the next round and after the Board approves of the Final Report.

The first step in this effort is to define the target audiences for both phases:

1. The target software developers and backend providers that must adopt UA, as well as the governments and other stakeholders that can influence that action.
2. The stakeholders and regions that are not well-represented in the current landscape of top-level domains.

It is anticipated that up to 100 potential audiences will be identified and assessed. As part of this process, the ICANN org team, with Teneo, will develop a set of criteria to assess each audience, including Internet penetration, infrastructure, opportunity, and risks.

For each phase, the communications strategy will include a mix of:

- Public relations and media engagement through news release distribution, pitches to targeted journalists and outlets, article placement, and interviews with key spokespeople to secure media coverage.
- Social media campaigns to amplify key messages and attract new followers interested in learning more about gTLDs, ICANN, and UA.
- Participation in strategic events attended by target audiences.
- Local engagement delivered by Global Stakeholder Engagement and Government Engagement.
- Direct outreach to key influencers, e.g., government representatives, industry analysts, civil society organizations, and others.

ICANN org also proposes to collaborate with ICANN Supporting Organizations, Advisory Committees, Stakeholder Groups, and Constituency groups as appropriate to amplify the education and awareness campaigns.

The team will also assess any gaps in information and understanding to inform the development of training and capacity development materials. While ICANN org aims to provide consistent information across all audiences, it is expected that there will be varying levels of understanding about the New gTLD Program and the Domain Name System. ICANN org will target and conduct engagement activities with those identified audiences, including stakeholders, regions, and/or communities.

Much of the outreach and engagement strategy and efforts will rely on different types of information, such as enduring or “evergreen” content, time-sensitive content, and tailored content to meet specific audience needs. Accordingly, it will be important to plan and resource New gTLD Program content generation to meet the needs of different audiences, stakeholders,

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and communities. Generating evergreen content such as information about ICANN, the objectives of the New gTLD Program, and policy updates from the 2012 round is anticipated to be primarily a one-time task. Whereas, developing time-sensitive and tailored content will require ongoing efforts by subject matter experts across various aspects of the New gTLD Program.

In terms of information delivery, ICANN org will do so virtually and at in-person events to targeted audiences, and when feasible in local languages or with interpretation. The substantive focus of these events will include educating potential applicants and identified stakeholders about: ICANN org as an organization and its mission of security, stability and resiliency; how it operates as a multistakeholder model for developing technical Internet policy; opportunities in the DNS ecosystem (including the New gTLD Program); and the impact of the digital economy in relation to the target audience(s).

Additional engagement efforts will be integrated into standard government engagement technical briefings – for example, during ICANN75, ICANN org provided a [GAC Capacity Building and Outreach Workshop on “New gTLD Basics - Subsequent Rounds.”](#) ICANN org would provide these briefings to the GAC, governments, and intergovernmental organizations that represent the identified target stakeholders and regions.

Briefings with governments and intergovernmental organizations, as well as capacity-development efforts among GAC members will include information about the importance of UA, IDNs, and the Applicant Support Program. These efforts are intended to underscore the relationships between fostering all types of diversity (e.g., linguistic, cultural, economic) and the types of support available to potential applicants.

These communications, outreach, and engagement-related mechanisms will comprise part of a comprehensive support system across the lifecycle of the New gTLD Program and through future rounds. Fostering diversity, encouraging competition, and enhancing the utility of the DNS (Affirmation 1.3) requires consideration of the entire end-to-end experience – from raising awareness of ICANN and the New gTLD Program among potential applicants and stakeholders to ensuring equitable access to information and resources post-delegation.

## Appendix 12: Timeline

This appendix provides an example of a service and process development lifecycle as it relates to the implementation phase discussed in the [Timeline section](#).

### Service and Process Development Lifecycles

The outcome of a successful New gTLD Program implementation is a set of ICANN org services structured around the process requirements derived from the outputs. These services will be created from a number of processes, systems, tools, and procedures that will be developed during implementation. There will be dozens of services developed in support of the New gTLD Program. Table A12-1 shows an example of the steps in the development lifecycle of a new service, presented to illustrate the expected workload involved in developing these services. The Implementation Stage column shows where each step fits in the Implementation Phase. This lifecycle will need to be repeated numerous times throughout the Implementation Phase. The below example outlines the development lifecycle of the Application Change Request service, which is a set of processes that allow an applicant to make changes to their application after submission.

Table A12-1. Service Development Lifecycle Example Application Change Request (ACR)

Service Development Lifecycle Example Application Change Request (ACR)			
Step	Action	Implementation Stage	Note
1	Document ACR process requirements	Policy Implementation	Document requirements from Final Report Outputs, 2012 Applicant Guidebook, PIRR, prior round. Note requirement changes from previous processes, such as newly allowed change request types.
2	Clarify any ambiguity or confusion on requirements	Policy Implementation	Work with IRT to clarify Final Report Outputs or open policy questions.
3	Identify Business Requirements	Business Process Design	Determine ICANN org's Business Process requirements across all aspects of the New gTLD Program, as changes to an application may impact other processes, such as re-evaluation, re-opening of the objection window, placing a contention set on hold.
4	Develop and document processes	Business Process Design	Develop business processes for documentation in the Applicant Guidebook.
5	Draft Technical Specifications for	Infrastructure Development	Identify requirements and specifications for systems and tools including functionality to track



Service Development Lifecycle Example Application Change Request (ACR)			
Step	Action	Implementation Stage	Note
	Systems and Tools		changes, notification of changes to interested parties and ACR comment period.
6	Develop Systems and Tools	Infrastructure Development	Develop ACR capabilities in all relevant systems including criteria evaluation, approval tracking, data change management, and reporting.
7	Create business process procedures	Operationalization	Development of step-by-step procedures for staff to perform an ACR. Document changes to other processes and services as a result of a successful ACR.
8	Establish services	Operationalization	Create public documentation explaining the ACR process including submission of a change request, the approval process, and expected service times.
9	Integrate services into the overall process flow	Operationalization	ACR processes need to be built into other processes and services such as application data management, objections, contention resolution, application evaluations
10	Hire and train staff	Operationalization	Building operational capability to support ACR once the application submission period begins.

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## Appendix 13: Risk Assessment

ICANN org's [risk assessment](#) identified potential challenges and threats to successful New gTLD Program implementation and identified mitigation strategies wherever possible. The risk assessment process and findings are discussed in further detail in this Appendix.

### Risk Assessment based on ODP Scoping Questions

The SubPro ODP Scoping Document captures eight questions to assess the associated risks and their respective impact. ICANN org addressed each question in this section of the Appendix.

**1. Identify the likelihood and degree of business, legal, reputational, or political risk, if any, that implementation of one or more of the outputs may create for ICANN, and what measures are proposed to mitigate or manage any identified risk(s).<sup>180</sup>**

#### Legal Risks

The risk team identified six sources of significant legal risk, also shown in Table A13-1:

1. Contention Set Resolution (more than one applicant sought the same or a confusingly similar string): While most contention sets were resolved of their own accord, unresolved sets accounted for the majority of accountability mechanisms/disputes and legal costs in the 2012 round. The likelihood of this happening in future rounds is very high. During the 2012 round, multiple invocations of accountability mechanisms as well as challenges, including through litigation, occurred. This risk may be minimized by consideration of procedures for contention set resolution redesign (See [Topic 34: Community Applications](#) and [Topic 35: Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets](#)).
2. Unintended and/or Unauthorized Data Disclosure: ICANN org will operate IT systems containing confidential data received from third parties and personal data protected by a variety of global privacy and regulatory frameworks. This data could be disclosed through error or breach. Such issues are a possibility any time ICANN org accepts and processes data. The likelihood of this risk materializing is increased by the reality that most IT systems supporting the proposed (and future) rounds of the New gTLD Program will be newly designed and developed. This class of risk is mitigated through investment of significant time and resources in security design, requirements development, secure

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<sup>180</sup> It should be noted that business risks are captured under funding and operational risks. Political risks are not addressed as ICANN is not a political organization.

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development processes, testing, operational monitoring, and the development and testing of incident response procedures.

3. Regulatory and Governmental: Increased government interest in data protection and data privacy creates risk, given the type of data ICANN org will be collecting and managing during the New gTLD Program. ICANN org's global scale subjects it to multiple, and potentially conflicting, regulatory regimes. The global regulatory, privacy, and cybersecurity landscape has become more complicated and fragmented since the 2012 round. Global regulatory approaches are evolving rapidly and are likely to change during the execution of the New gTLD Program, potentially in conflicting or unresolvable manners. These risks may be mitigated through deliberate, targeted individual government interactions and work with IGOs and with delegations to address the potential for unintended impact of legislation on the technical operation of the Internet. ICANN, as a global organization, monitors and complies with legislation that impacts organizational operations as well as the Internet's unique identifiers. Frequent, high-level engagement may further mitigate these risks. In addition, ongoing work with the GAC and other governmental or intergovernmental channels can assist to inform stakeholders of available processes and mechanisms to inform and address these potential challenges.
4. ICANN org Vendor Management: ICANN org anticipates engaging a number of vendors to support the execution of the New gTLD Program. Non-performing vendors, all variety of business disputes, and the general overhead of vendor management at the anticipated scale create risk. Non-performance or a dispute with a critical vendor could result in an appeals mechanism submission, an accountability mechanism, or other legal action taken by an applicant over the incorrect result of a vendor that failed to perform as contracted. Risk may be reduced via thorough due diligence, stringent contracting, and performance monitoring. Experience from the 2012 round also provides insight into how vendors may be managed to reduce risk.
5. Ecosystem Participants: Both current and new participants in the ICANN ecosystem may dispute any number of aspects of a subsequent round of the New gTLD Program, including sensitive strings, intellectual property concerns, or data privacy concerns. A lesson from the 2012 round is that discussion of particular strings (e.g., geographic, religious, or government-related) may inspire participation from a range of parties with an interest in the topic, including parties not previously involved in Internet Governance. While drawing new parties into the ICANN ecosystem should be seen as a positive outcome, it also creates risks and unknowns. Challenges, including through accountability mechanisms and litigation, would be expected and involvement of particularly influential (and/or litigious) parties may have a higher risk. This may also cause ICANN org reputational damage.
6. Registry Compliance Activities; Registry Failure: A registry failure may cause ICANN org reputational harm, stakeholder dissatisfaction, or challenges, including through legal processes such as arbitration or litigation. Registries may breach the Registry Agreement in a number of other ways, each generating different responses from ICANN org. Most contractual compliance violations are addressed by the RO in a timely manner

and don't directly impact DNS operations, while operational or security breaches create significant risk for ICANN org. The monitoring and emergency response procedures developed during the 2012 round have shown to be effective, noting the limited number of disruptive events. While the failure of a large registry has a low probability and is not expected, such a failure would have a high impact. ICANN org notes that compliance activities do not typically escalate to challenges, including through litigation. ICANN org's mission is preserving the security and stability of the Internet's identifier system, including the DNS. Any material operational issue that traces back to a perceived or actual ICANN org failure would have significant impact, including potential invocation of accountability mechanisms and challenges, including through litigation.

Table A13-1. Legal Risks

Legal Risks	Identified Risk	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Severity of Impact	Mitigation
1	<a href="#">Contention Set Resolution</a>	High	High	Redesign contention set determination and resolution processes.
2	Unintended and/or unauthorized data disclosure	Medium	High	Investment in security design and development.
3	Regulatory/Governmental	Medium	Medium	Strategic engagement with governments through the GAC or other channels.
4	Vendor management	Low	High	Thorough due diligence, stringent contracting, and performance monitoring.
5	Ecosystem Participants	Low	Low (Medium Involvement of particularly influential parties may have a higher impact)	No mitigation strategy identified at this stage; ICANN org will further explore as part of the Complete Risk Assessment identified at this stage.

Legal Risks	Identified Risk	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Severity of Impact	Mitigation
6	Registry Compliance Activities; Registry Failure	Low	High	Compliance monitoring and the Emergency Back-End Operator (EBERO)

## Reputational Risks

ICANN org identified three reputation risks, also shown in Table A13-2:

1. Harm to ICANN org's reputation as a competent technical steward of the global Internet DNS: ICANN org's mission is preserving the security and stability of the Internet's identifier system, including the DNS. Any significant operational issue that traces back to a perceived or actual ICANN org failure would have significant impact on ICANN org's reputation. Low likelihood, high-impact risks are possible. ICANN org may mitigate these risks through investment in: (1) early alert processes and systems to quickly determine if such an event has occurred; and (2) emergency response capabilities that are well formed and exercised.
2. Harm to ICANN org's reputation as an administrator implementing and executing transparent and defensible procedures that balance stakeholder interests: Disputes involving contention set resolution, the handling of sensitive strings, PIC/RVC issues, and other 2012 round controversial issues create risk where ICANN org's reputation may be impacted. Disputes occurred during the 2012 round and similar disputes would be expected in future rounds. ICANN org can mitigate these risks through the consistent implementation of procedures and through operational transparency. ICANN org can also mitigate these risks by emphasizing its stewardship function and mission to balance stakeholder interests.
3. Harm to ICANN org's reputation as a fair, trusted entity to DNS ecosystem participants: ICANN org New gTLD Program delays, cost overruns, and perceived or actual lack of predictability negatively impact the ICANN ecosystem and ICANN org's reputation. Prudent, defensible, and evenly implemented procedures and operational transparency mitigate these risks.

Table A13-2. Reputational Risk

Reputational Risk	Identified Risk	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Severity of Impact	Mitigation
1	Harm to ICANN org’s reputation as a competent technical steward of the global Internet DNS.	Low	High	Monitoring and emergency response capabilities
2	Harm to ICANN org’s reputation as implementing and executing transparent and defensible procedures that balance stakeholder interests.	Medium	Medium	Defensible, and evenly implemented procedures with operational transparency
3	Harm to ICANN org’s reputation as a fair, trusted entity to DNS ecosystem participants.	Medium	Medium	Defensible, and evenly implemented procedures with operational transparency and predictability

**2. Would implementation of the outputs create any potential conflicts with the ICANN Bylaws and if so, how can those conflicts be addressed?**

Response: Implementation of PICs and Registry Voluntary Commitments RVCs may create a potential conflict with ICANN’s Bylaws, particularly the requirement that “ICANN shall not regulate . . . services that use the Internet’s unique identifiers or the content they provide.” Implementation of PICs and RVCs will require a delicate balance of interests, and clear limitations on the scope of such PICs and RVCs to remain within the confines of the Bylaws. See discussion of [Topic 9: PICS/RVCs](#) as well as the [Issues section](#).

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**3. Is there any risk that existing policy or anticipated policy changes, or ICANN contractual requirements or amendments could conflict with implementation of the outputs? If yes, what is the likelihood and degree of the risk(s) created, and what measures are proposed to mitigate or manage any identified risk(s)?**

Response: ICANN org did not determine any conflicts with existing policies. If, however, ICANN org were to identify any conflicts during the implementation of the policy recommendations, ICANN org would notify the GNSO Council, per its published Consensus Policy Implementation Framework. The ICANN Board has stated that if future consensus policy recommendations are intended to supersede current consensus policies, this must be clearly stated in the final adopted policy recommendation.

ICANN org notes that the Internationalized Domain Names (IDN) Expedited Policy Development Process (EPDP) is currently under deliberations and ICANN org will monitor developments to flag anticipated policy recommendations that may impact the implementation and operationalization of the immediate next or future rounds.

**4. What is the likelihood and degree of risk to ICANN if future changes in law(s) impact the implementation of the outputs, and what measures are proposed to mitigate or manage any identified risk(s)?**

Response: There is always a risk that laws adopted at some point in the future in one or more local jurisdictions might impact ICANN org and applicants, including their ability to implement and comply with existing agreements. As laws on data protection and cybersecurity evolve globally, there is a risk to how components of the New gTLD Program may be implemented to ensure it remains in compliance. To mitigate against this uncertainty, ICANN org will continue to track legislation and anticipate impacts to its policies, contracts, and systems.

**5. Identify which of the outputs, if any, still remain unspecified or unclear and may lead to potential implementation challenges and provide any options, should they exist, for resolution.**

Response: ICANN org has identified a number of issues related to the outputs that could have an effect on how the New gTLD Program is implemented or the schedule of implementation. These issues could also have an impact on the timeline and cost of the New gTLD Program. The [Issues](#) and [Dependencies](#) sections discuss these topics in more detail.

**6. Identify the likelihood and degree of security, stability, and resiliency risk, if any, to the Internet ecosystem that implementation of the outputs may create, and what measures are proposed to mitigate or manage any identified risk(s).**

Response: ICANN org notes that it is difficult to plan, develop, and account for unforeseen problems. Depending on the potential problem, unplanned resources may be needed to mitigate

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DNS instability. The Internet Assigned Numbers Authority (IANA) function has identified approaches that may be used to address aspects of unforeseen DNS instability. IANA may consider, in accordance with Recommendation 26.3 of the Final Report,<sup>181</sup> using a business process similar to the 2012 round of metering the rate of change to the root zone to provide a structure of predictability as approved TLDs are being added to the root zone. A conservative approach to expanding the root zone would ease the burden of addressing any unforeseen DNS stability issues.

Additionally, ICANN org notes the work within the Name Collision Analysis Project (NCAP) to analyze and develop advice regarding name collisions. There is the potential for risk to implementation of the outputs should the NCAP result in any recommendations or advice that differ considerably from the outputs.

The [Security and Stability section](#) provides more information on these topics.

**7. Identify the likelihood and degree of risk, if any, that may arise if the launch of future rounds does not occur as planned, such as a materially delayed launch due to external disruptions (e.g., global pandemic, other potential external disruptions), and what measures are proposed to mitigate or manage the identified risk(s).**

Response: Material New gTLD Program delays reasonably within ICANN org's control would cause reputational harm to an unknown degree. New gTLD Program delays beyond ICANN org's control due to external disruptions (e.g., pandemic, sanctions, economic, geopolitical issues) would likely have minimal impact to ICANN org's reputation. Risk mitigation for unforeseen external disruptions is difficult and would likely rely on ICANN org's ability to use reserve funding.

**8. What is the likelihood and degree of risk, if any, that implementation of the outputs will result in a significant shortfall or excess of funding as compared with estimates, and what measures are identified to mitigate or manage the identified risk(s)?**

Response: The full inventory of risks is shown in Table A13-3. Unpredictability in application volume creates uncertainty and risk in every aspect of the New gTLD Program. ICANN org's estimate of 2,000 applications is based on its experience in 2012, but it is unclear if that estimate is low or high.

Significant financial investments will be made in advance of the applications being accepted (i.e., IT systems, hiring, engagement of vendors, etc.). Should the number of applications be significantly less than estimates, the negative financial impact could be material. The risks associated with significantly more applications than estimated are more operational than

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<sup>181</sup> Recommendation 26.3: ICANN must focus on the rate of change for the root zone over smaller periods of time (e.g., monthly) rather than the total number of delegated strings for a given calendar year.



financial, as more applications would yield more funding in addition to greater than expected workload.

These risks are difficult to mitigate. Flexibility in vendor contracts and deferral of investments until required (using a “just-in-time” strategy) increase ICANN org’s available options given the uncertainty. Employing these strategies, however, also increases the risk that resources may not be available if and when needed, which may cause New gTLD Program delays.

Table A13-3. Inventory of Risks

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
<a href="#">Dependencies Risk 1</a>	Material shifting of requirements and later-than-expected decisions and outputs could drive expense.	Funding Risks	Medium	Minimal (Higher as outputs diverge further from expectations)	Transparent decision-making and community involvement, as applicable, in any changes to requirements.
<a href="#">Dependencies Risk 2</a>	See <a href="#">Overall New gTLD Program Risks</a>	Human Resources Risks	Medium	Low	See <a href="#">Overall New gTLD Program Risks</a>
<a href="#">Dependencies Risk 3</a>	See <a href="#">Overall New gTLD Program Risks</a>	Multistakeholder Governance and Legitimacy Risks	Medium	Low (Higher in extreme circumstance)	Transparent processes, procedures related to decision-making.
<a href="#">Finance Risk 1</a>	Lower volume of applications than planned creates a funding deficit that cannot be mitigated by reducing variable expenses.	Funding Risks	Medium	Medium	Flexibility in vendor contracts and deferring investments until required (“just in time”), increase ICANN org’s available options given the uncertainty but also increase the risk that resources may not be available if/when needed and delay New gTLD Program phases.
<a href="#">Systems and Tools Risk 1</a>	See <a href="#">Overall New gTLD Program Risks</a>	Human Resources Risks	Medium	Medium (High in an extreme case)	See <a href="#">Overall New gTLD Program Risks</a>

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
<a href="#">Systems and Tools Risk 2</a>	Undefined or changing business requirements.	ICANN Systems and Information Security Risks	Medium	Medium (High in an extreme case)	Agile development processes and firm requirements.
<a href="#">Systems and Tools Risk 3</a>	Exposure of Personal Data (e.g., Personal Identifiable Information (PII)) and/or business confidential information.	ICANN Systems and Information Security Risks	Medium	Medium (High in an extreme case)	Careful security requirements and testing.
<a href="#">Vendors and Third Parties Risk 1</a>	Loss of critical skills, knowledge, and capabilities if key personnel depart from ICANN org.	Human Resources Risks	Medium	Low	Retain institutional knowledge through strong internal documentation of processes and cross-training personnel.
<a href="#">Vendors and Third Parties Risk 2</a>	Liability of collecting business confidential information and PII exist and are material should they be inadvertently disclosed.	Legal Related Risks	High	Medium	Vendors may be required to operate within ICANN org's IT systems as opposed to transferring data from ICANN org to third parties.
<a href="#">Vendors and Third Parties Risk 3</a>	Evaluation results that are inconsistent and may be challenged by the applicant for a variety of reasons.	Legal Related Risks	High	High	Contracting with multiple vendors for each evaluation type increases capacity and flexibility and provides an option for dispute resolution. Upfront panel training, documentation, and coordination can mitigate concerns with inconsistent results or inconsistent applicant-

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
					facing evaluation experiences.
<a href="#">Vendors and Third Parties Risk 4</a>	<p>Uncertainty in evaluation volume and mix creates contracting uncertainty vis-à-vis evaluation providers. Specifically, uncertainty of application volume and mix creates risk in selecting and contracting with evaluation panel providers. Vendors may increase prices and pose contract terms reflective of these uncertainties.</p> <p>As evidenced by the 2012 round, there is an extremely long tail on a new gTLD application round. Ongoing change requests require evaluation, policy issues such as changing ownership or RSPs require certainty and ongoing resources, etc. The evaluation criteria developed for a round (i.e., the Applicant Guidebook) is very long lived in that it remains “the criteria” until a subsequent</p>	Funding Risks	Medium	Medium	<p>Mitigations may include development of criteria for round closure.</p> <p>ICANN org may need to scale up or down with limited notice, which may increase costs, possibly materially.</p> <p>This uncertainty is a difficult set of risks for ICANN org to manage. Flexibility in evaluation firm contracts and multiple vendors for each evaluation type increase ICANN org’s available options, given the uncertainty.</p>

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	Applicant Guidebook is developed.				
<a href="#">Resources and Staffing Risk 1</a>	Timely sourcing of human resources in a currently highly competitive employment environment requires longer than expected times to hire for some critical skills.	Human Resources Risks	Medium	Medium	Significant advance notice and approval of hiring needs of at least six months. Some market indicators suggest that organizations are eliminating technical staff, creating the possibility for an expanded applicant pool for ICANN.
<a href="#">Resources and Staffing Risk 2</a>	Operational and new gTLD project work demands limit the availability of hiring managers to dedicate time to support recruitment, onboarding, and training. This can delay hiring and impact the quality of hiring decisions.	Human Resources Risks	Low	Medium	Clear definition of hiring requests, and timely submissions for approval of hiring requests synchronized ahead of scheduled project phasing will be key, along with close management of the hiring process by the Talent Acquisition team, work track leads, and functional owners of the work.
<a href="#">Timeline Risk 1</a>	See <a href="#">Overall New gTLD Program Risks</a>  Unexpected outputs or delays in community responses to outstanding IRT questions or dependent workflows can result in a change in scope and/or a delay in implementation.	Multistakeholder Governance and Legitimacy Risks	High	Medium (High in extreme circumstance)	Maintain consistent and clear lines of communications with the Board, the IRT, and the community regarding implementation progress, responses to IRT questions, and pending questions to the community.

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	Uncertainty, delays, and complex decision-making processes increase the chances of this risk materializing.				
<a href="#">Timeline Risk 2</a>	Any scope, assumption, or requirement change (e.g., policy clarifications, SO/AC advice, or planning/assessment error) should be expected to have reputational, financial, and/or timeline impact.	Other Operations Risks	Medium	Medium (High in extreme circumstance)	Disciplined change management of the scope (requirements) of the project will ensure that the impact to financials and/or timeline is well understood prior to approval of the change.
<a href="#">Timeline Risk 3</a>	Beginning implementation work without clear decisions on key pending areas, such as RVCs, Closed Generics, and CPE may result in implementation delays until such decisions are resolved.	Other Operations Risks	High	Medium (Higher in extreme circumstance)	Ensuring that decisions on pending areas are resolved quickly will minimize the impact of these areas on the overall implementation timeline.
<a href="#">Overall New gTLD Program Risk 1</a>	Significantly low application volume	Funding Risk	Medium	High	Flexibility in investment and vendor contracts
<a href="#">Overall New gTLD Program Risk 2</a>	Retention of critical skills and turnover	Human Resources Risks	Medium	Medium	Strong internal documentation and cross-training of personnel

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
<a href="#">Overall New gTLD Program Risk 3</a>	Personal Data and Business Confidential Information inadvertently disclosed.	ICANN Systems and Information Security Risks	Medium	Medium (High in an extreme case)	Security design, requirements, and development. Systems monitoring for Business Continuity (BC), Disaster Recovery (DR) and Incident Response (IR).
<a href="#">Overall New gTLD Program Risk 4</a>	Confidential Information inadvertently disclosed.  Perceived inconsistent or unfavorable evaluation results.  Non-performing vendors disputes.	Legal Related Risks	High	Medium (High in an extreme case)	Security design, requirements, and development. Systems monitoring for BC, DR and IR.  Develop clear processes, execute consistently and share with the community.  Thorough due diligence, stringent contracting, and performance monitoring.
<a href="#">Overall New gTLD Program Risk 5</a>	Regulation change and potential for conflicting global regulation requirements	Legislative or Regulatory Risks	Medium	Medium	Continue monitoring of <a href="#">global legislation</a> vis-a-vis privacy and personal data regulations
<a href="#">Overall New gTLD Program Risk 6</a>	Delays, execution missteps and lengthy decision-making	Multistakeholder Governance and Legitimacy Risks	Low	Medium	High quality, defensible execution against published processes and timelines, timely and clear decision-making.
<a href="#">Overall New gTLD Program Risk 7</a>	Exception Handling  Unforeseen Factors	Other Operations Risks	Medium	Low	Consistent communication and process adherence.  No mitigation strategy identified at this stage;

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
					Org will further explore as part of the Complete Risk Assessment.
<a href="#">Governance Risk 1</a>	Retention of critical skills and experience needed to deliver the work; and turnover can be disruptive to the New gTLD Program.	Human Resources Risks	Medium	Low	See <a href="#">Overall New gTLD Program Risks</a>
<a href="#">Governance Risk 2</a>	Uncertainty within complex decision-making processes increases the chances of legal challenges and triggering of ICANN accountability mechanisms.	Legal Related Risks	Medium	Medium	Provide framework for transparency in decision-making processes and a path to timely resolutions of disputes or uncertainties.
<a href="#">Communications, Global Engagement, and Inclusion Risk 1</a>	<p>Highly successful Applicant Support engagement may cause demand to exceed budgeted resources. Insufficient resourcing for demand could result in second order Legal-Related or Multistakeholder Governance / Legitimacy-related risks.</p> <p>Low success in Applicant Support engagement may result in budgeted funds not being applied to the intended purpose,</p>	Funding Risks	Medium	Low	Seeking additional budget allocation, should the demand exceed the original budget. Budgeted funds are only fees ICANN is not taking in and thus are not the same as direct cost expenditures.

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	which could result in second-order reputational damage.				
<a href="#">Communication s, Global Engagement, and Inclusion Risk 2</a>	See <a href="#">Overall New gTLD Program Risks</a>  Setting specific, measurable objectives <sup>182</sup> and identifying and targeting audiences for New gTLD Program engagement will reduce the probability of reputational damage at the expense of criticism for “quotas.”	Multistakeholder Governance and Legitimacy Risks	Medium	Low (Higher in extreme circumstance)	Relying upon GNSO Guidance Process to inform the success measures for the Applicant Support Program will help mitigate reputational risks.  The CCT-RT Implementation Plan outlines measures of success for increasing diverse participation, which can help inform the basis of specific and measurable objectives.  ICANN org recognized it needed an external partner to develop and implement a global strategy to localize information and conduct communications and outreach efforts to reach specific target audiences based on the

<sup>182</sup> The [CCT-RT Final Report](#)'s Recommendation 30 called for ICANN org to “expand and improve outreach into the Global South”. In its [Plan for Implementation](#), ICANN org refers to CCT-RT Measures of Success as including identification of “targets, outlets, and venues for better outreach...includ[ing] cost projections, potential business models, and resources for further information.” (p. 20). ICANN org further outlines successful implementation to include: identification of those stakeholders and regions not well represented and recognizing gaps; targeting and conducting engagement with identified communities and stakeholders; the delivery of the engagement report describing the engagement effort; report receives recognition from GNSO, other SO/AC groups and Board as a useful product. Follow-up on report and awareness-raising efforts improves targeting of overall ICANN org engagement and attracts new active contributors to ICANN work.”



Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
					<p>recommendation from the GNSO Council. ICANN org has hired a vendor and will utilize internal resources as part of these efforts.</p> <p>Also see <a href="#">Overall New gTLD Program Risks</a></p>
<a href="#">Communication s, Global Engagement, and Inclusion Risk 3</a>	See <a href="#">Overall New gTLD Program Risks</a>	Human Resources Risks	Medium	Low	See <a href="#">Overall New gTLD Program Risks</a>
<a href="#">Communication s, Global Engagement, and Inclusion Risk 4</a>	There is a reputational risk to launching the communications plan more than 24 months before the next round opens if there are unexpected delays.	Multistakeholder Governance and Legitimacy	Medium	Medium	To alleviate delays, markers or specific milestones should be established to indicate readiness before communications are activated.
<a href="#">Contractual Compliance Risk 1</a>	Not enough human resources to perform all existing and newly recommended compliance tasks.	Human Resources Risks	Medium	Low	Long-term hiring and on-boarding strategy.
<a href="#">Contractual Compliance Risk 2</a>	Legal risks for not meeting the implementation requirements around these recommendations.	Legal Related Risks	Low	Medium	Working diligently with the community via the Implementation Review Team to ensure implementation matches intent and wording or recommendations as closely as feasible.
<a href="#">Security and Stability Risk 1</a>	Root Zone Updates Delegation results in the IANA function making a change to the root zone. Any	Security and Stability	Minimal	Low	If a change is introduced that causes issues, it may be quickly reverted out of the root zone, mitigating the risk.

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	change to the root zone, while unlikely to cause issues, is not zero-risk.				All of the steps prior to delegation are designed to reduce the risk changes to the root zone.
<a href="#">Role of Applicant Comment Risk 1</a>	Application comments, unmoderated public comments could be inappropriate, offensive, illegal, or malicious. There is risk associated with comment moderation (or lack thereof).	Systems and Information Security	Medium	Medium (High in an extreme case)	Unmoderated comments may be mitigated through comment moderations but that introduces risk as well. A balance will need to be struck and potentially evolve as each round occurs.
<a href="#">GAC Consensus Advice and GAC Early Warnings Risk 1</a>	<p>Consistency</p> <p>Materially conflicting or inconsistent application processing, applicant experiences, or dispute resolution could cause reputational/legitimacy risks.</p> <p>Materially conflicting or inconsistent advice, particularly advice from or relating to the GAC, could cause reputational/legitimacy risks.</p> <p>Advice may not arrive as expected or during expected time periods, which may increase risk in other</p>	Multistakeholder Governance and Legitimacy	Low	Medium	<p>A quality assurance program and/or system enforced processing may mitigate variability and help enforce consistency.</p> <p>Regardless of advice timing, content, or harmony, the Board will consider advice as required by the Bylaws.</p>

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	parts of the process. Uncertainty and/or lengthy delays in dispute resolution could impact ICANN org's reputation.				
<a href="#">Limited Challenge/Appeal Mechanism Risk 1</a>	<p>Advice that causes the creation of a contention set, or advice that seeks to block delegation of a specific string creates the opportunity for legal challenges. Specifically, creating and resolving contention sets creates the opportunity for invocation of accountability mechanisms and legal challenges. Based on 2012 experience, this is almost certain to occur in future rounds.</p> <p>Contracting one or more dispute resolution service providers (DRSP) creates the risk that disputes may be resolved unevenly (i.e., DRSPs reach conflicting resolutions).</p> <p>Processes that are highly contentious in</p>	Legal Related Risks	Medium	Medium (High in an extreme case)	<p>The limited challenge/appeal mechanism may reduce invocation of accountability mechanisms or legal challenges.</p> <p>If multiple DRSPs are used for a single challenge, a quality assurance mechanism may mitigate conflicting outcomes.</p>

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
	nature may result in the need for further legal action.				
<a href="#">Appendix 13: Risk Assessment Legal Risk 1</a>	<a href="#">Contention Set Resolution</a>	Legal Related Risks	High	High	Redesign contention set determination and resolution processes.
<a href="#">Appendix 13: Risk Assessment Legal Risk 2</a>	Unintended and/or unauthorized data disclosure	Legal Related Risks	Medium	High	Investment in security design and development.
<a href="#">Appendix 13: Risk Assessment Legal Risk 3</a>	Regulatory/ Governmental	Legal Related Risks	Medium	Medium	Strategic engagement with governments through the GAC or other channels.
<a href="#">Appendix 13: Risk Assessment Legal Risk 4</a>	Vendor management	Legal Related Risks	Low	High	Thorough due diligence, stringent contracting, and performance monitoring.
<a href="#">Appendix 13: Risk Assessment Legal Risk 5</a>	Ecosystem Participants	Legal Related Risks	Low	Low (Medium Involvement of particularly influential parties may have a higher impact)	No mitigation strategy identified at this stage; ICANN org will further explore as part of the Complete Risk Assessment identified at this stage.
<a href="#">Appendix 13: Risk Assessment Legal Risk 6</a>	Registry Contractual Compliance Activities; Registry Failure	Legal Related Risks	Low	High	Contractual Compliance monitoring and the Emergency Back-End Operator (EBERO)
<a href="#">Appendix 13: Risk Assessment Reputational Risk 1</a>	Harm to ICANN org's reputation as a competent technical steward of the global Internet DNS.	Multistakeholder Governance and Legitimacy	Low	High	Monitoring and emergency response capabilities

Risk # and Location	Identified Risk	ICANN Risk Category	ICANN Risk Rating on Likelihood	ICANN Risk Rating on Impact	Mitigation
<a href="#">Appendix 13: Risk Assessment Reputational Risk 2</a>	Harm to ICANN org's reputation as implementing and executing transparent and defensible procedures that balance stakeholder interests.	Multistakeholder Governance and Legitimacy	Medium	Medium	Defensible, and evenly implemented procedures with operational transparency
<a href="#">Appendix 13: Risk Assessment Reputational Risk 3</a>	Harm to ICANN org's reputation as a fair, trusted entity to DNS ecosystem participants.	Multistakeholder Governance and Legitimacy	Medium	Medium	Defensible, and evenly implemented procedures with operational transparency and predictability

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# Appendix 14: Global Public Interest Framework

## Background

In late 2019, the ICANN Board developed a proposed global public interest (GPI) [framework](#) in consultation with the ICANN community. The framework demonstrates whether and how specific advice and recommendations developed by the community serve the global public interest within ICANN's remit.

At the conclusion of the community consultation on the proposed framework, the Board agreed to pilot the proposed GPI framework and showcase how it can be leveraged to ascertain relevant GPI considerations on a given issue; identify gaps, if any; and share lessons learned. Following its commitment, the Board identified the System for Standardized Access/Disclosure (SSAD) recommendations as the first test case for the pilot. Findings of the first phase of the pilot can be found in the [report](#) for the SSAD Operational Design Assessment (ODA) (Appendix 2, pages 101-105).

The second case study for the pilot was identified by the Board as the New gTLD Subsequent Procedures (SubPro) recommendations. This document provides an overview of the process and findings of the SubPro pilot conducted by ICANN org.

## Pilot Scope and Methodology

The scope of the SubPro GPI pilot consists of the following activities:

1. Pilot the draft framework to demonstrate a post-facto (retroactive) assessment of how the community addresses and considers various GPI considerations as they craft recommendations.
2. Assess the extent to which all of those considerations could have been further facilitated by using the GPI framework.
3. Identify how the use of the GPI framework could be leveraged in future community work to ascertain the GPI in a more consistent and predictable manner.

ICANN org developed a four-step process, outlined below, to explore which recommendations or topics carry GPI considerations, how the community-developed recommendations or topics fit within the framework, and lastly, how the framework could be leveraged to facilitate and standardize the GPI approach across the ICANN community.

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- Step 1: Review relevant documentation to determine which recommendations or topics may carry GPI considerations.
  - Step 2: Determine and map which of the five overall GPI framework categories are relevant to each of the identified recommendations or topics from Step 1.
  - Step 3: Apply the questions posed in the framework to consider the GPI issues in light of the relevant ICANN Bylaws.
  - Step 4: Weigh the various considerations and viewpoints, including recommendations and rationales, as well as minority statements and public comment proceedings, and take into account all of the relevant inputs.

The GPI framework was applied to the SubPro report and relevant documents, as detailed below, to demonstrate a possible example of the application of the framework. Specifics on this approach are as follows:

- A keyword search of the terms in the “Public Interest Categories” column of the GPI framework was conducted over the [Final Report on the new gTLD Subsequent Procedures Policy Development Process](#).
- Of the 41 report topics evaluated under the pilot, there were 32 individual topics that were flagged in the keyword search and thus identified as possible candidates that may carry GPI considerations.
- Analysis of the identified topics revealed that all five GPI framework categories had relevance for the SubPro recommendations. Some categories were revised slightly, either to combine terms in different categories where topics aligned or to create further sub-categories, with expanded keywords when relevant (such as adding “underserved” to the category of inclusivity and diversity).
- After the GPI categories for this approach were determined and keywords reassessed, a keyword search was conducted across the four relevant public comment proceedings, from [July-September 2018](#), [October-December 2018](#), [December 2018-February 2019](#), and [August-September 2020](#).

ICANN org reviewed documentation for evidence to support the community’s public interest considerations, without supplanting ICANN org’s own evaluations.

## Executive Summary

Following are observations from the SubPro recommendations GPI framework test case, the second and final exercise of the pilot:

- The ICANN community considered in its deliberations and addressed a wide range of GPI considerations in the recommendations and rationales provided in the SubPro recommendations. Many references were made to the GPI itself, as well as to related considerations (e.g., security, transparency, diversity). ICANN org’s GPI pilot framework mapping results show that more than three-quarters (78%) of the topics reference GPI

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framework terms and could therefore carry GPI considerations; this high rate, coupled with the high volume of public comments that reference the GPI and GPI framework categories, suggests that the GPI has been central to the discussions involved in this PDP.

- The GPI pilot for the SubPro test case was organized along the lines of the GPI categories that appeared most frequently in the Final Report and in the public comment discussions surrounding the topic: (1) security and stability; (2) competition, fairness, trust, and innovation; (3) benefit (to the Internet community); (4) fiscal responsibility; (5) transparency and accountability; (6) inclusivity and diversity. Each of these GPI elements was addressed at length by the Working Group in the Final Report.
- As shown in the figures below, many GPI elements were considered from a variety of different angles. For example, multiple aspects of diversity were considered: diversity of service providers and business models; marketplace diversity; global diversity and participation from the Global South; diversity of scripts and languages. Further, with regard to fiscal responsibility, the Working Group made efforts to ensure that the program would not require additional subsidizing by ICANN (Topic 15), while also considering fiscal responsibility implications for applicants in underserved or developing economies (Topic 17).
- The SubPro PDP process elucidates the need to balance and consider various GPI concerns, instead of focusing on a single element. For example, the GPI in promotion of competition was cited in public comments by those taking differing views of how various models for application fees (Topic 15) supported inclusivity or innovation.

The GPI played a significant role in discussions surrounding Topic 23: Closed Generics, for which the Working Group did not reach agreement on recommendations and/or implementation guidance. One reason this discussion focused so much on the GPI was the GAC's 2013 advice that Closed Generics should not be allowed unless supporting a public interest goal. There were discussions surrounding multiple approaches: (a) allowing Closed Generics; (b) not allowing Closed Generics; (c) allowing Closed Generics if they serve a public interest goal, or (d) allowing Closed Generics with applicants committing to a code of conduct.

However, even for those supporting approach (c), there was a lack of agreement on how to define the "public interest" (or whether it would be possible to define it), who would determine whether an application supported a public interest goal, and how to enforce the requirement. Working Group members submitted three proposals, but no agreement was reached. The Board emphasized that questions on defining the public interest and public interest goals have been pending for several years and that it remains critical for the Subsequent Procedures group to "further flesh out these concepts in all proposed options for addressing Closed Generics" (as quoted in [Final Report](#), p.106). The report notes that the Working Group discussed challenges associated with defining the public interest and noted that the definition may impact whether it is possible to have Closed Generics that are in the public interest. It should be noted that, while the scope of the GPI pilot is to analyze the SubPro report recommendations and related



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documentation against the GPI framework, the community is continuing to address GPI concerns in ongoing discussions on Closed Generics.

- The GPI also played a significant role in discussions surrounding Topic 35: Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets, for which there was strong support but significant opposition. Discussions touched on many GPI categories that required careful balancing and consideration, including fairness, diversity, inclusivity, fiscal responsibility, competition, and transparency. There is significant opposition to the use of private auctions as a means of private resolution of contention sets. Debates on this topic centered around concerns about private auctions favoring those with financial resources and being unfair to those without resources to compete. Further, some public commenters stated a concern that private auctions are not in the GPI because proceeds are shared by auction participants; there was a suggestion that proceeds instead go to ICANN for the benefit of the Internet community. Suggestions were made for more inclusive auction strategies, such as handicap measures including multipliers/weightings for those from underserved communities to focus on diversity.
- Many public comments pertain to definitions and interpretations of key terms, including “community,” “public interest,” and “Global South.” There is recognition of ongoing work in the ICANN community and organization with regard to these terms: the SubPro report makes reference to the GPI framework; public comments reference ongoing efforts to standardize terms relating to underserved or underrepresented regions or stakeholders; and reference is made to the ongoing implementation work relating to the Human Rights Framework of Interpretation (Fol). Wider WorkStream 2 and community efforts to define these key terms may impact future SubPro work.
- All efforts were made by ICANN org to capture the details and nuances of each of the four public comment periods while conducting this GPI pilot.
- This document illustrates how the community takes the GPI into account through its processes and demonstrates how the community could potentially apply the specific categories of the GPI framework and the framing Bylaws questions in its decision-making process.
- This document is one input for the Board to consider as they deliberate on the GPI; the Board has the final say on whether the recommendations are in the GPI and may take other considerations into account as they see appropriate in their deliberations.

## Next Steps

The SubPro exercise concludes the Board’s pilot of the GPI framework. This document will be followed by a final report on the GPI pilot, consisting of assessments of the SSAD and SubPro pilot exercises. The Board will subsequently hold a public session to update the community and discuss findings, lessons learned, and proposed next steps in furthering the community’s work on the GPI.

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The community is strongly encouraged to consider the use of the framework in its future work as a way to help structure and guide its discussions on the GPI. The considerations and questions outlined in the framework could help make the process of ascertaining the GPI more consistent and predictable, while also formally documenting and creating a record of those considerations and questions for consistency. In turn, this will help clearly communicate to the Board how GPI considerations were taken into account by the community and inform the Board's subsequent discussions and actions. In addition, it will help to reinforce the commitment to the GPI and to keep the conversations around the GPI active in the community dialogue.

## GPI Framework Mapping Findings

Below is the output of the exercise to apply the framework to the SubPro Final Report, capturing one possible use of the framework. The information is organized by the relevant GPI framework categories, with further details as follows:

- Overall ICANN Category from GPI Framework
  - The GPI framework is separated into the following categories: (a) ICANN's technical coordination; (b) ICANN's role in the DNS marketplace; (c) Benefit to the Internet community; (d) ICANN's global multistakeholder community and policy development processes; (e) ICANN's policies and practices
  - Each of these categories was relevant to the SubPro Final Report.
- Public Interest Categories from GPI Framework
  - Within the GPI framework, each of the overall categories (above) are tied to specific GPI elements (such as diversity, stability, and trust)
- Relevant Bylaws Question from GPI Framework
  - The GPI framework links each category to one or more specific section(s) from the Bylaws, in the form of a question.
- Relevant SubPro Topics
  - The topics enumerated in this section relate to the keyword search of the SubPro report and the recommendations, implementation guidance, deliberations, and/or rationales contained in that "Topic" section of the report.
  - Note that some public comments addressed within that wider category may touch on additional topics, but it was not possible to track all topics based on their final number in the public comment analysis due to shifts in numbering over time.
- GPI Considerations Addressed by the Working Group
  - This section briefly summarizes how this particular GPI category was addressed by the Working Group in the Final Report.
- Additional GPI Inputs Considered by the Working Group
  - This section briefly summarizes the additional viewpoints (such as minority statements and public comments) that were considered by the Working Group.

Note that use of terms such as "support," "suggestion," or "concern" in the summaries of public

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comment proceedings does not indicate overall consensus but rather commenters' concerns, suggestions, and support.

Note that topic numbers are used for brevity. For a list of topic names by number, please refer to Table A14-7.

Table A14-1. GPI Findings - Stability and Security

Overall ICANN Category from GPI Framework	<ul style="list-style-type: none"> <li>ICANN's Technical Coordination</li> </ul>
Public Interest Categories from GPI Framework	<ul style="list-style-type: none"> <li>Stable</li> <li>Secure</li> </ul>
Relevant Bylaws Question from GPI Framework	<ul style="list-style-type: none"> <li>Will it "preserve and enhance the administration of the DNS and the operational stability, reliability, security, global interoperability, resilience, and openness of the DNS and the Internet"? (Commitment a.i)</li> </ul>
Relevant SubPro Topics	2, 9, 14, 25, 26, 27, 29, 32, 39
GPI Considerations Addressed by the Working Group	<ul style="list-style-type: none"> <li>Topic 26 focused on security and stability, with an affirmation that strings must not cause technical instability, stipulations for the rate of change for the root zone and the number of new delegations, commitment to monitoring the root and honoring the principle of conservatism when adding new TLDs, provisions for DNS service instabilities, and a prohibition of emojis.</li> <li>Additionally, security and stability were emphasized throughout the report: guidance on communications for the change log take into account security needs (Topic 2); security incidents from the 2012 round were considered (Topic 14); the design, development, and deployment of systems prioritizes security and stability (Topic 14); security and stability are taken into consideration with regard to variant TLDs (Topic 25); the technical criteria used to assess registry applicants aim to minimize risk of harm to the Internet's stability, security, and interoperability (Topic 27); DNS Stability Evaluations determine which applied-for strings represent a name collision risk (Topic 29); a DNS Stability Panel evaluates whether a ccTLD string is confusingly similar to other existing or applied-for TLDs (Topic 32); security and stability are considered with regard to operational readiness testing (Topic 39).</li> </ul>

<p>Additional GPI Inputs Considered by the Working Group</p>	<ul style="list-style-type: none"> <li>• The Working Group took into consideration concerns about applicants submitting their security policies (which could introduce risk to applicants if the policy fell into the wrong hands); there was concern that removal of this requirement would weaken the ability to evaluate applicants' expertise to assure the stable and secure operation of the registry. The Working Group did not agree on the method to balance the concerns of applicants and the SSAC, but believed both considerations were important and that the evaluation process should continue to validate the adequacy of an applicant's security policy (Topic 27).</li> <li>• A minority statement expressed concern that Recommendations 9.1 and 9.3 "represent a scant minimum standard of conduct by responsible registry operators" (<a href="#">Final Report</a>, p.371) and should go further to ensure that registry operators support the security and stability of the DNS, including supporting public safety and establishing trust in gTLDs, with actionable Public Interest Commitments (PICs).</li> <li>• Public comments pertaining to this category focused on: the potential for further analysis on DNS abuse and security and safety related safeguards before the next round; DNS abuse measures for new gTLDs; safeguards to address public interest related concerns; string confusion relating to two-character strings, synonyms, plural/singulars, and more; root scaling and thresholds; testing and monitoring; and IDNs.</li> </ul>
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Table A14-2. GPI Findings - Competition, Fairness, Trust, and Innovation

<p>Overall ICANN Categories from GPI Framework</p>	<ul style="list-style-type: none"> <li>• ICANN's Role in the DNS Marketplace</li> <li>• ICANN's Global Multistakeholder Community and Policy Development Processes</li> </ul>
<p>Public Interest Categories from GPI Framework</p>	<ul style="list-style-type: none"> <li>• Competitive</li> <li>• Fair</li> <li>• Trusted</li> <li>• Innovative</li> </ul>
<p>Relevant Bylaws Question from GPI Framework</p>	<ul style="list-style-type: none"> <li>• Will it "introduc[e] and promot[e] competition in the registration of domain names where practicable and beneficial to the public interest as identified through the bottom-up, multistakeholder policy development process"? (Core value b.iv)</li> <li>• Will it "respect the creativity, innovation, and flow of information made possible by the Internet by limiting ICANN's activities to matters that are within ICANN's Mission and require or significantly benefit from global coordination"? (Commitment a.iii)</li> </ul>

Relevant SubPro Topics	1, 2, 4, 5, 6, 7, 9, 14, 16, 17, 20, 23, 25, 27, 28, 30, 31, 32, 36, 38, 40
GPI Considerations Addressed by the Working Group	<ul style="list-style-type: none"> <li>● The Working Group affirmed that “the primary purposes of new gTLDs are to foster diversity, encourage competition, and enhance the utility of the DNS” (Affirmation 1.3, <a href="#">Final Report</a>, p.14)) and noted the potential to “promote competition in the provision of registry services, to add to consumer choice, market differentiation and geographical and service provider diversity” (Affirmation 6.1, <a href="#">Final Report</a>, p.29).</li> <li>● Fairness, competition, and consumer choice were taken into account with regard to treating incumbent and prospective registry service providers (RSPs) equitably (Topic 6). Competition was highlighted with regard to the global public interest and financial assistance for applicants in need (Topic 17).</li> <li>● The Working Group “agreed that fostering consumer choice, consumer trust, and market differentiation must continue to be primary focal points for the New gTLD Program” (Topic 7, <a href="#">Final Report</a>, p.35) and data collection will focus on these areas to measure effectiveness in these areas.</li> <li>● Report recommendations took into account innovation in string use (Topic 23), choice and innovation with regard to single-character gTLDs in certain scripts/languages with ideograph characters (Topic 25), proposals that could harm competition and discourage innovative business models (Topics 31, 40), and ways to encourage innovation and be more accommodating towards additional types of business models (Topic 36, 38).</li> <li>● The concept of fairness was emphasized multiple times and was mentioned specifically with regard to managing issues that arise (Topic 2), protecting against gaming (Topic 4), evaluation and testing criteria (Topic 6), beta testing (Topic 14), application submission windows and terms and conditions (Topic 16), a framework for responding to change requests (Topic 20), string contention (Topic 20), Closed Generics (Topic 23), evaluation and selection processes (Topic 27), responses to public comments (Topic 28), GAC Advice (Topic 30), challenge/appeals process (Topic 32), and a single Registry Agreement (Topic 36).</li> <li>● The topic of trust was considered by the Working Group with regard to verified TLDs: while they could result in improved trust and confidence in areas/industries where there may be sensitivities or risks, the topic could veer into content regulation (Topic 9). The concept of trust was also mentioned in the report with regard to thresholds of trust in the consideration of applicants’ financial capabilities (Topic 27).</li> </ul>

Additional GPI Inputs Considered by the Working Group	<ul style="list-style-type: none"> <li>• The report reflected a considerable amount of debate around the topic of Closed Generic TLDs (Topic 23), which are addressed in the Benefit section below.</li> <li>• A minority statement noted the importance of trust as it relates to safeguards for strings in highly sensitive industries.</li> <li>• A minority statement cited the Bylaws Commitment noted above, raising concerns about the anticompetitive effects of the 2012 Applicant Guidebook, which the minority statement noted remains unchanged, particularly policies permitting vertical integration between Registrars and Registries and accepting applications for portfolios of TLDs, which the minority statement cited as resulting in large registry/registrar complexes and growing concentration in the DNS market aggravated by mergers and acquisitions among incumbent operators (<a href="#">Final Report</a>, p.362).</li> <li>• Public comments pertaining to this category focused on: encouraging competition and fostering diversity in the next round; caps/restrictions relating to competition, diversity, and innovation; methods to enhance fairness; and concerns relating to geographic names, string confusion, application fees, and auctions/private resolutions.</li> </ul>
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Table A14-3. GPI Findings - Benefit

Overall ICANN Category from GPI Framework	<ul style="list-style-type: none"> <li>• Benefit to the Internet Community</li> </ul>
Public Interest Categories from GPI Framework	<ul style="list-style-type: none"> <li>• Beneficial</li> </ul>
Relevant Bylaws Question from GPI Framework	<ul style="list-style-type: none"> <li>• Will it “operate in a manner consistent with these Bylaws for the benefit of the Internet community as a whole[?] In performing its Mission, ICANN must [operate in this manner], carrying out its activities in conformity with relevant principles of international law and international conventions and applicable local law, through open and transparent processes that enable competition and open entry in Internet-related markets.” (Commitments a)</li> </ul>
Relevant SubPro Topics	9, 10, 23, 36

GPI Considerations Addressed by the Working Group

- Topic 9 addressed Registry Voluntary Commitments (RVCs) / Public Interest Commitments (PICs) in Registry Agreements, detailed safeguards for strings applicable to highly sensitive or regulated industries, supported transparency and accessibility of RVCs, and addressed the change of name from voluntary PICs to RVCs (since some commitments may be in the interest of the registry and/or the constituencies/stakeholders they represent and cannot all be considered in the “public interest”). The report addressed concerns raised by the community that some voluntary PICs may violate human rights and civil liberties and that RVCs might be narrowly tailored, only allowed to address GAC or community concerns, and only permitted if within the scope/mission of the ICANN Bylaws. This recommendation made note of the Global Public Interest under ICANN’s Strategic Plan.
- Topic 10 addressed Applicant Freedom of Expression and affirmed: “The string evaluation process must not infringe the applicant’s freedom of expression rights that are protected under internationally recognized principles of law” ([Final Report](#), p.51). Implementation guidance referenced the work of CCWG-Accountability Work Stream 2 on human rights, as well as a need to balance freedom of expression with other rights (including the principle of fairness, morality, and public order). A suggestion was made for case studies to be provided to evaluators and dispute resolution service providers to ensure criteria are correctly and consistently applied in support of applicable principles and rights.
- Topic 23 addressed Closed Generics and could be considered the most contentious topic; it reached a status of “no agreement.” Some believed Closed Generics could be allowed, some opposed them, some supported them if they serve a public interest goal (in accordance with the GAC Consensus Advice), and some supported them if applicants commit to a code of conduct. However, there was no agreement on (a) how to define the public interest (or indeed if it is possible to define it), (b) who would make the determination as to whether the application supported a public interest goal (with some suggesting a 90% Board majority), and (c) how would such a requirement be enforced. Three proposals were submitted by Working Group members, but the Working Group did not come to an agreement on the proposals. The Working Group discussed challenges associated with defining the public interest and noted that the definition may impact whether it is possible to have Closed Generics that are in the public interest. One approach considered a definition focused on identifying specific behaviors or practices that policy should prevent (such as avoiding anti-competitive behavior).
- In Topic 36, the Working Group noted that it is important for ICANN to make a balanced determination about whether proposed modifications to the registry agreement are in the public interest.



<p>Additional GPI Inputs Considered by the Working Group</p>	<ul style="list-style-type: none"> <li>• Regarding Closed Generic TLDs (Topic 23), the Working Group considered a wide range of considerations on competition, suggestions regarding letters of support (or non-objection) from potential competitors, provisions to avoid or prevent anti-competitive behavior, and defining the public interest.</li> <li>• Minority statements raised concerns about Closed Generics; there was a suggestion that future policy work on this subject involve experts from competition law, public policy, and economics and be performed by those not associated with past, present, or future work in connection with new gTLD applications or objections to them.</li> <li>• A minority statement suggested that content and competition are “outside the scope and mission” of ICANN’s bylaws, and that a clear path is needed for RVCs/private PICs to be rejected if outside ICANN’s mission and scope (<a href="#">Final Report</a>, p.367).</li> <li>• A minority statement addressed the concern that if ICANN does not enforce PICs and RVCs, the commitments are “merely window dressing” (<a href="#">Final Report</a>, p.358) and that mechanism is needed to hold contracted parties to commitments [Topic 9].</li> <li>• Public comments pertaining to this category focused on applicant needs in developing economies; defining key terms, including “community,” “public interest,” “Global South”; Closed Generics and geographical names; human rights and freedom of expression; and Registry Voluntary Commitments (RVCs) / Public Interest Commitments (PICs).</li> </ul>
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Table A14-4. GPI Findings - Fiscal Responsibility

<p>Overall ICANN Category from GPI Framework</p>	<ul style="list-style-type: none"> <li>• ICANN’s Policies and Practices</li> </ul>
<p>Public Interest Categories from GPI Framework</p>	<ul style="list-style-type: none"> <li>• Fiscally Responsible</li> </ul>
<p>Relevant Bylaws Question from GPI Framework</p>	<ul style="list-style-type: none"> <li>• Will it “operat[e] with efficiency and excellence, in a fiscally responsible and accountable manner and, where practicable and not inconsistent with ICANN’s other obligations under these Bylaws, at a speed that is responsive to the needs of the global Internet community”? (Core value b.v)</li> </ul>
<p>Relevant SubPro Topics</p>	<p>4, 6, 13, 14, 15, 17, 27, 28, 31, 32</p>



GPI Considerations  
Addressed by the  
Working Group

- With regard to fiscal responsibility, the Working Group made efforts to ensure that the program would not require additional subsidizing by ICANN. Fiscal responsibility considerations extend to applicants in underserved or developing economies and the financial evaluations of applicants.
  - Topic 15 affirmed the principle of cost recovery, with fees set to ensure that the program is revenue neutral. Applicant Support Program fees are taken into consideration so that those who qualify have lower fees. Provisions were made for excess fees, including refunds to applicants and purposes which benefit the New gTLD Program.
  - Topic 17 addressed financial support for applicants from less developed economies and underserved and struggling regions, as well as outreach, education, pro bono assistance; assistance is aimed “to serve the global public interest by ensuring worldwide accessibility to, and competition within, the new gTLD Program” ([Final Report](#), p.77).
  - Topic 27 addressed the financial evaluation of applicants to ensure they demonstrate financial wherewithal and assure long-term survivability of the registry, thus reducing the security and stability risk to the DNS; it suggests different criteria will be key rather than a “one-size-fits-all” approach.
- Additionally, there was consideration for fiscal responsibility throughout the Final Report: the deliberations over creating additional categories of TLDs and the need to demonstrate that benefits outweigh potential costs (Topic 4); the recommendation that the RSP pre-evaluation process operate on a “revenue-neutral, cost-recovery basis,” not requiring any external source of funding (Topic 6, [Final Report](#), p.32); and the means to reduce costs associated with filing formal objections (Topic 31). Costs were also mentioned within multiple suggestions (timelines in communication methods (Topic 13), system enhancements (Topic 14), processing of attachments (Topic 28), making the Community Priority Evaluation process cost-efficient (Topic 34), premium pricing of domain names (Topic 36), costs associated with testing procedures (Topic 39), and costs associated with extensions to applications (Topic 40).

<p>Additional GPI Inputs Considered by the Working Group</p>	<ul style="list-style-type: none"> <li>• The report recommendations take the topic of fiscal responsibility into account, considering it in conjunction with transparency and diversity, in addressing concerns relating to (a) applications being submitted for the sole purpose of receiving a payout for losing private auctions; (b) gaming for the purposes of financing other applications; and (c) bid-credits for Applicant Support applicants. Some community members had likewise expressed concern about subjective interpretation and gaming related to the proposed criteria for measuring <i>bona fide</i> intentions. There was concern that some applicants do not possess resources for auctions, including national/local authorities competing for geo-names, and that the rights and interests of communities and localities most concerned may not be protected. (Note that Topic 35 (on Auctions/Private Resolution of Contention Sets) did not reach Consensus.)</li> <li>• Public comments pertaining to this category focused on: striking a balance in application fees to promote diversity, competition, innovation, while not encouraging speculation or anti-competitive behavior; varied support for excess funds, refunds, and a revenue-neutral approach; different suggestions for fee structures (one fee versus different fees for certain applications); pre-approval for registry service providers (RSPs); and auctions.</li> </ul>
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Table A14-5. GPI Findings - Transparency and Accountability

<p>Overall ICANN Categories from GPI Framework</p>	<ul style="list-style-type: none"> <li>• ICANN's Policies and Practices</li> <li>• ICANN's Global Multistakeholder Community and Policy Development Processes</li> </ul>
<p>Public Interest Categories from GPI Framework</p>	<ul style="list-style-type: none"> <li>• Transparent</li> <li>• Accountable</li> <li>• Some consideration also given to: Open, Objective</li> </ul>
<p>Relevant Bylaws Question from GPI Framework</p>	<ul style="list-style-type: none"> <li>• Will it "remain accountable to the Internet community through mechanisms defined in these Bylaws that enhance ICANN's effectiveness"? (Commitment a.vi)</li> <li>• Will it "employ open, transparent and bottom-up, multistakeholder policy development processes that are led by the private sector (including business stakeholders, civil society, the technical community, academia, and end users), while duly taking into account the public policy advice of governments and public authorities [?] These processes shall (A) seek input from the public, for whose benefit ICANN in all events shall act, (B) promote well-informed decisions based on expert advice, and (C) ensure that those entities most affected can assist in the policy development process." (Commitment a.iv)</li> </ul>

Relevant SubPro Topics	2, 7, 8, 9, 14, 15, 17, 18, 27, 28, 30, 31, 32, 33, 34, 35
GPI Considerations Addressed by the Working Group	<ul style="list-style-type: none"> <li>• The report highlighted the importance of accountability and transparency several times and placed emphasis on mechanisms to support these measures, including the means to update community members on changes to the program (Topic 2); establishing predictable, transparent, and fair procedures for managing issues that arise (Topic 2); publishing testing data (Topic 7); developing a transparent process for dispute resolution and to prevent conflicts of interest (Topic 8); providing the opportunity for community review and input on certain changes (Topic 9); conducting beta testing openly and transparently (Topic 14); ensuring predictability and transparency in the deployment and operation of applicant-facing systems (Topic 14); providing transparency around fees and financial assistance (Topics 15, 17, 31, and 32); reviewing terms and conditions to ensure fairness, transparency, and accountability (Topic 18); offering transparency with regard to rejections, formal objections, appeals, and dispute resolution (Topics 18, 31, 32, and 33); evaluating applicants against transparent and predictable criteria (Topic 27), providing greater transparency about how comments are used in the evaluation process (Topic 28); providing rationales to accompany GAC Advice for transparency and predictability, as well as processes for transparent and predictable GAC Early Warnings (Topic 30); ensuring the Community Priority Evaluation (CPE) processes are transparent and predictable (Topic 34); prioritizing transparency in Contention Resolution Transparency Requirements (Topic 35); and emphasizing transparency in SPIRT processes.</li> </ul>

<p>Additional GPI Inputs Considered by the Working Group</p>	<ul style="list-style-type: none"> <li>• The report addressed a range of concerns focused on auctions, particularly the potential for gaming and a lack of transparency. There was concern that private resolutions of contention sets would limit transparency and scrutiny of the management of the DNS and a suggestion that private resolutions be disallowed so that all interested parties have the chance for public input for every contention. There were cautions against the proposed criteria against which “bona fide” intentions may be measured, which could be subject to subjective interpretation and gaming. Some disagreed with the protections for disclosing applicants under the Contention Resolution Transparency Requirements framework and believed that full transparency of terms of any private resolution is necessary for program evaluation data. Some supported a ban on private auctions and mandate ICANN-only auctions so that auction proceeds can be directed for public interest uses.</li> <li>• A minority statement recommended transparency with regard to the measures against which the geographic names panel is going to evaluate applied-for strings (Rec 8.1).</li> <li>• Public comments pertaining to this category focused on: various objection processes, including GAC Early Warning, ALAC objection, independent objectors, and “quick look” mechanisms; Public Interest Commitments (PICs); and various suggestions to enhance transparency, accountability, openness, and objectivity.</li> </ul>
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Table A14-6. GPI Findings - Inclusivity and Diversity

<p>Overall ICANN Category from GPI Framework</p>	<ul style="list-style-type: none"> <li>• ICANN’s Global Multistakeholder Community and Policy Development Processes</li> </ul>
<p>Public Interest Categories from GPI Framework</p>	<ul style="list-style-type: none"> <li>• Inclusive</li> <li>• Diverse</li> </ul>
<p>Relevant Bylaws Question from GPI Framework</p>	<ul style="list-style-type: none"> <li>• Will it “see[k] and suppor[t] broad, informed participation reflecting the functional, geographic, and cultural diversity of the Internet at all levels of policy development and decision-making to ensure that the bottom-up, multistakeholder policy development process is used to ascertain the global public interest and that those processes are accountable and transparent”? (Core value b.ii)</li> </ul>
<p>Relevant SubPro Topics</p>	<p>5, 7, 11, 17</p>

<p>GPI Considerations Addressed by the Working Group</p>	<ul style="list-style-type: none"> <li>● Recommended metrics focused on diversity in the marketplace and categories of gTLDs offered and diversity metrics within those categories (Topic 7), as well as diversity and distribution of the applicant pool: geographic diversity, languages, scripts (Topic 17).</li> <li>● The report noted that financial assistance should continue to be provided to eligible applicants in order “to serve the global public interest by ensuring worldwide accessibility to, and competition within, the new gTLD Program” and that ICANN must conduct outreach and awareness-raising activities to ensure the success of this initiative; the initiative is not limited to specific locations but applicants must demonstrate financial need and provide a public interest benefit or serve an underserved community (Topic 17).</li> <li>● SPIRT leadership positions must take into account diversity (avoiding leadership positions coming from the same region, SO/AC/SG/C, extensive overlap of skillsets, etc).</li> </ul>
<p>Additional GPI Inputs Considered by the Working Group</p>	<ul style="list-style-type: none"> <li>● The report noted that some supported more active outreach efforts (by the community and org) to explain to third parties the Universal Acceptance benefits of increasing Internet inclusivity and diversity and that more metrics before and after the next round would be useful (Topic 11).</li> <li>● Fairness was discussed with regard to limiting the number of applications per company to ensure applicants in the Global South had a fair chance against large, existing companies (Topic 5); however, the proposal did not move forward due to a lack of rationale for the number provided.</li> <li>● Public comments pertaining to this category focused on: suggestions for enhanced communications; varied suggestions relating to the Applicant Support Program (ASP), including ways to extend the program scope and types of support offered; Privation Resolution / Auctions, including more inclusive auction strategies; Community Priority Evaluation (CPE); and other suggestions to gather metrics and lower barriers.</li> </ul>

Table A14-7. SubPro Topic Numbers and Names

<p>Overarching Issues</p>	<ol style="list-style-type: none"> <li>1. Continuing Subsequent Procedures</li> <li>2. Predictability</li> <li>3. Applications Assessed in Rounds</li> <li>4. Different TLD Types</li> <li>5. Applications Submission Limits</li> <li>6. Registry Service Provider Pre-Evaluation</li> <li>7. Metrics and Monitoring</li> <li>8. Conflicts of Interest</li> </ol>
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Foundational Issues	<ul style="list-style-type: none"> <li>9. Registry Voluntary Commitments / Public Interest Commitments</li> <li>10. Applicant Freedom of Expression</li> <li>11. Universal Acceptance</li> </ul>
Pre-Launch Activities	<ul style="list-style-type: none"> <li>12. Applicant Guidebook</li> <li>13. Communications</li> <li>14. Systems</li> </ul>
Application Submission	<ul style="list-style-type: none"> <li>15. Application Fees</li> <li>16. Application Submission Period</li> <li>17. Applicant Support</li> <li>18. Terms &amp; Conditions</li> </ul>
Application Processing	<ul style="list-style-type: none"> <li>19. Application Queuing</li> <li>20. Application Change Requests</li> </ul>
Application Evaluation/Criteria	<ul style="list-style-type: none"> <li>21. Reserved Names (21.1 Geographic Names)</li> <li>22. Registrant Protections</li> <li>23. Closed Generics</li> <li>24. String Similarity Evaluations</li> <li>25. IDNs</li> <li>26. Security and Stability</li> <li>27. Applicant Reviews: Technical/Operational, Financial and Registry Services</li> <li>28. Role of Application Comment</li> <li>29. Name Collisions</li> </ul>
Dispute Proceedings	<ul style="list-style-type: none"> <li>30. GAC Consensus Advice and GAC Early Warning</li> <li>31. Objections</li> <li>32. Limited Challenge/Appeal Mechanism</li> <li>33. Dispute Resolution Procedures After Delegation</li> </ul>
String Contention Resolution	<ul style="list-style-type: none"> <li>34. Community Applications</li> <li>35. Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets</li> </ul>
Contracting	<ul style="list-style-type: none"> <li>36. Base Registry Agreement</li> <li>37. Registrar Non-Discrimination / Registry/Registrar Standardization</li> <li>38. Registrar Support for New gTLDs</li> </ul>

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Pre-Delegation	39. Registry System Testing
Post-Delegation	40. TLD Rollout 41. Contractual Compliance

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# Appendix 15: RSP Pre-Approval, Technical Evaluation, and RST Processes

This appendix provides an overview of the Registry Service Provider (RSP) Pre-Approval, Technical Evaluation, and Registry System Testing (RST) Processes. This appendix supplements [Appendix 6.1.4.1.2: RSP Pre-Evaluation Application Process](#) and includes sections on assumptions, overall design principles, evaluation requirements and considerations, registry system testing, a high-level process diagram, and cost estimations.

## Assumptions

- ICANN org estimates that there are about 40 RSPs in the gTLD space now. This number is not expected to increase significantly. However, for capacity-planning purposes, ICANN will plan for 60 RSPs to go through evaluation.
- Three percent of applications will not select pre-approved RSPs and will need to undergo full technical evaluations. This estimated percentage is based on the ratio of gTLDs managed by small RSPs and all the gTLDs in the root zone.

## Overall Design Principles

1. RSP evaluation, which can happen either during a Pre-Approval Phase (before the gTLD application submission period) or at gTLD application evaluation, may contain both automated and manual evaluation components.
2. RSP evaluation will allow organizations to apply for pre-approval as Main RSP (encompassing all tests and evaluations), DNS RSP (limited to the DNS service), Domain Name System Security Extensions (DNSSEC), RSP (limited to DNSSEC signing), or Proxy RSP (limited to “Registration Validation per Applicable Law with Proxy” evaluation). An organization may be pre-approved for one or more types of RSP.
3. An applicant must identify at least one RSP for each of the Registry critical functions (as identified in Section 6 of Specification 10 of the base Registry Agreement).
4. The selected RSPs must agree that they intend to provide the services selected by the registry operator by confirming to each application that lists them.
5. RSP evaluation will incorporate Technical Evaluation. Applicants will have the option to go through Technical Evaluation at gTLD-application evaluation time, either because:
  - a. Not all of the identified RSPs are pre-approved.
  - b. Not all the identified RSPs have confirmed their intent of providing services for the application.
6. Technical Evaluation can be updated (e.g., remove or revise questions) as part of Subsequent Procedures.



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7. Registry System Testing (RST) will only contain automated evaluation components that are dependent on the gTLD.
  8. A pre-approved Main RSP can have a portfolio of pre-approved registry services, including IDN tables. A registry that is a client of that pre-approved Main RSP can identify a subset of those services for inclusion as approved services in their gTLD registry agreement.
  9. Technical Evaluation of the 2012 round, for the most part, gets incorporated into RSP evaluation. This means that most of the Technical Evaluations will happen once per RSP as opposed to once per application. This is consistent with the Affirmation with Modification 27.6, Implementation Guidance 27.10, and Implementation Guidance 27.12. This will simplify and make the overall process more efficient. This makes sense since the goal of Technical Evaluation is to ensure registries have the technical knowledge needed to run a TLD registry. In the 2012 round, it was common for RSPs to provide the applicants with the responses for Technical Evaluation.
  10. Per Recommendation 27.2, evaluation scores on all questions will be limited to a pass/fail scale (0-1 points only).
  11. Per Recommendation 27.5, ICANN org will publish CQs and responses to public questions, while redacting portions that are deemed non-public.
  12. Per Implementation Guidance 27.4, ICANN org will conduct an analysis of CQs and responses and other material to improve the clarity of future questions.
  13. Per Affirmation 27.7, question 30b of Technical Evaluation of the 2012 round, applicants will not need to provide their entire Security Policy. More information is provided in the next section.
  14. Implementation Guidance 27.8 dictates that “a mechanism(s) should be established to meet the spirit of the goals embodied within Q30b”. Proof of a security certification showing that an Information Security Management System (for example ISO 27001) has been implemented for the Registry Critical function(s) and any additional Registry Services identified in the application must be provided.
  15. The Searchable WHOIS portion of question 26 (WHOIS) will not be used anymore. Searchable WHOIS will still be a registry service that a Main RSP can apply to be pre-approved for.
  16. Question 43 (DNSSEC) will be updated as follows: 1) DNSSEC zone signing will remain in question 43 (DNSSEC), and 2) support of DNSSEC in authoritative servers will be moved to question 35 (DNS). This will create a clean separation of DNS and DNSSEC critical functions into separate questions and subsequently, will simplify the support for DNS and DNSSEC RSPs in RSP evaluation as described below.
  17. A new Application Programming Interface (API) will be developed in-house and used for registries/RSPs to run RST.
  18. Naming Services portal (NSP) will be used for communicating with the Registry/RSP for RST.
  19. A new system will be used for the RSP evaluation, potentially the same used for gTLD applications. This system will be used both during the Pre-Approval Phase before the gTLD application submission period opens, and during gTLD application evaluation time.
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- To avoid duplicating functionality, this RSP application system will not handle the management of capacity or pre-approved services.
20. NSP will be used for communicating with RSPs after they have been pre-approved or approved.
  21. RSPs will have to accept the terms of use of NSP for:
    - a. Setting and updating their stated capacity to handle domains under management (DUMs) and TLDs.
    - b. Management of pre-approved services (which will replace Question 23 on Technical Evaluation).
    - c. Management of any other parameter needed for their role as RSPs.
  22. Question 15 (IDN tables re: gTLD string itself, and gTLD variants) will not be used because the root zone Label Generation Rules (RZ-LGR) covers all the details in this question and makes it obsolete.

## RSP Evaluation - General Requirements

1. RSP evaluation will be outsourced.
  2. Per Recommendation 6.9, the RSP Pre-Approval Phase will start 18 months before the gTLD application submission period opens to give applicants the option to select a pre-approved RSP during the application submission period.
  3. After a limited-time application submission period (e.g., 60 days), RSP Pre-Approval evaluation will be completed within 12 months from the opening of the submission period.
  4. Per Recommendation 6.9, ICANN org will publish a list of pre-approved RSPs on ICANN org's website with all of the other new gTLD materials six months before the application submission period opens.
  5. In case of the Main RSP or Proxy RSP, there will be a process to enable a pre-approved RSP to add, remove, or modify pre-approved registry services (including IDN tables) even after RSP Pre-Approval has ended.
  6. Main RSPs and Proxy RSPs will have the option to be pre-approved for handling variant TLDs. A question regarding this will have to be developed. This pre-approval will be independent of the variant TLD testing during RST that will verify proper functioning of a specific set of variant TLDs.
  7. There will be a process to enable a pre-approved RSP to increase the capacity they are approved for (e.g., DUMs, TLDs, DNS load) even after RSP Pre-Approval has ended. When an RSP reaches its limit, the gTLD applications listing the RSP will not be able to proceed until either the RSP increases capacity and provides confirmation of the same or the applicant changes to another RSP.
  8. The aforementioned two processes that will happen after RSP Pre-Approval has ended to manage an RSP pre-approved capacity, and catalog of pre-approved registry services (including IDN tables) will be done in-house.
  9. Per Recommendation 6.4, both new and existing RSPs will have to go through RSP evaluation (either at the Pre-Approval Phase or gTLD application evaluation time).
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10. The pre-approval of an RSP is good for all the applications that choose such RSP during the application submission period of the round. If an applicant decides to change any RSP after the application submission period closes, the application and the gaining RSP(s) will be re-evaluated as appropriate.

## RSP Evaluation - Main RSP

1. The Main RSP provides the following Registry Services:
  - a. Extensible Provisioning Protocol (EPP)
  - b. Registration Data Directory Services (RDDS)
  - c. Data Escrow
2. Registry Services:
  - a. The Main RSP must identify the additional Registry Services that it wants to support for its clients (registry operators):
    - i. A Main RSP will be pre-approved for any of the Registry Services from the list just by identifying them in their application as long as they follow the standard contracted language identified in the [Registry Services webpage](#).
    - ii. Any additional Registry Service will be evaluated in accordance with the RSEP.
    - iii. Per Implementation Guidance 27.23 “The Registry Services Evaluation Policy (RSEP) Process Workflow should be amended to fit within the new gTLD processes and timelines”, the evaluation of registry services during the next round of new gTLDs will follow the RSEP process (e.g., in regards to criteria and definitions) but according to the timeline and other relevant criteria of the new gTLD process (e.g., application priority, RSP Pre-Evaluation).
3. Main RSP evaluation will include relevant questions from the 2012 Technical Evaluation, non-automated evaluation/tests from current RST, any other RST test that does not depend on the TLD, and any new tests per the policy recommendations (e.g., related to establishing the capacity of registrations/TLDs they can handle):
  - a. New evaluations per Recommendation 27.14 to establish the capacity of registrations/TLDs a Main RSP can handle as described below.
  - b. Questions from the new gTLD round 2012 - Technical Evaluation:
    - i. 22 (protection of geographic names)
    - ii. 24 (SRS)
    - iii. 25 (EPP) - all the EPP extensions to be used should be submitted. Even EPP extensions that are only used on specific gTLDs. If the Main RSP supports the EAI extension in EPP, it must confirm such support.
    - iv. 26 (WHOIS) - the Main RSP must identify all fields supported as additional to the RDDS response as required in the RDDS Consistent Labeling and Display Policy,

- 
- v. 27 (Registration Lifecycle) - if different registration lifecycles are supported, all should be submitted
  - vi. 28 (Abuse Prevention and Mitigation) - In the next phase of work, ICANN org expects to work with the IRT to improve this question to make the success criteria more objective for evaluation purposes and ensure competence in this important aspect of registry operations.
  - vii. 29 (Rights Protection Mechanisms)
  - viii. 30 (Security Policy)
  - ix. 31 (Technical Overview)
  - x. 32 (Architecture)
  - xi. 33 (Database Capabilities)
  - xii. 34 (Geographic Diversity)
  - xiii. 36 (IPv6)
  - xiv. 37 (Data Backup Policies and Procedures)
  - xv. 38 (Data Escrow)
  - xvi. 39 (Registry Continuity)
  - xvii. 40 (Registry Transition)
  - xviii. 41 (Failover Testing)
  - xix. 42 (Monitoring and Fault Escalation Processes)
  - xx. 44 (IDNs), if supported
- c. If IDNs are supported, current RST IDN test area – IDN table review so as to have a set of IDN tables pre-approved for an RSP. Per Recommendation 39.5, there will be no evaluation of reference Label Generation Rules published by ICANN org; those are already pre-approved. However, testing of the registry system’s compliance with those tables may still happen during RST.
  - d. Current RST Documentation test area - all but DNS and Data Escrow sections.
  - e. Web-WHOIS Test Area - WhoisWeb03, WhoisWeb04, WhoisWeb05, WhoisWeb09. Tests of web-WHOIS are done as part of RSP evaluation for a given test domain name.
  - f. The Main RSP should provide the maximum number of DUMS and TLDs that their current software and hardware in production can support in the SRS system. The Main RSP must provide the maximum number of supported WHOIS 43/TCP, web-based WHOIS, RDAP, SRS (EPP and any other interface) read-only, and SRS (EPP and any other interface) read-write queries per month. The maximum load should be that of the datacenter with the minimum capacity that could take over the operation of the TLD. If the Main RSP provides the services using a cloud provider, they will provide the maximum capacity based on the contracted resources. The Main RSP should at least support the aggregate of the expected number of domain names in three (3) years for all the TLDs selecting the RSP plus the currently supported TLDs (if any). Evidence (e.g., number of servers, bandwidth contracted with the upstream providers, load test reports) must demonstrate that the system supports such load.

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## RSP Evaluation - DNS RSP

1. The DNS RSP provides the following Registry Service: DNS.
2. DNS RSP evaluation will include relevant questions from the 2012 Technical Evaluation, non-automated evaluation/tests from current RST, any other RST test that does not depend on the TLD, and any new tests per the policy recommendations (e.g., related to establish the capacity of registrations/TLDs they can handle):
  - a. New evaluations per Recommendation 27.14 to establish the capacity of registrations/TLDs a DNS RSP can handle as described below.
  - b. Questions from the new gTLD round 2012 - Technical Evaluation:
    - i. 30 (Security Policy)
    - ii. 31 (Technical Overview)
    - iii. 32 (Architecture)
    - iv. 34 (Geographic Diversity)
    - v. 35 (DNS Service)
    - vi. 36 (IPv6)
    - vii. 39 (Registry Continuity)
    - viii. 42 (Monitoring and Fault Escalation Processes)
  - c. Current RST Documentation test area - only the DNS section.
  - d. DNS Test Area - all tests for a test domain name.
  - e. The DNS RSP should provide the maximum number of DUMs and TLDs that their current software and hardware in production can support. The DNS RSP must provide the maximum number of supported queries per second over UDP and TCP per global anycast node. A global anycast node announces the prefix to all the Internet and not to a specific region/network. Every global node should support the aggregate of the expected number of domain names in 3 years for all the TLDs selecting the DNS RSP plus the currently supported zones (if any). Evidence (e.g., number of servers, bandwidth contracted with the upstream providers, load test reports, etc.) must demonstrate that the system supports such load. Optionally, if the DNS RSP supports DoQ, or Authoritative DNS over TLS (ADoT), the DNS RSP must provide the maximum number of supported queries over these protocols for all the global anycast nodes that support such protocols.

## RSP Evaluation - DNSSEC RSP

1. The DNSSEC RSP provides the following Registry Service: DNSSEC zone signing.
2. DNSSEC RSP evaluation will include relevant questions from the 2012 Technical Evaluation, non-automated evaluation/tests from current RST, any other RST test that does not depend on the TLD, any new tests per the policy recommendations (e.g., related to establish the capacity of registrations/TLDs they can handle):
  - a. Questions from the new gTLD round 2012 - Technical Evaluation:

- 
- i. 30 (Security Policy)
  - ii. 31 (Technical Overview)
  - iii. 32 (Architecture)
  - iv. 34 (Geographic Diversity)
  - v. 36 (IPv6)
  - vi. 39 (Registry Continuity)
  - vii. 43 (DNSSEC)
3. The DNSSEC RSP will be tested for DNSSEC readiness by transferring testing DNS zones. The following tests will be performed:
- a. Key rollovers.
  - b. Re-signing of the DNS zones.
  - c. The complete DNS zones will be tested for completeness, and validate all the DNSSEC-related Resource Records.
  - d. The DNS zones must use cryptographic algorithms per the requirements in RFC8624 or its successors.
  - e. The testing DNS zones will use NSEC, NSEC3, or both, depending on the technology(ies) the RSP intends to support in production.
  - f. The testing DNS zones will contain a statistically sufficient number of testing domain names for the test to be meaningful.
  - g. The DNSSEC RSP should provide the maximum number of DUMs and TLDs that their current software and hardware in production can support for DNSSEC signing. Evidence (e.g., number of servers and HSMs, load test reports, etc.) must demonstrate that the system supports such load.

## RSP Evaluation - Proxy RSP

1. The Proxy RSP provides one or both of the following Registry Services when the “Registration Validation per Applicable Law with Proxy” is supported by the registry operator. These Registry Services are provided on top of those by the main RSP and only for registrars in (a) certain jurisdiction(s):
  - a. RDDS
  - b. EPP
2. The Proxy RSP must identify the region(s) that it intends to serve, and the Registry Services that it wants to support for its clients (registry operators): RDDS, EPP or both.
3. Proxy RSP evaluation will include relevant questions from the 2012 Technical Evaluation, non-automated evaluation/tests from current RST, any other RST test that does not depend on the TLD, any new tests per the policy recommendations (e.g., related to establish the capacity of registrations/TLDs they can handle):
  - a. Questions from the new gTLD round 2012 - Technical Evaluation:
    - i. 25 (EPP) - all the EPP extensions to be used should be submitted. Even EPP extensions that are only used on specific gTLDs.
    - ii. 26 (WHOIS) - the Proxy RSP must identify all fields supported as additional to the RDDS response as required in the RDDS.



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- iii. 27 (registration lifecycle) - if different registration lifecycles are supported, all should be submitted
  - iv. 30 (Security Policy)
  - v. 31 (Technical Overview)
  - vi. 32 (Architecture)
  - vii. 33 (Database Capabilities)
  - viii. 34 (Geographic Diversity)
  - ix. 36 (IPv6)
  - x. 37 (Data Backup Policies and Procedures)
  - xi. 39 (Registry Continuity)
  - xii. 41 (Failover Testing)
  - xiii. 42 (Monitoring and Fault Escalation Processes).
- b. All tests in the current SRS Gateway Test Plan.

## Registry Operator - Technical Evaluation considerations

1. The registry operator may select to support “Registration Validation per Applicable Law with or without Proxy”. If a Proxy is to be used, the applicant must select a pre-approved Proxy RSP or go through evaluation for Proxy RSP.
2. If a pre-approved Main RSP was selected:
  - a. The registry operator may select the additional Registry Services (including IDN tables) to be provided from the list of Registry Services pre-approved for the Main RSP.
  - b. The applicant must select the registration lifecycle to be used from the list of registration lifecycles (if more than one) pre-approved for the Main RSP.
3. 30 (Security Policy). A registry operator may have access to the registration system of the RSP. For example, a registry operator may be responsible for validating registration requirements through the RSP’s systems, and a compromise of this access could adversely affect registrars and registrants. If the registry operator is expected to have privileged access to the RSP’s system, the applicant must describe the security practices (for example, NIST Special Publication 800-63B) related to credential management that will be implemented or provide proof of a security certification showing that an Information Security Management System (for example, ISO 27001) has been implemented for the processes that require privileged access to the RSP’s systems.

## Registry System Testing

1. This new RST design will be used for both, new and existing gTLDs.
2. RST will be run automatically. ICANN org will offer an API for registries/RSPs to provide any input data and run RST. Results will be provided automatically too. There will be an

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escalation process in case of situations where the registry/RSP think something is wrong with RST as opposed to their side.

3. During the first three years, ICANN org will outsource the escalation process to handle the increased load. This is based on what happened in the New gTLD Program of 2012 where it took two years and eight months to reach 80% of the applicants being delegated. After this period, the escalation process will be operated in-house.
4. Assuming a fully automated RST as described above, the processing of RST appointments will be automated to the extent possible, and it will be kept in-house.
5. The following tests from the current RST process, which are automatable and gTLD dependent, will be part of the new RST:
  - a. DNS Test Area - all tests
  - b. Data Escrow Test Area - all tests
  - c. EPP test area - all tests
  - d. IDN Test Area - EPP related components only
  - e. WHOIS Test Area - WhoisCLI01, WhoisCLI02, WhoisCLI03, WhoisWeb01, WhoisWeb02, SRSGWWhoisCLI01, SRSGWWhoisCLI02, SRSGWWhoisCLI03
  - f. The Data Escrow Agents (DEAs) will be participants of RST; the DEAs will be asked to confirm that they have a data escrow agreement signed for the relevant TLD and that the agreement matches the ICANN-approved templates.
6. RDAP tests (new set of RDAP tests to be created):
  - i. RDAPCLI01:
    1. Make IPv4 and IPv6 TCP connections for all URLs/addresses.
    2. Query for a test domain name.
    3. Verify format of the response.
  - ii. RDAPCLI02:
    1. Make IPv4 and IPv6 TCP connections for all URLs/addresses.
    2. Query for a test registrar.
    3. Verify format of the response.
  - iii. RDAPCLI03:
    1. Make IPv4 and IPv6 TCP connections for all URLs/addresses.
    2. Query for a test name server.
    3. Verify format of the response.
  - iv. RDAPCLI04:
    1. Make IPv4 and IPv6 TCP connections for all URLs/addresses.
    2. Query for the help path segment.
    3. Verify format of the response.
  - v. RDAPCLI05 (optional):
    1. Make IPv4 and IPv6 TCP connections for all URLs/addresses.
    2. Query for a nameserver search based on IP address.
    3. Verify format of the response.
- b. SRS+GW RDAP tests:
  - i. SRS+GW RDAPCLI01:



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1. Verify that a domain name object is synchronized between the Gateway Registry System and the TLD Registry System.
  - ii. SRS+GW RDAPCLI02:
    1. Verify that a registrar object is synchronized between the Gateway Registry System and the TLD Registry System.
  - iii. SRS+GW RDAPCLI03:
    1. Verify that a name server object is synchronized between the Gateway Registry System and the TLD Registry System.
7. Variant TLD tests (required if the gTLD has variant TLDs):
- a. Per Recommendation 25.6, validate that a second-level label under any allocated variant TLD must only be allocated to the same entity/registrant, or else withheld for possible allocation to that entity only.
  - b. Per Recommendation 25.7, validate that for second-level variant labels that arise from a registration based on a second-level IDN table, all allocatable variant labels in the set must only be allocated to the same entity or withheld for possible allocation to that entity only.
8. The RST test back-end subsystem will be re-platformed and operated in-house according to modern technology requirements.

The end-to-end process diagrams are shown in Figure A15-1.

## Figure A15-1. End-to-End High-Level Process Diagrams

Figure A15-1a. RSP Evaluation - at either pre-approval, or gTLD-application evaluation time

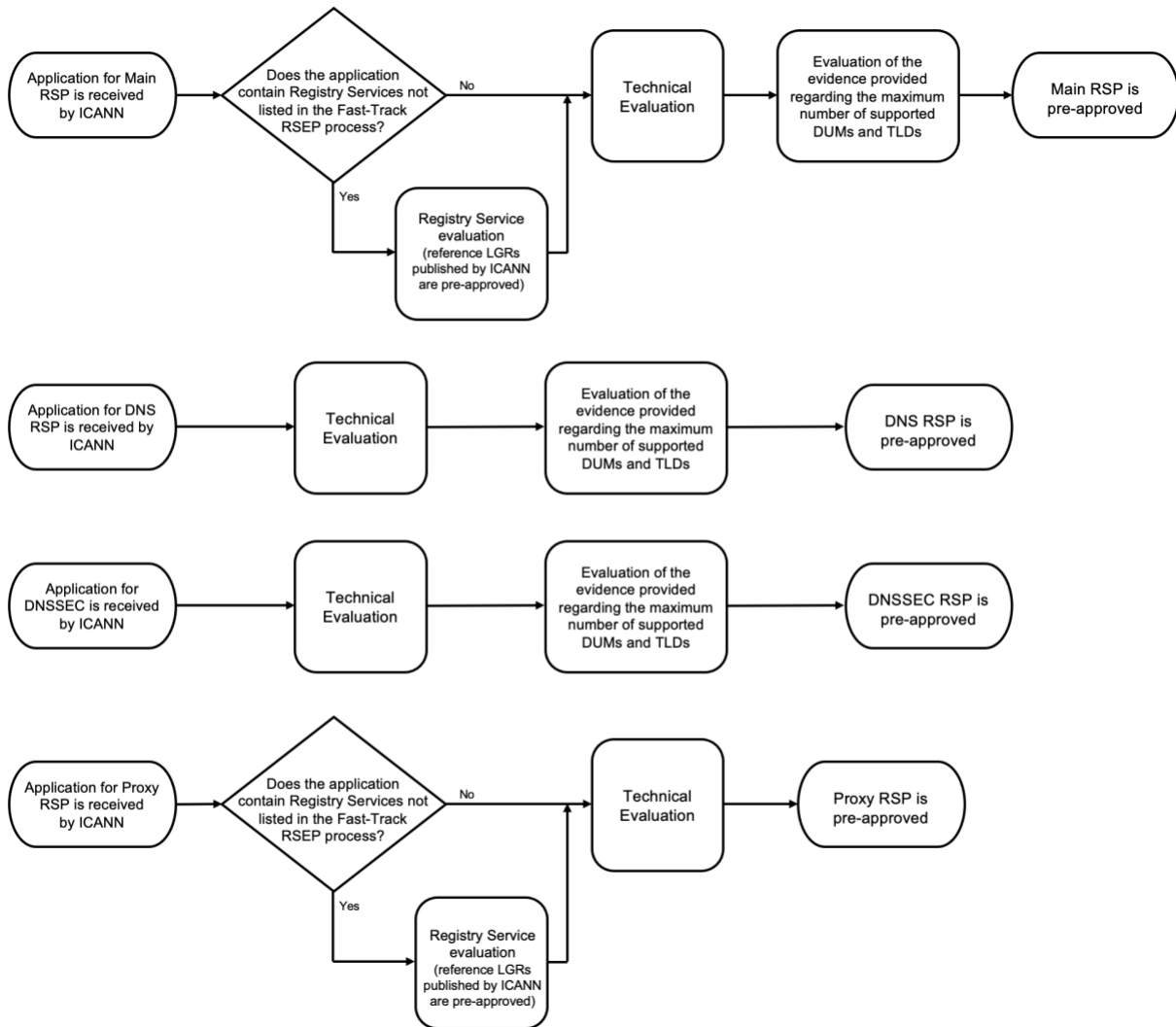
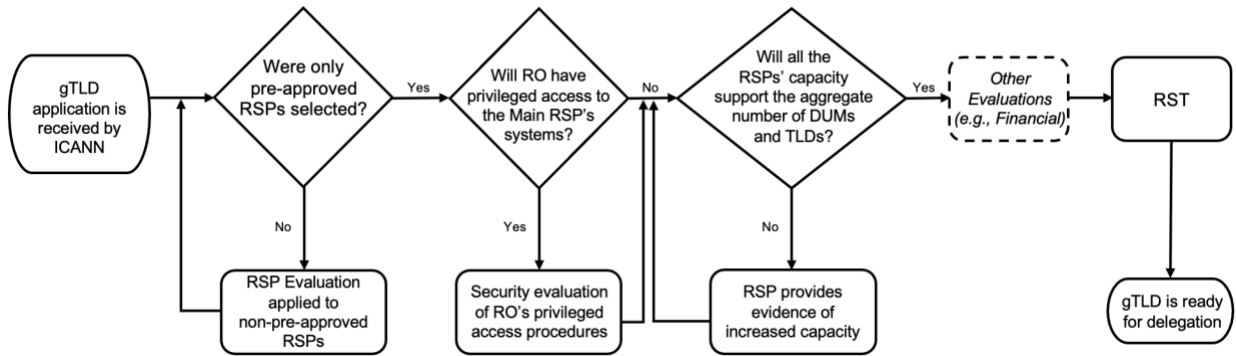


Figure A15-1.b. At gTLD-application evaluation time



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## Appendix 16: Applicant Support Program

The Applicant Support Program<sup>183</sup> (ASP) was developed for the 2012 round of the New gTLD Program. The goal of the program is to provide financial and non-financial assistance to gTLD applicants that require support and intend to use a gTLD to provide a public interest benefit.

### Proposal for How ASP Would Work

Applicants with demonstrated financial need will be able to apply for applicant support funds 18 months before the New gTLD Program application submission period opens. The ASP application is separate from the New gTLD Program application and requires information related to financial need and evaluation criteria.

Successful applicants will be eligible for reduced ICANN fees related to the New gTLD Program, a curated list of pro bono and/or reduced-cost providers to assist with the development of applications and related content such as registry policies, and a bid credit or multiplier if the application undergoes an ICANN Auction of Last Resort. Applicants seeking support will be notified whether they qualify within six months of the New gTLD application submission period opening, so that they have the funding in time to apply for a gTLD string. As described in [Appendix 6.1.4: Sub-Programs](#), this aligns with the proposed timing for the RSP Pre-Evaluation Program.

### Timing of Applicant Support Launch

ICANN org recommends opening the ASP for requests 18 months prior to the anticipated application submission period opening and concluding the ASP after 12 months. ICANN org proposes this advanced opening because it will:

- Allow time for ICANN org to identify how many applicants are requesting support.
- Provide ICANN org time to consider how to allocate financial support<sup>184</sup> (e.g., high demand for Applicant Support may inform further budget allocations and/or additional

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<sup>183</sup> At its 24 August 2022 meeting, the GNSO Council decided to initiate a GNSO Guidance Process (GGP) to provide additional guidance on the Applicant Support work anticipated in the Final Report. Therefore, ICANN org expects there will be additional guidance in relation to the Final Report outputs on this topic. This section describes the organization’s approach to the Applicant Support Program based upon the Final Report outputs and policy analysis.

<sup>184</sup> See 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.”

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pro bono assistance).<sup>185</sup>

- Prevent applicants from paying a gTLD application fee before they know whether they qualify for support.
- Provide applicants time to seek alternative support from other potential funders if they do not qualify for the Applicant Support Program (see section below “Impact of GNSO Guidance Process”).

Extending the timeline for communications, outreach, and engagement with potential applicants is strongly emphasized in several of the SubPro Final Report outputs on the topic of Applicant Support<sup>186</sup>. As noted in the Final Report and referenced in the CCT-RT<sup>187</sup>, “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.”<sup>188</sup> The GAC has provided similar advice to the Board stating, “...plan action for the next round to ensure there is no repetition of the low uptake in applications from developing countries.”<sup>189</sup>

## Types of Financial Support Offered

ICANN org intends to offer a percentage-based reduction, similar to the percentage discount provided in the 2012 round, across all applicable fees that ICANN org charges as part of the new gTLD application process. ICANN org will also identify pro bono service providers and develop a curated list of those providers to be shared with applicants seeking support.

Recommendation 17.2<sup>190</sup> calls for ICANN org to expand “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.” ICANN org recognizes and appreciates that some potential gTLD applicants may need or benefit from these other types of financial assistance. In its comments on the Draft Final Report, the ICANN

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<sup>185</sup> This also relates to GNSO Guidance Process Task 6 that states: “Recommend a methodology for allocating financial support where there is inadequate funding for all qualified applicants.”

<sup>186</sup> Please see Recommendation 17.3, and Implementation Guidelines 17.4 and 17.6.

<sup>187</sup> Competition, Consumer Trust, and Consumer Choice Review Final Report. September 2018. <https://www.icann.org/en/system/files/files/cct-rt-final-08sep18-en.pdf>

<sup>188</sup> SubPro Final Report. P. 78.

<sup>189</sup> GAC Advice. 2012-06-28. <https://gac.icann.org/advice/itemized/2012-06-28-applicantsupport>

<sup>190</sup> 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.

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Board<sup>191</sup> and ICANN org<sup>192</sup> raised concerns about whether and how ICANN can appropriately cover such expenses.

In considering other ways to follow the intent of Recommendation 17.2 and expand the scope of financial support, ICANN org suggests that this may be accomplished through a reduction in other ICANN fees. Recognizing the Final Report called for research on other “globally recognized procedures that could be adapted for the implementation of the Applicant Support Program,” further exploration would be needed to understand whether and how longer-term support systems function.

Preliminary research into capacity-development practices in philanthropy indicates that organizations with demonstrated financial challenges may need additional support beyond a one-time award to ensure ongoing success and stability.<sup>193</sup> As supported applicants are restricted by IG 17.17 “from any Change of Control for a period of no less than three years,” the base fee reduction could be limited to that three-year period after delegation. Of course, it will be critical to further explore this option during implementation to ensure that any expanded fee reduction related to the base Registry Agreement is clear, simple, and objectively and consistently applied across qualified supported applicants.

## Costs of Running the ASP

The amount of ASP funding needed is based on the number of anticipated applicants that will seek and qualify for support, and the percentage fee reductions ICANN org will offer across types of application fees.

To inform funding plan development and facilitate future discussions on goal-setting for the number of supported participants of the Applicant Support Program, ICANN org has estimated costs and work hours in units of five supported applicants in Table A16-1. This way, the funding plan can be ratcheted up or down by multiples of five. The cost estimates include both fee reduction of new gTLD application fees (50-100% reduction for all qualifying applicants) as well as estimated pro bono service hours needed, based upon consultation with gTLD applicants in the 2012 round. This will provide guidance on the ICANN org budgeting and also the number of pro bono service providers and hours committed to ensure adequate coverage to meet the

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<sup>191</sup> Correspondence, ICANN Board Chair to GNSO New gTLD Subsequent Procedures Co-Chairs. 30 September 2020. <https://www.icann.org/en/system/files/correspondence/botterman-to-langdon-orr-neuman-30sep20-en.pdf>

<sup>192</sup> Correspondence, ICANN org to GNSO New gTLD Subsequent Procedures Co-Chairs. 30 September 2020. <https://www.icann.org/en/system/files/correspondence/swinehart-to-langdon-orr-neuman-30sep20-en.pdf>

<sup>193</sup> For more information regarding ongoing support see the Stanford Center on Philanthropy and Civil Society [Integrating Capacity and Strategy Handbook](#) along with practices within Program Related Investments at the [Bill and Melinda Gates Foundation](#) and the [Ford Foundation's BUILD Initiative](#).

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agreed target goal of supported participants for the ASP.

Table A16-1. Cost and Work-Hour Estimates for Unit of Five Supported Applicants<sup>194</sup>

Cost Description per five supported applicants	Estimate in unit of 5 supported applicants
New gTLD Application base Fee reduction	[75-85%]
Other applicable fees within the New gTLD Program	[75-85%]
Pro bono legal services	500 hours
Pro bono technical services	500 hours
Pro bono applicant writing consultants	500 hours
Pro bono financial services	800 hours
Auction bid credit/multiplier [based upon further research]	TBD <sup>195</sup>

If ICANN org, ICANN Board, and the IRT wish to compare costs between supporting either 25 or 50 supported applicants for the next round, the unit estimates in Table A16-1 can be multiplied to estimate the costs and work hours associated with the potential target goal. In addition, ICANN org intends to conduct research<sup>196</sup> across previous gTLD applicants to better understand the average number of hours needed for attorneys and writing consultants per application. These work-hour estimates will be provided as part of ICANN org's outreach to potential pro bono services providers to give those entities a sense of the anticipated workload and cost to service providers.

Because the New gTLD Program is intended to be a cost-neutral program, Applicant Support funding must be accounted for and covered by incoming New gTLD Program funds. The funding needed for Applicant Support will be part of a budget request to the ICANN Board. ICANN org has estimated that it can provide a fee reduction between 75-85 percent for applicants that qualify.

External funding partners have been recommended to underwrite some of the ASP costs. Recommendation 17.12 calls for ICANN org to develop a funding plan for the ASP. Implementation Guidance 17.14 calls for ICANN org to seek funding partners for this purpose. Yet it is unclear whether ICANN org could seek external funding partners, as indicated in

<sup>194</sup> To serve as basis for discussion and budgeting for the target goal of the ASP.

<sup>195</sup> To be determined during implementation, based upon further research.

<sup>196</sup> Relevant to Implementation Guidance 17.7.

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previous ICANN Board<sup>197</sup> and ICANN org<sup>198</sup> comments on the Draft Final Report. In its correspondence, the ICANN Board “notes that this would change the role of ICANN, as ICANN is not a grant-seeking organization. Alternatively, ICANN org’s Pro Bono Assistance Program could facilitate introductions to industry players or potential funding partners to the applicants.”<sup>199</sup>

A longer application submission period allows time to see if more funding is needed to respond to demand and if so, through what funding channels. Another budget allocation may be needed in that instance to cover fee reduction and/or contributions from other institutions across the Internet ecosystem.

## Applicant Evaluations

The Support Applicant Review Panel (SARP) will evaluate ASP applications.<sup>200</sup> ICANN org proposes the SARP be convened as an independently contracted third party that conducts the review and evaluation of applications for support, based upon policy analysis and preliminary research of similar global procedures. The emphasis on financial need and financial capability over geographic location in eligibility criteria present unique challenges to utilizing an ICANN community-based evaluation panel. ICANN org expects that some of the application materials provided to the ASP may contain sensitive or confidential information. This could present conflicts of interest with community members reviewing those materials well in advance of the gTLD application round opening. Further, a community-led panel may not possess the specialized financial expertise necessary to conduct the financial capability and needs assessments to adequately evaluate applications for support.

In line with Final Report footnote 102 and Recommendation 17.11, the SARP will publish process documents and documentation of rationale.

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<sup>197</sup> Correspondence, ICANN Board Chair to GNSO New gTLD Subsequent Procedures Co-Chairs. 30 September 2020. <https://www.icann.org/en/system/files/correspondence/botterman-to-langdon-orr-neuman-30sep20-en.pdf>

<sup>198</sup> Correspondence, ICANN org to GNSO New gTLD Subsequent Procedures Co-Chairs. 30 September 2020. <https://www.icann.org/en/system/files/correspondence/swinehart-to-langdon-orr-neuman-30sep20-en.pdf>.

<sup>199</sup> Correspondence, ICANN Board Chair to GNSO New gTLD Subsequent Procedures Co-Chairs. 30 September 2020. pp. 3-4. <https://www.icann.org/en/system/files/correspondence/botterman-to-langdon-orr-neuman-30sep20-en.pdf>

<sup>200</sup> Final Report footnote 102: The detailed description of this recommendation in the PIRR states: “Regarding execution of the program, in this round, the SARP was an independent panel that defined its own processes, procedures, and final reports. The SARP’s work was performed earlier than the other New gTLD Program evaluation panels, and based on lessons learned from the implementation of other panels, ICANN should consider whether additional guidance should be provided to the SARP regarding publication of their processes, final report format, and documentation of rationale.”



ICANN org notes the Final Report indicates the [Limited Challenge / Appeal Mechanism](#) should apply to Applicant Support. Based on this, ICANN org anticipates the vendor would need to include a distinct decision-maker to evaluate requests for ASP appeals.

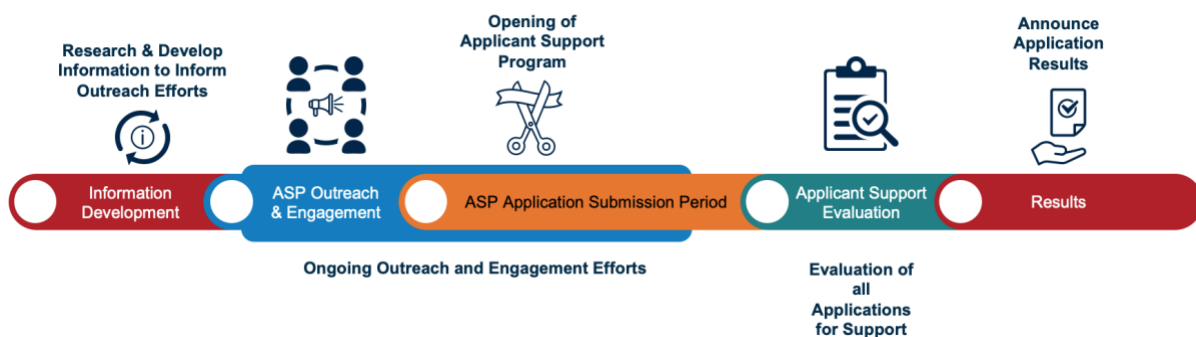
## ASP Outreach and Engagement

The [Communications, Global Engagement, and Inclusion](#) section contains more information about efforts related to ASP outreach and engagement. These strategies will include strong emphasis on building awareness of the Applicant Support Program and facilitating access to capacity-development resources that can better equip underrepresented stakeholders, audiences, and potential applicants to apply for support and operate a TLD. The GSE team has extensive experience in delivering capacity development efforts on various topics around the ICANN mission, from technical topics in coordination with OCTO to the functioning of the Multistakeholder Model and how to participate at ICANN.

Some of the most challenging obligations for a registry operator to meet include technical operations. These obligations are often provided by a registry service provider (RSP). While the 2012 round did not feature a list of available RSPs, future rounds will include the RSP Pre-Evaluation Program that will result in a group of RSPs that have demonstrated the ability to provide various technical services. A list of pre-approved RSPs will be published by ICANN org and will provide applicants with multiple options for those services.

The early launch of the ASP, 18 months in advance of the New gTLD Program application submission period, makes it critical that ICANN org functions conducting communications, outreach, and engagement activities have adequate information to share with targeted audiences and potential applicants. ICANN org will work closely with the IRT to inform development of outreach materials and provide relevant New gTLD Program information in an Applicant Pre-Planning Guide. In addition, ICANN org will develop and conduct training sessions about the New gTLD Program before ASP launch. This sequencing is shown in Figure A16-1.

Figure A16-1. Sequencing of Applicant Support Program Preparation, Evaluation, and Results



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Conducting outreach and engagement specific to the Applicant Support Program will also require capacity development and training for what comes after the Applicant Support Program, with support from identified pro bono service providers and potentially other entities in the Internet ecosystem. This entails a range of support for applying for a New gTLD, the technical and financial testing involved, delegation, and – critical to the security and stability of the DNS – managing and maintaining a TLD as a registry operator. To do this, ICANN org will need to aggregate existing information, identify information gaps, and ensure those gaps are addressed in conducting outreach and engagement with potential applicants.

Equally important is that the same type and level of information is shared equitably and consistently across all audiences. Information needs to be organized in accessible formats that are tailored to diverse linguistic, cultural, and technical contexts across a range of identified stakeholders and target audiences.

ICANN org will include Applicant Support Program information in its capacity development activities among governmental groups, GAC members, and IGOs. This also entails informing decision-makers and policymakers via briefings, webinars, trainings, bilateral meetings, and publications about the opportunity for potential gTLD applicants to seek application fee reductions through the Applicant Support Program. In its briefings to U.N. member states permanent mission and delegation members, ICANN org will share Applicant Support Program information in multiple languages.

## Impact of the GNSO Guidance Process

On 25 August 2022, the GNSO Council initiated<sup>201</sup> a GNSO Guidance Process (GGP)<sup>202</sup> to provide additional guidance on the outputs related to the ASP. The GGP has several tasks that can be summarized as: considering historical resources and past experiences in answering the GGP questions and tasks; working with ICANN org to identify and engage necessary expertise in relation to analyzing and identifying metrics and measures of success; and considering how “outreach, education, business case development, and application evaluation” elements of the Applicant Support Program may be impacted by the identified metrics and measures of success.

Additionally, ICANN org notes that the GGP’s establishment appears to supplant Implementation Guideline 17.5, which calls for a dedicated IRT to be focused on Applicant Support. In light of the GGP’s initiation, convening one IRT would seem to enhance efficiency, recognizing that Applicant Support is integral to other aspects of the New gTLD Program.

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<sup>201</sup> Initiation of the GNSO Guidance Process on Applicant Support. 25 August 2022.

<https://gns0.icann.org/en/council/resolutions/2020-current#202208>

<sup>202</sup> Draft SubPro GGP Initiation Request. <https://gns0.icann.org/sites/default/files/policy/2022/draft/draft-subpro-ggp-initiation-request-clean-24aug22-en.pdf>

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Regarding Implementation Guidance 17.14, further work during implementation could help inform ICANN org's approach to seeking funding partners, in line with its role as an organization, as noted in ICANN Board's input on the Draft Final Report.

While ICANN org anticipates the GGP to provide helpful guidance, the GGP efforts will not conclude in time to be included in the ODA. Instead, ICANN org's analysis and proposed design of the Applicant Support Program is based upon the SubPro Final Report outputs, the GNSO Council's responses to policy questions, and ICANN org's assumptions related to the outputs. It is noted that some remaining questions about Applicant Support that arose through the policy analysis may be resolved through the GGP, through interaction with the GNSO Council on ICANN org's assumptions, and/or through a future implementation process, subject to Board approval of the Final Report.

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## Appendix 17: Predictability

This appendix provides an overview of the Predictability Framework as it relates to Topic 2 of the SubPro Final Report. The appendix includes sections on proposed criteria, process flow, roles and responsibilities, and mechanisms for reconciliation for the Predictability Frameworks.

### Background

The SubPro PDP WG introduced the Predictability Framework as a new tool to determine mechanisms to address changes that may need to be made during the New gTLD Program and to allow their implementation in a transparent and predictable manner. As part of its recommendations, the Working Group also included the formation of a Standing Predictability Implementation Review Team (SPIRT), which will review issues that arise and utilize the Predictability Framework to identify mechanisms to resolve identified issues.

The Predictability Framework will be used once the Applicant Guidebook is adopted by the Board and published. ICANN org has not identified any significant concerns with implementing and incorporating the relevant recommendations into the Applicant Guidebook.

### Proposed Criteria

The SubPro PDP WG noted that “applicants and other parties believed that there were a number of changes that were made after the commencement of the 2012 New gTLD Program which hindered the New gTLD Program’s predictability.”<sup>203</sup> Additionally, the Board shared its concerns about “unanticipated issues that might arise and what mechanism should be used in such cases.”<sup>204</sup> To address these concerns around any unanticipated issues, the SubPro PDP WG introduced the Predictability Framework as a tool to determine appropriate mechanisms to address changes that need to be made during the operation of the application and evaluation processes. The Predictability Framework also aims to allow the implementation of mechanisms to take place in a transparent and predictable manner.

The Predictability Framework is designed for two types of issues:

- **Operational issues**, which are defined as “changes to the ICANN org’s internal processes.” Operational issues are sub-categorized as<sup>205</sup>:
  - Minor
    - A minor issue is considered an issue which includes changes that do not impact applicants or community members.
  - Non-minor

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<sup>203</sup> See: [Page 18 of Final Report](#)

<sup>204</sup> See: [Page 2 of Board Input to Initial Report](#)

<sup>205</sup> See [Annex E of the Final Report](#)

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- A non-minor issue is considered an issue which includes changes that may impact applicants or community members, such as a change to ICANN org’s internal service-level agreements related to contracting.
  - New process or significant change to internal process
    - A new process or significant issue is considered an issue which includes changes that will likely impact applicants or community members, such as the introduction of a new platform to submit an objection.
  - **Policy issues**, which may include changes “to implementation that may materially differ from the original intent of the policy and could be considered creation of a new policy.”<sup>206</sup> Policy-related issues include changes with implications that may impact the policy recommendations. Policy issues are sub-categorized in the Final Report as:
    - Policy changes that may have policy implications
      - This type of issue is defined as an issue that includes potential changes “to implementation that may materially differ from the original intent of the policy and could be considered creation of a new policy” such as the development of an application-ordering mechanism.
    - New proposals that may have policy implications
      - This type of issue is defined as an issue that includes changes “which propose new mechanisms that may be considered within the remit of the policy development” such as the development of a new contract specification, such as Public Interest Commitments.

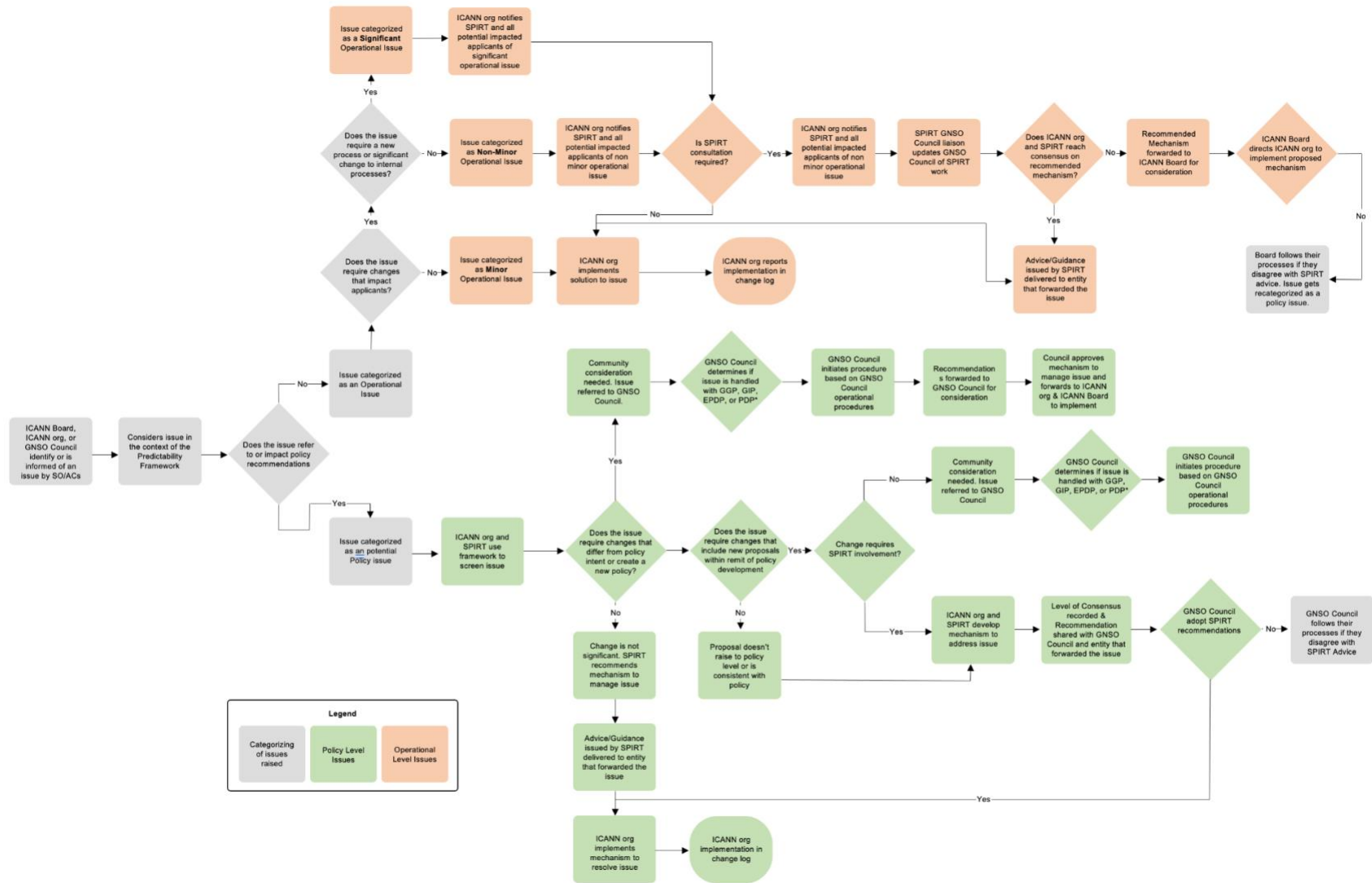
The Predictability Framework process flow is shown in Figure A17-1.

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<sup>206</sup> *Ibid.*

# Process Flow

Figure A17-1. Predictability Framework Process Flow



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Overarching goals of the New gTLD Program are that it should be transparent, predictable, and accountable to the Board and multistakeholder community. The SubPro PDP WG recommended a number of mechanisms to enhance predictability. In addition, the operational design work described in this document and the planned implementation process explicitly incorporate options and mechanisms to maximize predictability for stakeholders. Therefore, it is anticipated that the Predictability Framework will be used primarily to address unanticipated issues. The Predictability Framework is intended to complement, not replace, existing GNSO processes and procedures by ensuring transparency and predictability for how operational and policy issues will be handled during the New gTLD Program.

If and when an issue arises that may require a change to the policy or procedures for an ongoing new gTLD round, ICANN org will use the Predictability Framework to determine first if the issue falls into the operational or policy category. Identified issues may be raised to the SPIRT by the Board, ICANN org, and the GNSO Council. ICANN org will lead in addressing operational issues, including devising, implementing, and documenting solutions in a change log, which will keep the GNSO Council, the SPIRT, and the community informed of such changes. If required, ICANN org will notify the SPIRT of an issue, and the “SPIRT will have the option to collaborate with ICANN org”<sup>207</sup> to identify a mutually agreeable alternative solution. If ICANN org identifies an issue that may require policy development to determine a solution, ICANN org will forward the issue to the SPIRT. If the SPIRT agrees that policy development may be necessary, the SPIRT will determine and propose to the GNSO Council the appropriate GNSO mechanism by which the issue can be resolved.

The Predictability Framework will not identify solutions to issues raised. Instead, it will identify mechanisms to reach a solution in a predictable and consistent manner. Ultimately, the combination of the Predictability Framework and the SPIRT will create a consultative process to ensure clarity and transparency about which mechanisms will be used to manage issues that arise after the Applicant Guidebook is approved.

- For minor operational issues, ICANN org will implement the identified solution without consultation with the SPIRT. ICANN org will document the changes in a change log available to the GNSO Council, the SPIRT, and community members interested in staying informed of such changes.
- For non-minor or significant operational issues, ICANN org will devise a potential solution and notify the SPIRT of the issue and proposed solution. If required, the “SPIRT will have the option to collaborate with ICANN org” to identify a mutually agreeable alternative solution. It is the responsibility of the SPIRT GNSO liaison to ensure that the GNSO Council is made aware of any relevant work that takes place under the Predictability Framework.

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<sup>207</sup> *ibid.*



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Operational issues will be resolved as quickly as possible. If the SPIRT consultation is required, ICANN org and the SPIRT will try to agree on a potential solution. If ICANN org and the SPIRT cannot agree on a solution to address an operational issue, ICANN org will move forward with implementing the solution it deems most appropriate to address the operational issue and minimize any negative impacts on the New gTLD Program. ICANN org will log all changes implemented in the change log.

Issues with potential policy development implications will be forwarded to the SPIRT. If the SPIRT agrees that policy development is necessary, the SPIRT will determine and propose to the GNSO Council the appropriate GNSO mechanism by which the issue can be resolved. The GNSO Council will then determine if the proposed mechanism is the correct approach to resolve the policy issue.

## Roles and Responsibilities

### SPIRT

The SPIRT will be the responsible body to review issues that arise, and the SPIRT will utilize the Predictability Framework to identify mechanisms to resolve identified issues. The SPIRT is not intended to replace the role of the GNSO Council, ICANN Board, or ICANN org, but instead will collaborate with all stakeholders as needed to recommend appropriate mechanisms to address issues that arise during the New gTLD Program.

ICANN org and the SPIRT will work together to review raised issues, determine if the issue impacts multiple applicants, then determine whether an issue should be categorized as operational or policy-related. Where necessary, the SPIRT will recommend proposed solutions to address operational issues to ICANN org. For policy-related issues, SPIRT will recommend proposed mechanisms to address the issue to the GNSO council. The SPIRT's role would mimic an IRT's role, as described in the Consensus Policy Implementation Framework (CPIF). In other words, the SPIRT acts as a resource for and provides guidance and support to ICANN org when determining appropriate methods to address policy or operational issues. Based on the IRT's role described in the CPIF, there may need to be an escalation mechanism available for instances where the SPIRT and ICANN org disagree.

In addition, the SPIRT will:

- Have a supporting GNSO Council liaison.
- Determine the SPIRT chairs.
- Agree on the SPIRT working procedures when reviewing and addressing issues raised by ICANN org, ICANN Board, or GNSO Council.



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## ICANN org

ICANN org will use the Predictability Framework to determine first if the issue requires an operational or a policy change. ICANN org will lead in addressing operational issues, including devising solutions and implementing them into the ongoing round as applicable. In addition, ICANN org will:

- Raise identified issues to the SPIRT, as needed.
- Play an administrative supporting role to the SPIRT by providing liaisons from GDS, Policy support, and Legal.
- Implement minor and non-minor operational issues that do not impact applicants or community members.
- Categorize issues as operational or policy issues and proceed in accordance with the Predictability Framework.
- Identify a solution to address non-minor and significant operational issues, prior to notifying the SPIRT.
- Build a change log to document all changes made.

## ICANN Board

The Predictability Framework is not intended to affect the role of the Board, nor does it affect the Board's ability to make decisions. Within the Predictability Framework, the Board will:

- Raise identified issues to the SPIRT, as needed.
- Maintain their role as defined in the Bylaws.
- Adopt Temporary Policies under the provisions of the Bylaws if and when necessary.
- Manage emergencies or halt the New gTLD Program, as needed.
- Consider and adopt guidance or policy from the GNSO Council and determine how to implement it.
- Follow established processes if it decides that GNSO Council policy recommendations are not in the best interest of the ICANN community or ICANN org.

## GNSO Council

Within the Predictability Framework, the GNSO Council will have oversight of the SPIRT, as well as the following responsibilities:

- Raise identified issues to the SPIRT, as needed.
  - Decide appropriate mechanisms needed to resolve an identified policy issue.
  - Consult with the Board on the impact of PDP on applicants.
  - Call for the SPIRT volunteers.
  - Determine the SPIRT operating procedures and determine the SPIRT participants.
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## Mechanisms for Reconciliation

In cases where ICANN org and the SPIRT are unable to agree on a solution to address an operational issue, ICANN org will have the authority to implement the solution it deems most appropriate to address the issue that also minimizes any negative impacts on the New gTLD Program, especially applicants. ICANN org will subsequently document the change in the change log.

Similarly, if ICANN org and the SPIRT are unable to agree whether policy development or a GNSO Guidance Process is necessary, ICANN org will inform the Board that an issue is being directed to the GNSO Council for consideration. The GNSO Council will discuss with the Board any implications policy development or guidance might have on the ongoing new gTLD round. Such a discussion will also include agreeing on any applicable interim solutions that can be put in place to minimize negative impact on applicants. Once the Council has a PDP or a GGP launched, the relevant Bylaws articles will apply including the requirement for Board approval, unless the Board finds the policy recommendations are “not in the best interest of the ICANN community or ICANN.”<sup>208</sup>

Lastly, the Final Report suggests that “the call for SPIRT volunteers be at minimum sent to all members of the PDP working group and IRT.”<sup>209</sup> Additionally, the Final Report suggests additional outreach for the SPIRT members beyond the working group to ensure broad participation.<sup>210</sup> To enhance the efficiency and predictability of the SPIRT, the GNSO Council may want to consider a representative or a representative-plus membership model.<sup>211</sup> While ultimately a decision for the GNSO Council to make, ICANN org believes that it is very likely that many, if not all, applicants and/or their representatives would want to join the SPIRT due to the prominence of the New gTLD Program. A very large SPIRT membership may render the body less effective, especially considering that expediency in decision-making may often be required. One possibility could be for the GNSO Council to provide process guidelines for the SPIRT to map out the decision-making steps and timing requirements to ensure that the Predictability Framework can work as the SubPro PDP WG intended.

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<sup>208</sup> See: [Annex A, Section 9](#)

<sup>209</sup> See: [Page 322 of Annex E in the Final Report](#)

<sup>210</sup> Ibid.

<sup>211</sup> A Representative Model consists of GNSO SG and Constituency appointed members and alternates, well as appointed members and alternates from the other Supporting Organizations and the Advisory Committees, ICANN org staff Liaisons (if necessary), Board Liaisons, 1 neutral chair, and expert contributors (as needed). Anyone interested in the work of this group may join as an observer where they are provided read only access to the mailing list and are not invited to attend meetings.

A Representative + Open Model consists of the same member group as the Representative model above but in addition allows additional participation from community members who may actively participate in and attend all meetings but do not participate in the consensus designation process.

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## Considerations

The Predictability Framework contains several areas of ambiguity that need to be addressed during implementation. Some may need resolution with the SubPro IRT, such as roles and responsibilities, how to address multiple areas of impasse, and the SPIRT membership model. Specifically, the roles of stakeholders such as the ICANN Board, ICANN org, GNSO Council, and the SPIRT may need further definition in the Predictability Framework. Direction is also needed about how issues raised will be categorized and whether the SPIRT should advise on methods to address the issue in specific circumstances. More discussion may be needed about when to categorize items as policy or operational issues and what to do when ICANN org and the SPIRT disagree on categorization. Categorization is key because it determines the appropriate mechanism to address the issue.

Another area of ambiguity in the Predictability Framework is how to determine the appropriate process to introduce a change to the New gTLD Program if there are no underlying policy recommendations or implementation guidance. For example, applicants might propose to operate in a way that existing policy does not address. In that situation, there may be differing views in the community about whether such proposals should be the subject of policy discussions.

The Predictability Framework is new and not included in the previous Applicant Guidebook. It is not clear how internal processes within the SPIRT and the overall Predictability Framework will be created. The Predictability Framework allows for multiple areas of impasse and does not provide guidance on who will determine the proposed approach forward if the SPIRT and ICANN org are unable to reach an agreement on solutions related to non-minor or significant operational issues. In such a scenario, ICANN org will move forward with implementing the solution it deems most appropriate to address the issue and minimize negative impacts on the New gTLD Program, especially applicants.

In general, the Predictability Framework does not change existing roles of the Board, ICANN org, or GNSO Council, nor does it supersede the existing GNSO Council PDP. The SPIRT is a GNSO Council body that will assist in identifying appropriate mechanisms for handling an issue. In order to maximize predictability, ICANN org will incorporate guidelines on how issues will be triaged, categorized, and raised to the SPIRT within the Applicant Guidebook during the implementation period. Based on how the issue is categorized, there may be some scenarios in which the Predictability Framework will need to interact with an existing process, e.g., Board advice, PDP, or EPDP. Such scenarios should be summarized for alignment and transparency on how these separate procedures will interact.

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# Appendix 18: Community Updates and Engagements

Transparency is of significant importance and focus within the ODP process. Since the start of the SubPro ODP, ICANN org provided updates to the community on the status of the overall effort and specific design updates and requested feedback. These updates have included announcements, blogs, community updates, and webinars. Monthly meetings with the GNSO Liaisons offered a regular opportunity to talk about relevant SubPro ODP questions.

All publications and community updates can be located on the [New gTLD Subsequent Procedures Operational Design Phase ICANN website](#).

## Communications to the Community

### September 2021

- *Webinar: New Generic Top-Level Domain (gTLD) Subsequent Procedures Operational Design Phase (ODP)*, 28 September 2021
  - [Video Recording](#)
  - *Audio Recording:* [Arabic](#) / [Chinese](#) / [English](#) / [French](#) / [Portuguese](#) / [Russian](#) / [Spanish](#)
  - *Presentation:* [PDF](#)
  - *Transcript:* [PDF](#)
- [ICANN Board Resolves on ODP for the Subsequent Procedures Final Report Outputs](#), 14 September 2021
- [New gTLD Subsequent Procedures ODP Update](#), 28 September 2021
- [Next Steps in ICANN's Preparations for a New gTLD Subsequent Procedures ODP](#), 14 September 2021
- [ICANN Board Resolves on ODP for the Subsequent Procedures Final Report Outputs](#), 14 September 2021
- [New gTLD Subsequent Procedures ODP Update](#), 28 September 2021
- [Next Steps in ICANN's Preparations for a New gTLD Subsequent Procedures ODP](#), 14 September 2021

### December 2021

- [ICANN Launches New gTLD Subsequent Procedures Operational Design Phase](#), 20 December 2021
- [Update: Answers to Questions Related to ICANN's Upcoming Subsequent Procedures ODP](#), 1 December 2021

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## January 2022

- [Subsequent Procedures ODP: Introducing the Work Tracks](#), 18 January 2022

## February 2022

- [ICANN SubPro ODP Update: Highlighting the Project Governance Work Track](#), 28 February 2022

## March 2022

- [Community Status Update](#), 28 March 2022, period of 3 January to 28 March 2022
- [ICANN73 Session: New gTLD Subsequent Procedures: Operational Design Phase](#), 7 March 2022

## April 2022

- [Supporting ICANN Community Progress: The Issue of Closed Generics](#), 19 April 2022
- [ICANN SubPro ODP Update: Policy Development and Implementation Materials Work Track](#), 11 April 2022

## May 2022

- [ICANN74 Session: New gTLD Subsequent Procedures Operational Design Phase Update](#), 31 May 2022
- [ICANN SubPro ODP Update: Focusing on the Operational Readiness Work Track](#), 26 May 2022
- [Community Status Update](#), 16 May 2022, period of 3 January to 30 April 2022

## July 2022

- [ICANN Moves Ahead on SubPro ODP and WHOIS Disclosure System Design Initiatives](#), 14 Jul 2022
- [ICANN SubPro ODP Update: Focus on the Systems and Tools Work](#), 12 July 2022

## August 2022

- [Community Status Update](#), 15 August 2022, period of 3 January to 15 Aug 2022

## September 2022

- [ICANN75 Session: New gTLD Subsequent Procedures Operational Design Phase Update and QandA](#), 20 September 2022

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## October 2022

- [Community Status Update](#), 14 October 2022, period of 3 January to 14 Aug 2022

## GNSO Liaison Engagement

ICANN org held monthly calls with GNSO liaisons on relevant SubPro ODP questions.

### November 2021:

- Jeff Neuman's first update as ODP Liaison to the SubPro ODP, an email to the GNSO Council Leadership: <https://mm.icann.org/pipermail/subpro-odp/2021-November/000006.html>, 16 November 2022
- Email from Karen Lentz to Jeff Neuman on Question Set #1: <https://mm.icann.org/pipermail/subpro-odp/2021-November/000007.html>, 17 November 2022
- Question Set #1: <https://community.icann.org/pages/viewpage.action?pagelId=186783141>, 17 November 2021

### December 2021:

- First call with GDS
- Jeff Neuman's Liaison Update to GNSO Council Leadership: <https://mm.icann.org/pipermail/subpro-odp/2021-December/000011.html>, 1 December 2021

### January 2022:

- Proposed agenda (Email from Karen Lentz to Jeff Neuman): <https://mm.icann.org/pipermail/subpro-odp/2022-January/000022.html>, 21 Jan 2022
- GNSO Council Responses (Question Set #1): <https://community.icann.org/pages/viewpage.action?pagelId=208208779>, 21 Jan 2022
- Jeff Neuman's Liaison Update to GNSO Council Leadership: <https://mm.icann.org/pipermail/subpro-odp/2022-January/000026.html>, 24 Jan 2022

### February 2022:

- Proposed agenda (Email from Karen Lentz): <https://mm.icann.org/pipermail/subpro-odp/2022-January/000022.html>, 10 Feb 2022

- 
- Question Set #2 and High-Level Timeline:  
<https://community.icann.org/pages/viewpage.action?pagelId=186783147>, 10 Feb 2022
  - Jeff Neuman's Liaison Update to GNSO Council Leadership:  
<https://mm.icann.org/pipermail/subpro-odp/2022-February/000034.html>, 11 Feb 2022

#### March 2022:

- Jeff Neuman's Liaison Update to GNSO Council Leadership:  
<https://mm.icann.org/pipermail/subpro-odp/2022-March/000042.html>, 3 March 2022
- Proposed agenda (Email from Michael Karakash):  
<https://mm.icann.org/pipermail/subpro-odp/2022-March/000047.html>, 22 Mar 2022

#### April 2022:

- Question Set #3:  
<https://community.icann.org/pages/viewpage.action?pagelId=192222689>, 11 April 2022
- Jeff Neuman's Liaison Update to GNSO Council Leadership:  
<https://mm.icann.org/pipermail/subpro-odp/2022-April/000054.html>, 11 April 2022
- Proposed agenda (Email from Michael Karakash):  
<https://mm.icann.org/pipermail/subpro-odp/2022-April/000058.html>, 26 April 2022

#### May 2022:

- Question Set #4:  
<https://community.icann.org/pages/viewpage.action?pagelId=197264113>, 2 May 2022
- Jeff Neuman, Clarifying Question on last Question in Set #3:  
<https://mm.icann.org/pipermail/subpro-odp/2022-May/000060.html>, 4 May 2022
- Karen Lentz response to Jeff Neuman's question: <https://mm.icann.org/pipermail/subpro-odp/2022-May/000061.html>, 4 May 2022
- Jeff Neuman's Liaison Update to GNSO Council Leadership:  
<https://mm.icann.org/pipermail/subpro-odp/2022-May/000062.html>, 4 May 2022
- Proposed agenda (Email from Michael Karakash):  
<https://mm.icann.org/pipermail/subpro-odp/2022-May/000065.html>, 18 May 2022
- Question Set #4 Shared by Jeff Neuman to the GNSO Council  
<https://mm.icann.org/pipermail/subpro-odp/2022-May/000066.html>, 19 May 2022
- Jeff Neuman's Liaison Update to the GNSO Council Leadership (Question Set #4)  
<https://mm.icann.org/pipermail/subpro-odp/2022-May/000068.html>, 24 May 2022
- GNSO Council Responses (Question Set #2):  
<https://community.icann.org/pages/viewpage.action?pagelId=208208776>, 26 May 2022

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## June 2022:

- Proposed agenda (Email from Michael Karakash):  
<https://mm.icann.org/pipermail/subpro-odp/2022-June/000079.html>, 27 Jun 2022

## July 2022:

- GNSO Council Responses (Question Set #3): <https://mm.icann.org/pipermail/subpro-odp/2022-July/000081.html>, 8 Jul 2022
- Question Set #5:  
<https://community.icann.org/pages/viewpage.action?pagelId=208208499>, 18 Jul 2022
- Jeff Neuman's Liaison Update to GNSO Council Leadership:  
<https://mm.icann.org/pipermail/subpro-odp/2022-July/000087.html>, 19 Jul 2022
- Proposed agenda (Email from Michael Karakash):  
<https://mm.icann.org/pipermail/subpro-odp/2022-July/000089.html>, 25 Jul 2022
- GNSO Council Responses (Question Set #4):  
<https://community.icann.org/pages/viewpage.action?pagelId=208208769>, 29 Jul 2022

## August 2022:

- Proposed agenda (Email from Michael Karakash):  
<https://mm.icann.org/pipermail/subpro-odp/2022-August/000114.html>, 24 Aug 2022
- GNSO Council Responses (Question Set #5):  
<https://community.icann.org/pages/viewpage.action?pagelId=212107788>, 25 Aug 2022

## October 2022:

- Proposed agenda (Email from Michael Karakash):  
<https://mm.icann.org/pipermail/subpro-odp/2022-October/000145.html>, 11 Oct 2022

## November 2022:

- Proposed agenda (Email from Michael Karakash):  
<https://mm.icann.org/pipermail/subpro-odp/2022-November/000154.html>, 8 Nov 2022



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## Appendix 19: Alternate Proposals

### Cost, Capability, and Alternative New gTLD Program Models

The draft design within the ODA reflects the goal of delivering on all outputs of the SubPro Final Report to the maximum extent possible. The report included more than 300 outputs and while not all were highly complex, when combined into a design, the implementation becomes complex quickly. These outputs modify prior guidance and include new and changed elements, such as an enhanced communication plan, the RSP Pre-Evaluation Program, enhancements to the Applicant Support Program, a challenge/appeal mechanism, and the Predictability Framework. ICANN org recognizes that the proposed design described in the rest of this assessment represents a significant undertaking, especially with regard to three elements: cost, time, and risks. These elements were previously introduced in the Project Management section along with the project management triangle.

Part of ICANN's mission is to coordinate the allocation and assignment of names in the root zone of the DNS. (See ICANN Bylaws, Article 1, Section 1.1(a)(i).) There are several ways in which resources, including gTLDs, can be allocated, and the team has considered these alternatives in the context of ICANN's mission. This exercise considered the overall aims of the New gTLD Program as emphasized in the Final Report: to be an inclusive program with predictable processes with the procedures defined upfront for applicants.

ICANN has used various strategies for allocating new gTLDs into the root zone, for example:

- a. In the 2012 round of the New gTLD Program, some of the allocation methods included in the Applicant Guidebook were:
  - i. A random prioritization raffle to determine the priority order to process applications.
  - ii. An “arbitrary characteristic” (community TLD passing Community Priority Evaluation) to award priority for competing applications.
  - iii. An auction of last resort to resolve contention for competing applications.
- b. Prior to the 2012 round, ICANN also used Requests for Proposal (RFPs) to reassign gTLDs to new registry operators.

As part of the policy development process for subsequent rounds of the New gTLD Program, questions from the community working group about allocation methods reemerged. As discussed in the PDP [Final Report](#) at pg. 23:

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*The Working Group analyzed the possibility of using other application processes for subsequent procedures including a model based on accepting applications on a first-come, first-served basis. Although that model had support from a few participants, there was no consensus in the group in support of using a first-come, first-served model. Rounds enhance the predictability for applicants (e.g., preparation), the ICANN community and other third-party observers to the program (e.g., public comments, objections).*

The design discussed throughout this ODA results in an overall implementation cost significantly higher than the 2012 round. While the New gTLD Program is meant to operate on a cost-recovery model, the total cost for implementation has a significant impact on ICANN org's financial condition and thus creates significant risk in the event demand in future rounds is lower than expected. Demand is extremely challenging to predict; it is quite possible that ICANN org could over-invest in communication efforts, systems development, and similar costs to such a degree that those costs may never be recovered.

In this section, ICANN org describes its current thinking around several alternatives, which attempt to address some aspects of the three elements named above (cost, time, and risks). Additionally, while the analysis reflected in the ODA aimed to account for all outputs to the maximum extent possible, some of the alternatives discussed below may not be in full alignment with all outputs, and thus would require further discussion to pursue. Additionally, not all assumptions that apply to this analysis would apply to all alternatives or variations. ICANN org recognizes that it does not have the remit to change the SubPro Final Report outputs, and that these alternatives should be considered and discussed by the multistakeholder community. By considering a range of approaches, these alternatives may be able to address some of the elements noted above.

The limited duration of the ODP precludes ICANN org from including multiple fully designed alternatives — each of which would include individual costs and timelines — in this assessment. However, below is a moderately detailed exploration of one alternative approach, based on rough estimates, followed by a shorter description of other alternatives. Several of the alternatives could be combined into a number of different proposals. While this may raise concerns related to the time and effort required to develop a large number of options, identifying the major areas of concern could naturally limit the exercise to a reasonable number.

## Option 1

The analysis in the [Operational Considerations](#) section of this ODA forms the basis for “Option 1,” which is based on the assumption that ICANN org will implement all outputs to the maximum

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extent possible in a single, immediate next round, for which there are no submission<sup>212</sup> limits and processing/capacity would be based on the assumption of 2,000 applications.

## ICANN org Alternative Proposal (“Option 2”)

Balancing a number of factors, such as cost, time, and predictability, ICANN org has developed for consideration by the Board in its deliberations on the SubPro Final Report outputs an alternative proposal for a New gTLD Program model based on a cyclical round design (“Option 2”). This proposal includes several variables that may be adjusted, generating additional options, based on Board feedback.

### Cyclical Round Design Proposal

Under this alternative proposal, the immediate next round would be split into four application submission periods, or cycles, occurring annually. While the number of applications that can be submitted in a cycle would remain unlimited (per Affirmation 5.1), the applications received in each cycle would be prioritized and processed based on an established capacity limit. For example, in a scenario where the limit is set at 450 applications per year, ICANN org can build processing capacity for regular annual cycles of the same size. Should the volume be significantly higher, such that additional capacity would be needed to process the applications in a reasonable timeframe, ICANN org could then invest in developing the systems, tools, and capacity to process those efficiently.

Implementation activities including upfront communications, developing application questions and evaluation criteria, mechanisms for Registry Service Provider (RSP) Pre-Evaluation and the Applicant Support Program, vendor procurement, operational readiness, and development of an updated base Registry Agreement, must still occur before the immediate next round could begin.

### General Process Outline

As part of this exercise, ICANN org considered ways to mitigate the risk of unknown demand, and ways to gain efficiencies in the implementation timeline. One mechanism to help with both factors is to plan a round to occur over a longer time frame, such as four years. With an annual processing capacity limit,<sup>213</sup> ICANN org can plan to build resources for a repeatable set of processes, extending that predictability to applicants and to the broader stakeholder community.

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<sup>212</sup> Affirmation 5.1: “In the 2012 application round, no limits were placed on the number of applications in total or from any particular entity. The Working Group is not recommending any changes to this practice and therefore affirms the existing implementation.”

<sup>213</sup> ICANN org also considered the merits and risks of using a first-come, first-served (“FCFS”) allocation method with respect to each application cycle. Perhaps the primary merit of a FCFS model is the simplicity of implementing a strategy. In the case of new gTLDs, using a FCFS model could eliminate

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As shown in Figure A19-1, in Option 2, where a round would consist of four application cycles over four years, application submission periods would occur every 12 months for the four years, creating predictability for the Program and potentially moderating the influx of applications in the first cycle. The annual processing capacity limit of 450 applications would be synchronized with each cycle.

After each application submission period is complete, the applications received will be prioritized and processed in priority order. The process described here assumes a prioritization draw will occur, based on the process established in 2012 and as discussed in Topic 19 of the Final Report. Applications received in subsequent cycles will receive priority numbers lower than the previous cycle. Applications will always begin initial evaluation in priority order.

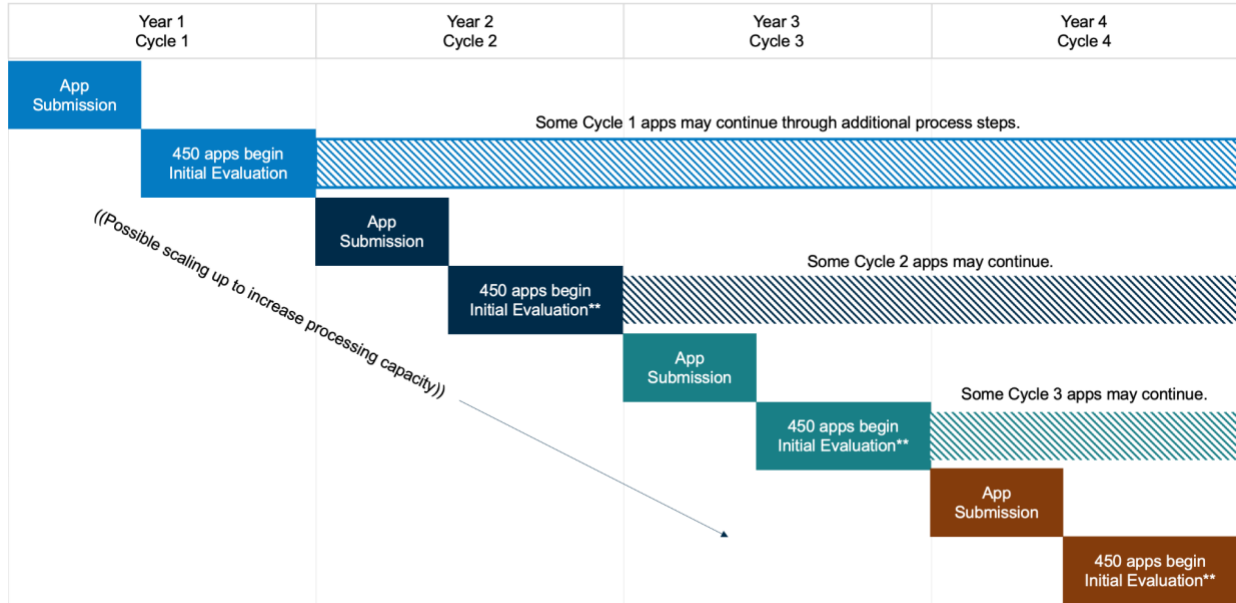
It is important to note that while a batch of applications (e.g., 450 applications) would begin initial evaluation at the same time, they would not necessarily complete the relevant processes at the same time. Accordingly, applications from Cycle 1 may still be in process at the time that Cycle 2 begins. This is considered incremental work that can be absorbed by the org, and would not reduce the processing capacity for the next cycle. That is, a new batch of 450 could begin initial evaluation in Year 2, even if applications from Cycle 1 are still active.

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contention resolution, for example, because the first to apply for a particular string would be assigned the string (assuming all other evaluation criteria are satisfied). However, ICANN org has not proposed such a model here, noting the following risks and considerations:

- i. FCFS would reward applicants for being “insiders,” and possibly also for having their servers located close to ICANN’s servers in California or wherever on the Internet is fastest.
- ii. FCFS would reward applicants for clicking “submit” as fast as possible after the opening of the submission period. This might lead to the submission of sub-par applications (e.g., inserting “TBD” in every field), or allow for a small number of technically savvy applicants to quickly fill up the application spots, and later assign rights to operate the gTLD to other registry operators willing to pay a premium price (much like is the case when regular consumers attempt to purchase popular concert tickets).
- iii. In the PDP Final Report at pg. 86, “... [the Working Group] advises that ICANN must not under any circumstances attempt to create a “skills-based” system like “digital archery” to determine the processing order of applications in subsequent procedures.”
- iv. Allocating gTLDs on a FCFS basis might invite a DDoS attack as applicants may queue up several computers to submit their applications at the same time.

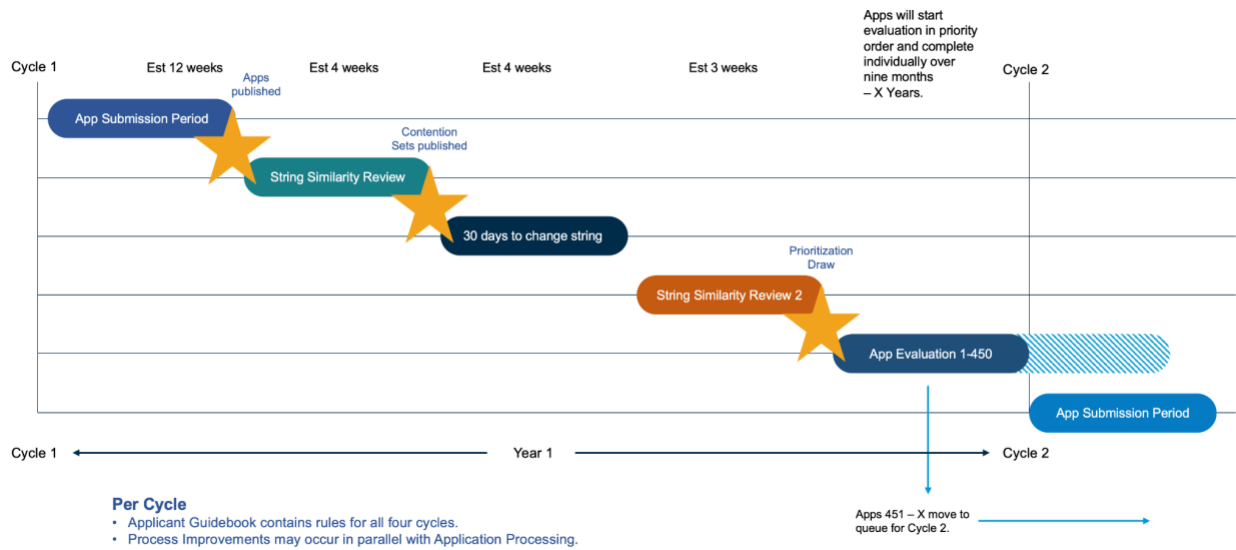
Figure A19-1. Four Application Cycles Diagram



It is also important to note that, as shown in Figure A19-1, the volume established in Cycle 1 can support planning adjustments as necessary. For example, if the volume received in Cycle 1 indicates that processing 450 applications annually will result in unacceptably long periods to process all the applications received, ICANN org can scale up to increase the capacity to process the higher volume.

ICANN org also considered how to incorporate the SubPro recommendations around prioritization and contention resolution into the Option 2 proposal. As discussed in the [Business Process Design section 6.2.7](#), there is a possible process optimization by performing the string similarity review as soon as applications are received, in parallel with the completeness check. If this occurs as shown in Figure A19-2, with preliminary contention sets established early, the process can support string changes as discussed in [Business Process Design section 6.5.2](#). A secondary string similarity review could then occur for those applications affected. This approach avoids increasing unpredictability with string changes occurring at any point, especially later in the process when multiple steps, including objections and comment period, would need to be repeated.

Figure A19-2. Diagram of Cycles with Contention Resolution



While process improvements would be expected to occur, the substance of the rules and procedures would not change throughout the round so that processes in each cycle could realize efficiencies.

## Impact of the Proposal

ICANN org notes there are benefits and challenges related to carrying out the Option 2 proposal.

## Benefits

- This proposal would allow ICANN org to design a program aligned to a specific maximum application processing capacity per cycle. Such a design allows for accurate vendor requirements, specific staffing and oversight levels.
- The multi-year, multi-cycle structure of ongoing rounds would provide increased predictability for stakeholders. The expectation for a predictable process to the maximum extent feasible was discussed at length in the SubPro Final Report.
- Having predictable and multiple opportunities to submit applications provides flexibility to potential applicants to plan and prepare a complete gTLD application. This may be especially beneficial to new entrants who would need to invest more time and resources in education to fully understand the opportunities.
- Clear milestones of application cycles scheduled over a period of time would also likely benefit ICANN org’s communications activities because ICANN org would have more time to conduct communications across a multi-year period. Additionally,

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communications are aided by the existence of and visibility to the results of ongoing processes by relevant audiences.

- This process enables a transition from application rounds as unique, custom-designed occurrences to a steady state of regular program operations.
- The proposal enables ICANN org to gain experience, hone processes, add functionality, and enhance the applicant experience more quickly than a large round, which may have a longer gap between rounds than the proposed annual cadence in this option.
- ICANN org could calculate and establish an application fee that would remain constant over the four-year period.
- Cost recovery could also be calculated based on the four-year round.

## Challenges

In developing this proposal, the team has considered some mechanisms to address additional challenges to system design due to the need to establish a processing capacity limit and avoid the risks from applicants competing to submit applications all at once or during a limited time frame. Accordingly, if the number of applications received in a cycle exceeds the processing capacity limit, the proposal includes a prioritization draw, according to the process established in the 2012 round, to determine the first batch of 450 that would be processed in the first year.

Another challenge the team has considered in developing this proposal is the impact on various stakeholder groups. For instance, given the importance of supporting global participation in future rounds, the limited application opportunity would emphasize conducting outreach and communications activities well before the application submission period. The proposed approach for multiple cycles would provide four opportunities to apply over four years rather than only one chance over multiple years. This timing would be expected to be beneficial to the Program over the long term. However, for the immediate first cycle, there is a risk that those currently engaged in the ICANN ecosystem would have an advantage over new entrants. This risk could be mitigated by the outreach and engagement strategy and applicant resources developed in advance of the first cycle.

Suppose more than 450 applications are received in the first cycle. In that case, the Option 2 approach may reduce some potential efficiencies envisioned by processing portfolio applications (which are identical in most respects other than the applied-for string) together. Under this proposal, the evaluation of such groups of applications may be split into different batches of 450. However, processing efficiencies can still be realized within the batch.

## Relevant SubPro Final Report Outputs

While the proposed approach is a significant departure from prior practice, as noted by the SubPro PDP WG, it appears to be in line with many of the policy principles and recommendations expressed in the SubPro Final Report. This section provides an initial overview of the key areas of the Final Report relevant to the proposal. If it is determined to

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proceed with this proposal, ICANN org would perform a more detailed review of all SubPro Final Report outputs to identify any other areas that may not be consistent with the outputs to inform further discussion. Topics relevant to the proposal include:

## Topic 1: Continuing Subsequent Procedures

- Principle A of the GNSO recommendations on the [Introduction of New gTLDs](#) (2007) provides that “New generic top-level domains must be introduced in an orderly, timely, and predictable way.”
- This principle was affirmed in Affirmation 1.2 of the Final Report.

## Topic 2: Predictability

- Due to concerns expressed in the PDP Working Group that a number of changes during the 2012 application process hindered the program’s predictability, the SubPro PDP WG spent significant time discussing mechanisms to enhance predictability in future rounds, including development of a Predictability Framework and several components to enhance predictability such as a change log, SPIRT, and others.
  - The proposal supports predictability, particularly around upcoming application submission opportunities. As noted above, a process for batching and for planning evaluations around a known volume may also enhance predictability for applicants and other stakeholders.

## Topic 3: Applications Assessed in Rounds

- Recommendation 3.2 states that “Upon the commencement of the next Application Submission Period, there must be clarity around the timing and/or criteria for initiating subsequent procedures from that point forth. More specifically, prior to the commencement of the next Application Submission Period, ICANN must publish either (a) the date in which the next subsequent round of new gTLDs will take place or (b) the specific set of criteria and/or events that must occur prior to the opening up of the next subsequent round.”
  - The rationale for Recommendation 3.2 notes that “The Working Group believes that predictability is a key element of the New gTLD Program and notes that the program cannot be predictable if there are indeterminate periods of time between application opportunities.”
- Recommendation 3.2 is supported with implementation guidance noting that a new round may initiate even if steps related to application processing and delegation from previous rounds have not been fully completed, and specifying how strings still in play in a round would be treated in a subsequent round with regard to eligibility.
- Recommendation 3.5 states that “Absent extraordinary circumstances, application procedures must take place at **predictable, regularly occurring intervals** (emphasis



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added) without indeterminable periods of review, unless the GNSO Council recommends pausing the program and such recommendation is approved by the Board.”

## Topic 5: Application Submission Limits

- Affirmation 5.1 of the SubPro Final Report states that: “In the 2012 application round, no limits were placed on the number of applications in total or from any particular entity. The Working Group is not recommending any changes to this practice and therefore affirms the existing implementation.”<sup>214</sup>
  - The proposal does not set an overall limit on applications but rather moderates the volume by managing how many can be processed at once.
  - The rationale for Affirmation 5.1 states that “The Working Group believes that if application submission limits are to be specified, that there must be a clear, fact-based justification for setting these limits and they must be consistent with underlying program goals and principles. Further, it must be operationally feasible to enforce any limits that are set.”

## Topic 6: RSP Pre-Evaluation

- The proposal for four annual rounds may require modifications to the implementation of the RSP Pre-Evaluation program, as described in [Appendix 6.1.4.1: Registry Service Provider \(RSP\) Pre-Evaluation Program](#). One example may be to evaluate RSPs once for the proposed group of four cycles, rather than in advance of each specific application opportunity as contemplated by Recommendation 6.5, which states that pre-evaluation occurs prior to each application round and only applies to that specific round, and that reassessment must occur prior to each subsequent application round. The cyclical round proposal structures a round according to four application cycles, and there may be some efficiencies to be gained by evaluating RSPs across the four cycles if consistent with the principle of the recommendation.

## Topic 17: Applicant Support

- The Applicant Support Program could be conducted as envisioned in the SubPro Final Report and ODA, with the submission of support applications in advance of the first application cycle. This would be followed by a compressed support application submission period prior to each subsequent cycle. Over the four-year period, capacity

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<sup>214</sup> The SubPro Final Report defines affirmations as an indication 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.” As affirmations could apply to previous policy guidance or to implementation guidance, ICANN org has applied them on a case-by-case basis. Affirmation 5.1 appears to be affirming an implementation element of the 2012 round, in which case ICANN org may propose to implement the item in a different manner and provide the rationale for such. Accordingly, the proposal would not represent a policy change.

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development, outreach, engagement, and communications could be ongoing to continuously increase awareness about both the New gTLD Program and the next opportunities for potential applicants to apply for support.

## Topic 19: Application Queuing

- The Working Group affirmed in Affirmation 19.1 the approach ultimately taken to application queuing during the 2012 round, in which ICANN conducted drawings to randomize the order of processing applications within an application window, with the possibility of making incremental adjustments to the efficiency of the process.
- Affirmation 19.2 provided that (emphasis added): “The Working Group acknowledges that continuing to use the randomized drawing approach is contingent upon local law and the ability of ICANN to obtain the necessary license to conduct such drawings, but **advises that ICANN must not under any circumstances attempt to create a “skills-based” system like “digital archery” to determine the processing order of applications in subsequent procedures.** This affirmation updates and replaces Implementation Guideline D from 2007 which recommended a first-come first served method of processing applications.”
- Recommendation 19.3 notes that “All applications must be processed on a rolling basis, based on assigned priority numbers,” and that the working group “affirms [the 2012 approach] by not recommending batches.” The proposal recommends processing based on priority numbers, but may require the use of batches in the event that the number of applications received exceeds the established processing capacity limit.
- The Working Group also recommended a specific formula for prioritizing IDN applications. While the principle of prioritizing IDN applications within each cycle could be retained in the cyclical round proposal, the exact formula specified in Recommendation 19.3 might need to be adjusted to support the approach for scheduled cycles and batches.

## Risk Implications

The most significant uncertainty with regard to future rounds is assessing demand. It is extremely challenging to build a sustainable set of services without an understanding of long term demand. While this proposal does not provide an understanding of minimum demand, allowing ICANN org to limit processing capacity allows the final design to be optimized at that level and attempts to limit over- or under- investing. Over-investing is a significant risk if such costs cannot be recovered, potentially threatening ICANN org’s financial condition.

The application fee could remain the same for all cycles within the next round. However, it is also possible that such fees may require adjustment as ICANN org gains experience with application processing over time. With gains in efficiencies, application fees may drop, while variations in application volume could result in an increase. By taking a conservative approach,

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ICANN org would be able to maintain the established fee level – unless it risks ICANN org’s financial stability or does not abide by the cost recovery principle in Affirmation with Modification 15.4.

As noted above, this proposal may create an advantage for applicants who have already engaged with ICANN over newcomers. On the other hand, having numerous cycles in short succession, coupled with continuous communications and outreach efforts, could increase awareness about the New gTLD Program while offering multiple opportunities to apply over the four years. This could reduce the rush to apply during the first cycle, resulting in greater overall engagement.

Shortening the implementation time frame to 18 months adds new risks and adjusts the existing risks to the program. These include:

- High levels of manual processing increase the risk of human error, potentially resulting in publishing an incorrect evaluation result or unequal treatment of an application. Mitigating this risk will require robust processes and procedures that detail steps and reasoning and limit the amount of exception processing that can occur. Additional staff will also be required in an oversight role to review processing results to catch errors and take corrective action.
- Delays in Board decisions or IRT feedback on key topics could result in ambiguity about which implementation approach should be enacted. This ambiguity will likely require additional time and resources to resolve, resulting in a longer implementation timeline and increasing the risk of ICANN org failing to open the application submission period within 18 months. The chance of this occurring can be somewhat mitigated by clarifying expectations with the Board or IRT and following an aggressive timeline to completion of the AGB. However, given experience in the implementation of policy recommendations, there is a high likelihood of timeline impacts due to the delayed resolution of some topics.
- Hiring and managing dozens of staff members in a very short period of time will require additional costs. The level of additional cost has not been estimated and could result in a substantially higher spend than was initially assessed in Option 1, where the work would be performed over five years.
- Should sufficient resources not be obtained prior to the beginning of implementation, the chance of missing key milestones and deadlines increases. This increases the risk of negative reputational impact for ICANN org as well as lower staff morale.

## Financial Implications

The most significant financial adjustments taken into account for Option 2 are the shorter timeline for program development and the level of investment in systems and tools for processing applications.

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## Timeline Implications

Decreasing time for the Program Development phase before the application submission period accelerates the project plan activities and requires more capability scaling and securing new hires at a faster pace than Option 1.

## System and Tools Implications

A lower upfront investment in systems and tools lowers program development costs significantly, by 50 percent, from Option 1. However, additional staff will need to be hired for application processing due to less automation. The incremental staff will also require extra infrastructure, training, and management, which increases program operations costs by four percent or \$7M over Option 1. Additional staff costs may be mitigated through batching and defining the capacity of applications being processed. Less automation creates more opportunities for errors and therefore increases the level of staffing needed to administer manual processes.

## Application Fee

The determination of the application fee has more implied variability due to the round processing. Fluctuations in demand and/or changes in policies and processes that may occur over cycles could change the baseline fee needed to maintain the program's cost neutrality. In order to maintain consistency in the Application Fee per round, this may drive either an excess or a deficit to the program, which will need to be assessed and possibly applied toward future rounds.

## Risks

Option 2 is designed to mitigate the financial risk to ICANN org associated with making a large investment in the program without knowing the true demand. The shortened program development timeline outlined in Option 2 could pose a risk if acquiring the required staff, resources, and services cannot be accelerated. Either ICANN org will need to spend a premium to obtain resources quickly, which will increase expenses, or extend the time frame and delay the application submission period. In addition, if any issues arise that need more consideration and extend the 18-month implementation window, costs could increase for the incremental work and time span.

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### Table A19-1. Program Financials By Cost Category - Option 2: Batching

<b>Estimated SubPro Financials Option 2: Batching</b>	<b>Option 2: Batching</b>
<b>USD in millions</b>	<b>Total \$</b>
# of Applications	2,000
New gTLD Applicant Fees	\$481.2
Applicant Support	(\$2.0)
Refunds	(\$72.2)
<b>Applicant Fees (Net of Refunds)</b>	<b>\$407.0</b>
Program Assessment (ODP)	(\$8.0)
Program Scope (Policy & IRT)	(\$6.9)
Program Development	(\$52.6)
<b>Development / Implementation</b>	<b>(\$67.4)</b>
<b>Initial and Extended Evaluation</b>	<b>(\$57.3)</b>
<b>Quality Control and Objection Processes</b>	<b>(\$15.4)</b>
<b>Pre-delegation</b>	<b>(\$14.7)</b>
<b>Program Operations</b>	<b>(\$176.0)</b>
<b>Risk / Unforeseen Costs</b>	<b>(\$76.2)</b>
<b>Total Program Costs</b>	<b>(\$339.6)</b>
<b>Total Program Costs</b>	<b>(\$407.1)</b>
<b>Program Excess/(Deficit)</b>	<b>(\$0.0)</b>
<b>Application Fee</b>	<b>\$ 240,600</b>

## Timing Implications

Option 2 includes consideration of an accelerated timeline, resulting in the application submission period occurring within 18 months after beginning implementation. To achieve this, a number of factors that were included in developing Option 1 would need to be adjusted. These adjustments may impact the scope and costs of executing the round.

## General Impact

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Option 2 assumes a timeline 70 percent shorter than the Option 1 base timeline developed in the ODA. To maintain the same scope in both options, addressing all outputs of the Final Report, the majority of development deliverables and activities of the Option 1 Implementation timeline will need to be compressed into the Option 2 timeline. Without cutting or delaying scope, ICANN org will need to organize an implementation team that can operate many times faster than assessed in Option 1. This additional capability will require more development, management, and administrative staff during the 18-month implementation timeline. This will put greater pressure on Human Resources to obtain the required resources, Procurement to engage the vendors, and org to onboard development staff before implementation begins.

### Policy Implementation Stage

This stage was envisioned to take approximately 24 months to complete, culminating in a new Applicant Guidebook, with an additional 6-12 months for public comment(s) and Board approval. This included Board decisions on some topics and IRT feedback on the implementation details for the SubPro Final Report outputs. Option 2 would require this work, including public comment(s) and Board approval, to be completed in 14 months. To achieve this, ICANN org would need to do extensive upfront work to begin with a draft Applicant Guidebook, and work with the community to design a streamlined review process. Lack of resolution on any areas would negatively impact the overall timeline, especially if the solution requires reworking a number of processes and procedures.

### Program Design Stage

This stage is expected to finish a few months after the completion of the Policy Implementation stage, as it requires Board decisions and IRT feedback to complete development of all the processes that will go into the Applicant Guidebook. Some of this work can begin immediately after implementation starts, primarily those processes where there is little to no change from the last round. Most of the process development will occur in parallel to the policy development work on the AGB, as many processes will require additional direction from the Board or feedback from the IRT, as noted in the description of the Policy Implementation stage. These processes will be completed after receiving those clarifications and feedback. As development of any systems and procedures first requires the development of its corresponding process, this process development work will be performed in stages. As processes are developed, they will be provided to the infrastructure development team to begin work on systems and procedures. This stage must be completed 15 months after implementation begins, a full year shorter than planned for in Option 1.

### Infrastructure Development Stage

To achieve the 18-month timeline, the smallest IT development option must be selected, as both

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the medium and large solution will take longer than 18 months. E&IT currently estimates that the smallest IT development option will take approximately 24 months. For portions of the systems needed to accept applications and communicate with applicants, the implementation timeline will need to be shortened further, to approximately 15 months, to allow ICANN org enough time to complete the Operationalization stage before opening the application submission period. Other systems would continue development during the application submission period.

The smallest IT development option, while shorter in time, shifts much of the program processing operations from automated systems to manual transactions. This adjustment will require an increase in the development efforts of processes and procedures to accommodate the lack of automation. More process architecture and development staff will be needed during the Program Design, Infrastructure Development, and the Operationalization stages to accomplish this.

### Operationalization Stage

This stage would need to be shortened from 18 months to 12 months in order to achieve the Option 2 timeline. As automated tools will not be used, more elaborate manual procedures must be developed, requiring additional staff during the shorter timeframe. ICANN org will also need to review existing processes and procedures for updates to address the new applicants and contracted parties that will result in the launch of the next round. All new and updated processes and procedures will need to be tested as a cohesive program prior to accepting applications. Additional staff to handle the 450 annual application capacity will need to be hired both within the New gTLD Program and across relevant functions in ICANN org (e.g., Contractual Compliance, Legal). At a minimum, a skeleton crew of staff fully trained in processes and procedures will need to be in place when the application submission period opens. This skeleton crew will train new staff as they are hired to meet processing capacity.

### Program Foundations

Both the Applicant Support Program and the RSP Pre-evaluation Program were envisioned to require more than three years to develop and begin operations 18 months before the opening of the Application Submission Window to allow applicants time to adjust their applications based upon the output of both programs. The shortened timeline of Option 2 will require that both programs complete development in 12 months and begin operating approximately six months prior to the opening of the application submission period.

### Other Considerations

One other possibility to achieve an overall shorter timeline and control costs would be to consider changes to the scope of the implementation. Eliminating or deferring some of the more difficult or complex outputs from the implementation plan could shrink the overall implementation workload, thereby requiring fewer resources (staff and vendors) and less time.



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Another approach would be to defer some of the implementation (e.g., contention resolution) to a later time after launch of the application submission period. This latter strategy would require fewer development staff as they could be reassigned to the deferred scope later.

## Next Steps

The alternative described above, and those provided below, offer a sampling of ways in which some issues might be addressed. However, this is not an exhaustive list and other options are certainly available. It is improbable that a “perfect” approach could be developed that addresses all concerns and risks while being able to promptly implement future rounds.

Potential next steps include:

1. Further discussion between ICANN org and the Board on the challenges and benefits of the different options.
2. Board consultation with the GNSO.
3. Determination of the top areas of focus that should be evaluated in developing a plan for implementation.
4. Development of one or more detailed alternate plans.
5. Development of a financial model that estimates required investment and program costs for Option 2 or a different alternate path.

## Other Considerations

The remainder of this section outlines several alternatives that ICANN org considered in relation to managing the development of processes, systems, and resources vis-a-vis the unknown variable of application volume. These alternatives are based upon the latest analysis and past practice and provide some further elements that could be explored, with the intent to stimulate discussion. In general, most solutions fall into one of two methods: a single release or several iterative releases. These concepts can be incorporated into virtually any delivery plan.

The first approach, sometimes called a “big bang,” plans for a single release in which everything is delivered at once. This description can be applied to the “High Investment” model described in the [Systems](#) section. Such an approach can be risky, as any part of the program that runs into unexpected issues can delay the entire deliverable, but seeks to deliver a comprehensive set of functionality in a single event.

With the second approach, elements can be delivered iteratively, in which smaller releases occur over time. This allows for a constant evolution of the program’s capabilities while reducing some risks including financial and timeline risks. It would also spread costs and effort over a longer period of time. An example of this evolution could start with the “Medium Investment” version (as noted in the [Systems](#) section) and enhance capabilities over time until it eventually



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reaches the capabilities of the high-investment model. This reduces initial investment and the associated risks, and instead allows the investment to be financed by application fees because such enhanced functionality could be added after applications are received.

## Other Round Design Alternatives

The greatest risk in considering resource investment and infrastructure is unknown demand. While there is a working assumption that the next round will receive 2,000 applications, there is no way to know what the actual demand will be until the application submission period is completed. Demand could be significantly lower, even though there have been estimates in the ICANN community for as high as 25,000 applications.

Given this unknown and the drastic impacts it may have, several variations could be considered for redesigning how and when applicants are engaged. Some of these variations divert from prior practice and may be in conflict with some SubPro Final Report outputs. Alternatively, some of these variations could be incorporated into Option 1 or Option 2.

### 1. Expression of Interest

Add an expression of interest phase to implementation. This phase could take several different forms, but a simple option would be to allow applicants to identify themselves and place a deposit per application for the next round. In return, those that expressed an interest might receive a higher priority for application processing or a discount on total fees.

**Benefits:** This would provide an estimate of expected volume, as well as funds upon which the program could be partially built, thus reducing financial risk to ICANN org. Better understanding the expected volume would provide ICANN org the opportunity to develop the ideal systems and processes to support the program. ICANN org would be able to prepare for subsequent program steps while applications are being processed. For example, requests for proposals to select vendors could be prepared and ready for release once application volume estimates are known.

**Challenges:** The benefit of placing a deposit in return for higher priority does not follow Topic 19 outputs, but may be needed to incentivize applicants to provide a deposit. Such an approach might be seen as giving priority to applicants within ICANN's community over newcomers, or allowing well-funded applicants to "skip the line." Additionally, Expressions of Interest will only demonstrate partial demand.

### 2. Two Phases of Development

Accept applications prior to developing application processing methods and operations.

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This approach would require the application questions and criteria to be available and implemented into an application system.

**Benefits:** Demand would be completely understood. The design and resources needed for the round would be fit for purpose with greater certainty. ICANN org would have sufficient funds to develop the most intensive parts of the round processing while significantly reducing financial and operational risks to ICANN org. Because much of the operational work would occur after application fees are resolved, ICANN org would be able to rely on those funds to finance the remaining program implementation.

**Challenges:** The approach is a significant departure from prior practice and is contrary to some SubPro Final Report outputs, such as Recommendation 19.3, which establishes the formula for application prioritization. This could have an impact on the planned implementation of the Applicant Support Program and RSP Pre-Evaluation, as those components are anticipated to complete prior to the receipt of gTLD applications. Those components may need to be reorganized as well. Another significant impact of this approach would be on applicants who may face uncertainty with regard to how much time application evaluation may require.

### 3. Prioritize Straightforward Applications

Develop a definition for applications that are simple and eligible for a “fast track” of processing. Fast-track applications could be defined during implementation and might include applications that are not in contention or are not subject to certain other lengthy processes. Fast-track applications could be processed first, followed by more complex and time-consuming applications. A significant percentage of applications received in the 2012 round moved through the round relatively easily. Exception processing, i.e., those applications that require effort beyond application of standard rules, typically results in delays and higher costs overall.

**Benefits:** If the program prioritization was based on an optimized path for straightforward applications, many applicants could complete the program more quickly than if processing order was determined by random prioritization.

**Challenges:** Such prioritization based on the nature of the application does not follow Topic 19 outputs. Design and implementation of exception processing capabilities would only be designed and funded after application fees have been received, creating a short-term delay and concerns with regard to predictability for potential applicants.

### 4. Multi-Round Development

Implement recommendations throughout two to three rounds. As noted, the 2012 round systems and procedures are not usable for future rounds, but the 2012 round AGB may

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serve as a basis for the development of future rounds. Using the experience and elements of that round may speed implementation of the next round. One example of a potential reduction in effort could be updating limited aspects of the 2012 application questions to address changes in technology, such as the Registration Data Access Protocol (RDAP), but only re-engineering some questions to become pass/fail. This approach would limit the changes needed before public comment and reduce the cost and effort to acquire vendors because the vendor effort and scope would be better known.

Suggested next steps for this approach may include conducting a review of SubPro Final Report outputs and creating a proposed plan to implement those outputs over several rounds. It may be efficient to implement related outputs in a particular round, but specific outputs could also be prioritized.

**Benefits:** This approach may reduce the time required to open the application submission period. It also reduces the cost that ICANN org would need to absorb before accepting application fees, thus reducing financial risk. It also could allow for additional discussion of some topics that did not receive consensus and/or other policy development work to complete while the next round could start.

**Challenges:** The next several rounds would feature potentially significant changes between rounds, thus impacting predictability for applicants. This may be offset by increased communication ahead of each round for transparency around expected changes. Another mitigation is that it is logical to assume that some changes would occur between rounds in the future. Knowing that changes will occur will offer the opportunity to develop (and iterate upon) effective change management mechanisms.

# Index

## Index by Topic

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Overarching Issues			
1	Continuing Subsequent Procedures	Section 2.9	<ul style="list-style-type: none"> <li>• <a href="#">Communications, Global Engagement, and Inclusion</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 1: Continuing Subsequent Procedures</a></li> </ul>
2	Predictability Framework	Sections 1.3, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Executive Summary (Operational Considerations)</a></li> <li>• <a href="#">Governance</a></li> <li>• <a href="#">Predictability Framework</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Appendix 17: Predictability</a></li> <li>• <a href="#">Topic 2: Predictability</a></li> <li>• <a href="#">Topic 4: Different TLD Types</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> </ul>
3	Applications Assessed in Rounds	Sections 2.1, & 2.9	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 1: Assumptions</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 3: Applications Assessed in Rounds</a></li> </ul>
4	Different TLD Types	Sections 2.1, & 2.2	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 4: Different TLD Types</a></li> <li>• <a href="#">Topic 9: Registry Voluntary Commitments/Public Interest Commitments</a></li> <li>• <a href="#">Topic 27: Applicant Reviews</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Direct vs Indirect Contention</a></li> </ul>
5	Application Submission Limits	Sections 2.1, 2.9, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> </ul>
6	Registry Service Provider Pre-Evaluation	Sections 2.1, & 2.4	<ul style="list-style-type: none"> <li>• <a href="#">Document Overview</a></li> <li>• <a href="#">Registry Service Provider Pre-Evaluation</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 6: Registry Service Provider Pre-Evaluation</a></li> <li>• <a href="#">Topic 32: Limited Challenge/Appeal Mechanism</a></li> </ul>

Topic #	Final Report Topic	Scoping Document Section (Non-Exhaustive)	ODA Section (Non-Exhaustive)
7	Metrics and Monitoring	Section 1.1	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 7: Metrics and Monitoring</a></li> </ul>
8	Conflicts of Interest	Section 9	<ul style="list-style-type: none"> <li>• <a href="#">Dependencies (analysis)</a></li> <li>• <a href="#">Vendors and Third Parties (analysis)</a></li> <li>• <a href="#">Vendors and Third Parties (risks)</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 8: Conflicts of Interest</a></li> <li>• <a href="#">Topic 17: Applicant Support</a></li> <li>• <a href="#">Conflicts of Interest Policies and Mechanisms</a></li> </ul>
Foundational Issues			
9	Registry Voluntary Commitment/Public Interest Commitments	Sections 4, & 10	<ul style="list-style-type: none"> <li>• <a href="#">Executive Summary (Unresolved Issues)</a></li> <li>• <a href="#">Issues</a></li> <li>• <a href="#">Dependencies (analysis)</a></li> <li>• <a href="#">Vendors and Third Parties (analysis)</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 2: Predictability</a></li> <li>• <a href="#">Appendix 17: Predictability</a></li> <li>• <a href="#">Topic 9: Registry Voluntary Commitments/Public Interest Commitments</a></li> <li>• <a href="#">Topic 24: String Similarity Evaluations</a></li> <li>• <a href="#">Topic 33: Dispute Resolution Proceedings After Delegation</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Applicable Evaluations</a></li> <li>• <a href="#">GAC Early Warning</a></li> <li>• <a href="#">Addressing Advice and Objections</a></li> <li>• <a href="#">Application Change Request Processing</a></li> <li>• <a href="#">Contracting Process</a></li> <li>• <a href="#">Responses to the GNSO Final Report Regarding Systems and Tools</a></li> </ul>
10	Applicant Freedom of Expression	Section 3.4	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 10: Applicant Freedom of Expression</a></li> </ul>
11	Universal Acceptance	Section 3.3	<ul style="list-style-type: none"> <li>• <a href="#">Communications, Global Engagement, and Inclusion</a></li> <li>• <a href="#">Communications, Global Engagement, and Inclusion (analysis)</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 11: Universal Acceptance</a></li> </ul>

Topic #	Final Report Topic	Scoping Document Section (Non-Exhaustive)	ODA Section (Non-Exhaustive)
			<ul style="list-style-type: none"> <li>• <a href="#">Appendix 4: Dependencies</a></li> <li>• <a href="#">Appendix 9: Systems and Tools Assessment</a></li> <li>• <a href="#">Responses to the GNSO Final Report Regarding Systems and Tools</a></li> <li>• <a href="#">Responses to Scoping Document Questions Related to Systems and Tools</a></li> </ul>
Pre-Launch Activities			
12	Applicant Guidebook	Sections 2.6, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Executive Summary (Unresolved Issues)</a></li> <li>• <a href="#">Background</a></li> <li>• <a href="#">Dependencies (analysis)</a></li> <li>• <a href="#">Timeline</a></li> <li>• <a href="#">Predictability Framework</a></li> <li>• <a href="#">Appendix 17: Predictability</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 3: Applications Assessed in Rounds</a></li> <li>• <a href="#">Topic 12: Applicant Guidebook</a></li> <li>• <a href="#">Topic 27: Applicant Reviews</a></li> <li>• <a href="#">Topic 30: GAC Consensus Advice and GAC Early Warning</a></li> <li>• <a href="#">Topic 35: Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets</a></li> <li>• <a href="#">gTLD Application Submission</a></li> <li>• <a href="#">Application Publication</a></li> <li>• <a href="#">Contracting Information Request</a></li> <li>• <a href="#">Appendix 4: Dependencies</a></li> <li>• <a href="#">Responses to the GNSO Final Report Regarding Systems and Tools</a></li> </ul>
13	Communications	Sections 2.6, 3.1, 3.2, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Topic 13: Communications</a></li> <li>• <a href="#">Communications, Global Engagement, and Inclusion</a></li> </ul>
14	Systems	Sections 2.1, 2.4, 2.8, 5, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Systems and Tools</a></li> <li>• <a href="#">Topic 14: Systems</a></li> <li>• <a href="#">Appendix 9: Systems and Tools Assessment</a></li> </ul>
Application Submission			
15	Application Fees	Section 8	<ul style="list-style-type: none"> <li>• <a href="#">Topic 15: Application Fees</a></li> <li>• <a href="#">Application Fees</a></li> </ul>

Topic #	Final Report Topic	Scoping Document Section (Non-Exhaustive)	ODA Section (Non-Exhaustive)
			<ul style="list-style-type: none"> <li>• <a href="#">Finance (analysis)</a></li> </ul>
16	Application Submission Period	Section 2.1	<ul style="list-style-type: none"> <li>• <a href="#">Timeline</a></li> <li>• <a href="#">Topic 16: Application Submission Period</a></li> <li>• <a href="#">gTLD Application Submission</a></li> </ul>
17	Applicant Support	Sections 2.1, 2.2, & 3.2	<ul style="list-style-type: none"> <li>• <a href="#">Executive Summary</a></li> <li>• <a href="#">Finance</a></li> <li>• <a href="#">Finance (analysis)</a></li> <li>• <a href="#">Vendors and Third Parties (analysis)</a></li> <li>• <a href="#">Resources and Staffing (analysis)</a></li> <li>• <a href="#">Communications, Global Engagement, and Inclusion</a></li> <li>• <a href="#">Communications, Global Engagement, and Inclusion (analysis)</a></li> <li>• <a href="#">Communications, Global Engagement, and Inclusion (risks)</a></li> <li>• <a href="#">Applicant Support Program (Program Foundations)</a></li> <li>• <a href="#">Topic 17: Applicant Support</a></li> <li>• <a href="#">Topic 32: Limited Challenge/Appeal Mechanism</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Common Concepts</a></li> <li>• <a href="#">Application Systems</a></li> <li>• <a href="#">Sub-Programs</a></li> <li>• <a href="#">Applicant Support Program (Sub-Programs)</a></li> <li>• <a href="#">Applicant Support Program Application Process (Sub-Programs)</a></li> <li>• <a href="#">Application Fees (gTLD Application Submission)</a></li> <li>• <a href="#">Appendix 9: Systems and Tools Assessment</a></li> </ul>
18	Terms and Conditions	Sections 8, 9, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Executive Summary (Unresolved Issues)</a></li> <li>• <a href="#">Issues</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 18: Terms and Conditions</a></li> </ul>
Application Processing			
19	Application Queuing	Sections 2.1, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 19: Application Queuing</a></li> </ul>
20	Application Change	Sections 2.1, 7.1, &	<ul style="list-style-type: none"> <li>• <a href="#">Systems and Tools (analysis)</a></li> </ul>

Topic #	Final Report Topic	Scoping Document Section (Non-Exhaustive)	ODA Section (Non-Exhaustive)
	Requests	12.1	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 3: Applications Assessed in Rounds</a></li> <li>• <a href="#">Topic 20: Application Change Requests</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">gTLD Application Prioritization</a></li> <li>• <a href="#">Application Comment Period Opens</a></li> <li>• <a href="#">Objections</a></li> <li>• <a href="#">Application Change Request Processing</a></li> </ul>
Application Evaluation/Criteria			
21	Reserved Names	Section 2.2	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 21: Reserved Names</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Applicable Evaluations</a></li> </ul>
22	Registrant Protections	Section 2.2	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 22: Registrant Protections</a></li> <li>• <a href="#">Topic 27: Applicant Reviews</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> </ul>
23	Closed Generics	Sections 2.2, 10.5, & 10.6	<ul style="list-style-type: none"> <li>• <a href="#">Executive Summary (Unresolved Issues)</a></li> <li>• <a href="#">Issues</a></li> <li>• <a href="#">Dependencies (analysis)</a></li> <li>• <a href="#">Timeline (risks)</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 23: Closed Generics</a></li> <li>• <a href="#">Appendix 18: Community Updates and Engagements</a></li> </ul>
24	String Similarity Evaluations	Sections 2.2	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 24: String Similarity Evaluations</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> </ul>
25	Internationalized Domain Names (IDNs)	Sections 2.1, 2.2, & 3.4	<ul style="list-style-type: none"> <li>• <a href="#">Communications, Global Engagement, and Inclusion</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 25: Internationalized Domain Names (IDNs)</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Relevant Community Work</a></li> <li>• <a href="#">Responses to the GNSO Final Report Regarding Systems and Tools</a></li> <li>• <a href="#">Responses to Scoping Document Questions</a></li> </ul>



Topic #	Final Report Topic	Scoping Document Section (Non-Exhaustive)	ODA Section (Non-Exhaustive)
			<a href="#">Related to Systems and Tools</a>
26	Security and Stability	Sections 2.8, & 9.6	<ul style="list-style-type: none"> <li>• <a href="#">Security and Stability</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 26: Security and Stability</a></li> <li>• <a href="#">Evaluation Results</a></li> <li>• <a href="#">Contention Set Management and Resolution</a></li> <li>• <a href="#">Appendix 13: Risk Assessment</a></li> </ul>
27	Applicant Reviews	Section 2.2	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 27: Applicant Reviews</a></li> </ul>
28	Role of Applicant Comment	Section 2.1	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 28: Role of Applicant Comment</a></li> </ul>
29	Name Collisions	Sections 2.2, & 10	<ul style="list-style-type: none"> <li>• <a href="#">Dependencies Related to Advisory Committee Advice or Review Team Recommendations</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 29: Name Collisions</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Name Collision</a></li> <li>• <a href="#">Relevant Community Work</a></li> </ul>
Dispute Proceedings			
30	GAC Consensus Advice and GAC Early Warnings	Sections 1.4, & 2.1	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 30: GAC Consensus Advice and GAC Early Warning</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Dependencies (analysis)</a></li> <li>• <a href="#">Application Comment Period Opens</a></li> <li>• <a href="#">GAC Early Warning</a></li> </ul>
31	Objections	Section 2.3	<ul style="list-style-type: none"> <li>• <a href="#">Executive Summary</a></li> <li>• <a href="#">Finance (analysis)</a></li> <li>• <a href="#">Systems and Tools (analysis)</a></li> <li>• <a href="#">Timeline (analysis)</a></li> <li>• <a href="#">Data Protection and Privacy</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 8: Conflicts of Interest</a></li> <li>• <a href="#">Topic 31: Objections</a></li> <li>• <a href="#">Topic 32: Limited Challenge/Appeal Mechanism</a></li> </ul>

Topic #	Final Report Topic	Scoping Document Section (Non-Exhaustive)	ODA Section (Non-Exhaustive)
			<ul style="list-style-type: none"> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Application Fees</a></li> <li>• <a href="#">Application Comment Period Opens</a></li> <li>• <a href="#">Application Evaluation</a></li> <li>• <a href="#">Applicable Evaluations</a></li> <li>• <a href="#">Dispute Resolution</a></li> <li>• <a href="#">Objections</a></li> <li>• <a href="#">GAC Advice</a></li> <li>• <a href="#">Addressing Advice and Objections</a></li> <li>• <a href="#">Application Change Request Processing</a></li> <li>• <a href="#">Attain Eligibility</a></li> </ul>
32	Limited Challenge/Appeal Mechanism	Section 2.3	<ul style="list-style-type: none"> <li>• <a href="#">Issues</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 17: Applicant Support</a></li> <li>• <a href="#">Topic 32: Limited Challenge/Appeal Mechanism</a></li> <li>• <a href="#">RSP Pre-Evaluation Application Process</a></li> <li>• <a href="#">Applicant Support Program Application Process</a></li> <li>• <a href="#">Application Evaluation</a></li> <li>• <a href="#">Applicable Evaluations</a></li> <li>• <a href="#">Limited Challenge Mechanism</a></li> <li>• <a href="#">Proposed Optimization</a></li> <li>• <a href="#">Evaluation Results</a></li> <li>• <a href="#">Addressing Advice and Objections</a></li> <li>• <a href="#">Panelist Code of Conduct</a></li> <li>• <a href="#">Complete Deferred Background Screening</a></li> <li>• <a href="#">Proposed Optimization</a></li> <li>• <a href="#">Appendix 9: Systems and Tools Assessment</a></li> </ul>
33	Dispute Resolution Proceedings After Delegation	Section 2.3	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 8: Conflicts of Interest</a></li> <li>• <a href="#">Topic 33: Dispute Resolution Proceedings After Delegation</a></li> </ul>
String Contention Resolution			
34	Community Applications	Sections 2.1, 2.2, & 2.3	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 4: Different TLD Types</a></li> <li>• <a href="#">Topic 34: Community Applications</a></li> <li>• <a href="#">Applicable Evaluations</a></li> <li>• <a href="#">Direct vs Indirect Contention</a></li> </ul>

Topic #	Final Report Topic	Scoping Document Section (Non-Exhaustive)	ODA Section (Non-Exhaustive)
			<ul style="list-style-type: none"> <li>• <a href="#">Appendix 13: Risk Assessment</a></li> </ul>
35	Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets	Sections 2.3, 10.5, & 10.6	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 35: Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets</a></li> <li>• <a href="#">Direct vs Indirect Contention</a></li> <li>• <a href="#">Appendix 13: Risk Assessment</a></li> </ul>
Contracting			
36	Base Registry Agreement	Sections 2.4, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Registry Agreement</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 4: Different TLD Types</a></li> <li>• <a href="#">Topic 17: Applicant Support</a></li> <li>• <a href="#">Topic 21: Reserved Names</a></li> <li>• <a href="#">Topic 24: String Similarity Evaluations</a></li> <li>• <a href="#">Topic 36: Base Registry Agreement</a></li> <li>• <a href="#">Applicant Support Program (Sub-Programs)</a></li> <li>• <a href="#">Contracting Process</a></li> <li>• <a href="#">Appendix 15: RSP Pre-Approval, Technical Evaluation, and RST Processes</a></li> </ul>
37	Registrar Non-Discrimination / Registry/Registrar Standardization	Section 2.4	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 37: Registrar Non-Discrimination / Registry/Registrar Standardization</a></li> </ul>
38	Registrar Support for New gTLDs	Section 2.4	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 38: Registrar Support for New gTLDs</a></li> </ul>
Pre-Delegation			
39	Registry System Testing	Section 2.4	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 39: Registry System Testing</a></li> <li>• <a href="#">RSP Pre-Evaluation Application Process</a></li> <li>• <a href="#">Onboarding</a></li> <li>• <a href="#">Appendix 9: Systems and Tools Assessment</a></li> <li>• <a href="#">Appendix 15: RSP Pre-Approval, Technical Evaluation, and RST Processes</a></li> </ul>
Post-Delegation			

Topic #	Final Report Topic	Scoping Document Section (Non-Exhaustive)	ODA Section (Non-Exhaustive)
40	TLD Rollout	Section 2.5	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 40: TLD Rollout</a></li> </ul>
41	Contractual Compliance	Sections 4, 7.1, & 12.1	<ul style="list-style-type: none"> <li>• <a href="#">Contractual Compliance</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Topic 41: Contractual Compliance</a></li> <li>• <a href="#">Applicable Evaluations</a></li> <li>• <a href="#">Contracting Information Request</a></li> <li>• <a href="#">Post-Contracting</a></li> <li>• <a href="#">Contractual Compliance (Post-Contracting)</a></li> <li>• <a href="#">Appendix 9: Systems and Tools Assessment</a></li> </ul>

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Sub Pro ODP Scoping Document Sections	ODA Section(s) (non-exhaustive)
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Section 1.1. ICANN Board and Org Governance Structure	<ul style="list-style-type: none"> <li>• <a href="#">ICANN Board and Governance Structure</a></li> </ul>
Section 1.2. Implementation Review Team (IRT)	<ul style="list-style-type: none"> <li>• <a href="#">Implementation Review Team (IRT)</a></li> </ul>
Section 1.3. Predictability Framework and the Standing Predictability Implementation Review Team (SPIRT)	<ul style="list-style-type: none"> <li>• <a href="#">Predictability Framework</a></li> <li>• <a href="#">Appendix 17: Predictability</a></li> <li>• <a href="#">Topic 2: Predictability</a></li> </ul>
Section 2. Processing and Operations: Application, New Registry Operator, and Other Related Support	
Section 2.1. Application Submission and Processing	<ul style="list-style-type: none"> <li>• <a href="#">Business Process Design: Application Submission and Processing</a></li> <li>• <a href="#">Business Process Design: Program Foundations</a></li> <li>• <a href="#">Business Process Design: Dispute Resolution</a></li> <li>• <a href="#">Topic 6: Registry Service Provider Pre-Evaluation Program</a></li> <li>• <a href="#">Topic 17: Applicant Support</a></li> <li>• <a href="#">Topic 30: GAC Consensus Advice and GAC Early Warnings</a></li> </ul>
Section 2.2. Application Evaluation	<ul style="list-style-type: none"> <li>• <a href="#">Business Process Design: Application Evaluation</a></li> <li>• <a href="#">Topic 24: String Similarity Evaluations</a></li> <li>• <a href="#">Topic 27: Applicant Reviews</a></li> </ul>
Section 2.3. Dispute Resolution and Contention Resolution Mechanisms	<ul style="list-style-type: none"> <li>• <a href="#">Business Process Design: Dispute Resolution</a></li> <li>• <a href="#">Business Process Design: Program Operations</a></li> <li>• <a href="#">Topic 32: Limited Challenge/Appeal Mechanism</a></li> <li>• <a href="#">Topic 33: Dispute Resolution Proceedings after Delegation</a></li> <li>• <a href="#">Topic 34: Community Applications</a></li> <li>• <a href="#">Topic 35: Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets</a></li> </ul>
Section 2.4. Transition to Delegation, and Delegation	<ul style="list-style-type: none"> <li>• <a href="#">Overarching Considerations: Registry Agreement</a></li> <li>• <a href="#">Business Process Design: Contracting</a></li> <li>• <a href="#">Business Process Design: Post-Contracting</a></li> </ul>
Section 2.5. gTLD Start-Up and Onboarding	<ul style="list-style-type: none"> <li>• <a href="#">Business Process Design: Post-Contracting</a></li> </ul>
Section 2.6. Application Round Communications, Resource Materials, and Documentation	<ul style="list-style-type: none"> <li>• <a href="#">Overarching Considerations: Global Engagement, Linguistic Support and Localization</a></li> </ul>
Section 2.7. Data Protection/Privacy	<ul style="list-style-type: none"> <li>• <a href="#">Overarching Considerations: Data Protection and Privacy</a></li> </ul>
Section 2.8. Security and Stability	<ul style="list-style-type: none"> <li>• <a href="#">Overarching Considerations: Security and Stability</a></li> </ul>
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Sub Pro ODP Scoping Document Sections	ODA Section(s) (non-exhaustive)
Section 3. Global Engagement, Linguistic Support, and Localization	
Section 3.1. Global Engagement, Awareness and Communications	<ul style="list-style-type: none"> <li>• <a href="#">Overarching Considerations: Communications, Global Engagement, and Inclusion</a></li> </ul>
Section 3.2. Applicant Support Program	<ul style="list-style-type: none"> <li>• <a href="#">Overarching Considerations: Communications, Global Engagement, and Inclusion</a></li> <li>• <a href="#">Topic 17: Applicant Support</a></li> </ul>
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Section 4. ICANN Contractual Compliance	
Section 4. ICANN Contractual Compliance	<ul style="list-style-type: none"> <li>• <a href="#">Overarching Considerations: Contractual Compliance</a></li> <li>• <a href="#">Topic 41: Contractual Compliance</a></li> <li>• <a href="#">Business Process Design: Post-Contracting</a></li> </ul>
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Section 5. Systems and Tools	<ul style="list-style-type: none"> <li>• <a href="#">Operational Considerations: Systems and Tools</a></li> <li>• <a href="#">Appendix 9: Systems and Tools</a></li> </ul>
Section 6. Vendors and Third Parties	
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Section 7. Resources and Staffing	
Section 7. Resources and Staffing	<ul style="list-style-type: none"> <li>• <a href="#">Operational Considerations: Resources and Staffing</a></li> </ul>
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Section 9. Risks	<ul style="list-style-type: none"> <li>• <a href="#">Operational Considerations: Risks</a></li> <li>• <a href="#">Appendix: Risks</a></li> <li>• <a href="#">Dependencies: Risks</a></li> <li>• <a href="#">Finance: Risks</a></li> <li>• <a href="#">Systems and Tools: Risks</a></li> <li>• <a href="#">Vendors and Third Parties: Risks</a></li> <li>• <a href="#">Resources and Staffing: Risks</a></li> <li>• <a href="#">Timeline: Risks</a></li> </ul>

Sub Pro ODP Scoping Document Sections	ODA Section(s) (non-exhaustive)
	<ul style="list-style-type: none"> <li>• <a href="#">Governance: Risks</a></li> <li>• <a href="#">Communications, Global Engagement, and Inclusion: Risks</a></li> </ul>
Section 10. Dependencies and Prerequisites	
Section 10. Dependencies and Prerequisites	<ul style="list-style-type: none"> <li>• <a href="#">Dependencies</a></li> <li>• <a href="#">Issues</a></li> <li>• <a href="#">Appendix 3: Policy Analysis</a></li> <li>• <a href="#">Operational Considerations: Timeline</a></li> </ul>
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Section 12. Timeline	<ul style="list-style-type: none"> <li>• <a href="#">Operational Considerations: Timeline</a></li> <li>• <a href="#">Topic 6: Registry Service Provider Pre-Evaluation</a></li> <li>• <a href="#">Topic 17: Applicant Support</a></li> <li>• <a href="#">Business Process Design: Program Foundations</a></li> </ul>

## Glossary

Term	Acronym	Definition
2012 Round		An application round that accepted gTLD applications in 2012. See Application Round.
A-label		The ASCII form of an IDN label. All operations defined in the DNS use A-labels exclusively.
Accountability mechanisms		Mechanisms established in the ICANN Bylaws that enable review and reconsideration of ICANN's actions. These mechanisms are: the Empowered Community, Reconsideration, the Independent Review Process, and the Ombudsman.
Administrative Completeness Check		A manual process by which applications are reviewed to ensure that applications are complete. This occurs prior to prioritization.
Advice		Input to the ICANN Board provided by an Advisory Committee.
Advisory Committee	AC	A formally recognized body, under the ICANN Bylaws, charged with advising the ICANN Board on policies within ICANN's mission and scope. The Bylaws recognize four ACs: the At-Large Advisory Committee, the Governmental Advisory Committee, the Root Server System Advisory Committee, and the Security and Stability Advisory Committee.
Affirmations		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.
Affirmations with Modifications		Similar to affirmations, but used in cases where the Working Group recommends a relatively small adjustment to the 2012 New gTLD Program's policies or implementation.
American Standard Code for Information Interchange	ASCII	A character encoding based on the English alphabet.
Appeals process		See Limited Challenge/Appeal.



Term	Acronym	Definition
Applicant		An entity that has applied to ICANN for a new gTLD by submitting its application during the application submission period.
Applicant Guidebook	AGB	The gTLD Applicant Guidebook currently in effect, describing the requirements of the application and evaluation processes.
Applicant Support Program	ASP	A separate program from the gTLD application process, it offers a reduction in ICANN fees related to the New gTLD Program to qualified applicants with demonstrated financial need.
Application		An application for a new gTLD lodged in connection with the terms and conditions of the Applicant Guidebook. An application includes the completed Application Form, any supporting documents, and any other information that may be submitted by the applicant at ICANN's request.
Application Form		The set of questions to which applicants provide responses. In the 2012 round it was included as an attachment to Module 2 of the Applicant Guidebook.
Application priority		Each application will receive a priority number during each round. The priority number establishes the order of processing for all applications in a round.
Application round		The complete succession of stages for processing the applications received during one application submission period for gTLDs. The terms and conditions of the Applicant Guidebook are for one application round. Any subsequent application rounds will be subject to updated guidebook information.
Application submission period		The time range during which applications may be created and submitted.
Application system		A system that allows applicants to securely submit information required to apply for one or more components of the New gTLD Program. This may include Applicant Support Program applicants, Registry Service Provider Pre-

Term	Acronym	Definition
		Evaluation applicants, and gTLD applicants.
Applied-for gTLD string		A string that is the subject of a gTLD application.
Assumptions		A statement developed in a planning process to address areas of uncertainty. Assumptions are often used as building blocks in complex projects and are specifically stated so that there is a shared understanding.
Auction		A method for allocating property or goods to the highest bidder.
Auction of last resort		An auction conducted by ICANN org according to the process described in the Applicant Guidebook when attempts at resolving a string contention do not produce a clear winner. The auction proceeds are destined for the ICANN Auction Fund.
.brand TLD		A designation for a TLD that is operated by and for an entity under its trademarked name as outlined in the entity's Registry Agreement with ICANN. To qualify as a .brand TLD, a registry operator must apply for the .brand TLD designation and the brand's trademark must be recorded in the Trademark Clearinghouse.
<a href="#">CCT Final Report</a>		The Competition, Consumer Trust, and Consumer Choice Review Final Report Dated 8 September 2018
Cross-Community Working Group on Enhancing ICANN Accountability Work Stream 2	CCWG-Accountability WS2	The second phase of the Cross-Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) focused on topics whose implementation was not required for the successful IANA Stewardship Transition, including: Diversity; Guidelines for Standards of Conduct Presumed to be in Good Faith Associated with Exercising Removal of Individual ICANN Board Directors (Guidelines for Good Faith); Human Rights Framework of Interpretation (HR-FOI) Jurisdiction; Ombuds (or Office of the Ombuds, or IOO); Reviewing the Cooperative Engagement Process (CEP) –

Term	Acronym	Definition
		(Merged into the Independent Review Process – Implementation Oversight Team (IRP-IOT) in June 2017); SO/AC Accountability; Staff Accountability; Transparency.
Centralized Zone Data Service	CZDS	A central online access point where interested parties can request access to the zone files provided by participating gTLDs. A zone file contains information about the domain names that are active in a particular gTLD. All new gTLD registry operators are required to provide zone data as described in their Registry Agreement with ICANN.
Clarifying question	CQ	An evaluation panel may issue clarifying questions to obtain more information from an applicant.
Closed generic		According to the SubPro Policy Development Process Working Group's Final Report, a closed generic is "a TLD representing a string that is a generic name or term under which domains are registered and usable exclusively by the registry operator or its affiliates."
Community		The ICANN follows a multistakeholder model in which individuals, non-commercial stakeholder groups, industry, and governments collectively called the ICANN community, play important roles in its community-based, consensus-driven, policy-making approach.
Community application		An application that applies for a gTLD string with an intended use of being operated for the benefit of a clearly delineated community. Such a designation is entirely at the discretion of the applicant.
Community-based gTLD		A community-based gTLD is operated for the benefit of a clearly delineated community. An applicant designating its application as community-based must be prepared to substantiate its status as representative of the community it names in the application.
Community Objection		An objection made on the grounds that there is

Term	Acronym	Definition
		substantial opposition to a gTLD application from a significant portion of the community to which the gTLD string may be explicitly or implicitly targeted.
Community Priority Evaluation	CPE	A process by which to resolve string contention, which may be elected by a community-based applicant.
Community Review and Action Period		Formerly known as the Objection Filing Period, this time period refers to the first 90 days after applications have been published. This period allows for comments to be submitted, objections to be filed, and GAC Early Warning notices to be issued.
Competition, Consumer Trust, and Consumer Choice Review	CCT Review	A periodic review required by the ICANN Bylaws to examine the extent to which the New gTLD Program has promoted competition, consumer trust, and consumer choice. Besides assessing the overall effectiveness of the program's application and evaluation processes, this review also evaluates the safeguards that are in place to mitigate issues that arise. A CCT Review is performed after an application round has been in operation for one year.
Consensus policy		A policy created through the GNSO policy development process listed in <a href="#">Annex A of the ICANN Bylaws</a> . A list of current consensus policies is available at <a href="http://www.icann.org/en/general/consensus-policies.htm">http://www.icann.org/en/general/consensus-policies.htm</a> .
<a href="#">Consensus Policy Implementation Framework</a>	CPIF	A five-stage process that the ICANN organization follows to implement consensus policies. The CPIF is designed to support predictability, accountability, transparency, and efficiency.
Contention		See Contention set.
Contention set		A group of applications containing identical or similar applied-for gTLD strings.
Continued Operations	COI	A financial instrument defined in Specification 8

Term	Acronym	Definition
Instrument		of the base Registry Agreement that establishes funding in the event of a failure of critical functions for a limited period after the effective date of the Registry Agreement.
Controlled interruption		A state that newly delegated gTLDs need to establish for at least 90 days during which a specific response is provided for all queries to that top-level domain to help users understand that a name collision has occurred.
Country code top-level domain	ccTLD	The class of top-level domains reserved for use by countries, territories, and geographical locations identified in the ISO 3166-1 Country Codes list. See <a href="http://iana.org/domains/root/db/">http://iana.org/domains/root/db/</a> .
Declared Variants List		A list maintained by ICANN recording variant TLD strings listed in gTLD applications.
Delegation		The process through which the root zone is edited to include a new TLD, and the management of domain name registrations under the TLD is turned over to the registry operator.
Digit		Any digit between “0” and “9” (Unicode code points U+0030 to U+0039).
Dispute Resolution Service Provider	DRSP	An entity approved by ICANN to adjudicate dispute resolution proceedings in response to formally filed disputes. Working through a DRSP offers parties a mechanism to resolve a dispute outside the court system.
DNS Stability Panel		Determines whether a string might adversely affect the security or stability of the Domain Name System. This evaluation is solely focused on the proposed string in each application.
Domain name		A unique string of letters consisting of two or more levels (for example, john.smith.name) maintained in a registry database.
Domain Name System	DNS	The global hierarchical system of domain names.
Domain Name System Security Extensions	DNSSEC	DNSSEC secures domain name lookups on the Internet by incorporating a chain of digital

Term	Acronym	Definition
		signatures into the DNS hierarchy.
Emergency Back-End Registry Operator	EBERO	A vendor contracted with ICANN org that has demonstrated expertise in providing registry services. The vendor operates on standby and, should they be designated as an interim operator, provides critical functions for a gTLD.
Emergency Transition		If any emergency threshold, as defined in Specification 10 of the base Registry Agreement, is met, ICANN org may designate an emergency operator to assume technical operations. An emergency operator is typically known as an Emergency Back-End Registry Operator.
Evaluation fee		The fee due from each applicant to obtain consideration of its application. The evaluation fee may consist of a partial deposit and payment of the full fee amount for each application submitted.
Evaluator		The individuals or organization(s) appointed by ICANN to perform review tasks within Initial Evaluation, Extended Evaluation, and Community Priority Evaluation under ICANN's direction.
Evaluation panel		A vendor under contract with ICANN that has expertise in the area that is being reviewed. Evaluation panels use the community-established criteria to assess whether or not an applicant has met the criteria.
Existing TLD		A string included on the list at <a href="http://iana.org/domains/root/db">http://iana.org/domains/root/db</a> .
Extended Evaluation	EE	Extended Evaluation allows applicants an additional time period to pass evaluations begun in Initial Evaluation. The second stage of evaluation is applicable for applications that do not pass Initial Evaluation, but are eligible for further review.
Extensible Provisioning Protocol	EPP	A protocol used for electronic communication between a registrar and a registry for provisioning domain names.

Term	Acronym	Definition
<a href="#">Final Report</a>		The Final Report on the New gTLD Subsequent Procedures Policy Development Process, dated 20 Jan 2021.
Future rounds		The New gTLD Program assesses applications in rounds. Future rounds refers to all rounds that will occur after the 2012 Round.
GAC Advice on New gTLDs		Advice provided to the ICANN Board by the GAC in relation to one or more gTLD applications.
GAC Early Warning		A notice issued by the GAC concerning a gTLD application indicating that the application is seen as potentially sensitive or problematic by one or more governments.
Generic Names Supporting Organization	GNSO	ICANN's policy-development body for generic TLDs, which developed the policy recommendations for the introduction of new gTLDs.
Generic top-level domain	gTLD	<p>The class of top-level domains that includes general-purpose domains such as .com, .net, .edu, and .org. This class also includes domains associated with the New gTLD Program, which includes names such as .futbol, .istanbul, and .pizza, and names in other alphabets and languages.</p> <p>ICANN coordinates the development of the rules and policies that govern the registration of domain names within gTLDs.</p>
Geographic Names Panel	GNP	A panel of experts charged by ICANN with reviewing applied-for TLD strings to identify, and confirm required documentation for, geographic names.
Glue record		A resource record in a zone file that provides the Internet Protocol (IP) address of an authoritative name server for a subdomain. When a parent domain delegates administrative authority to a subdomain, the parent's zone file must include: an NS record that identifies the name of an authoritative name server for that

Term	Acronym	Definition
		subdomain and a glue record (an A record, an AAAA record, or both) that supplies the IP address of that server.
Governmental Advisory Committee	GAC	One of four Advisory Committees in the ICANN community. The GAC advises the ICANN Board on public policy issues, particularly in areas where ICANN policies intersect with national laws and international agreements. GAC membership includes members from national governments and distinct economies, and observers from intergovernmental organizations and multinational treaty organizations.
ICANN-accredited registrar		An entity that has entered into a Registrar Accreditation Agreement with ICANN. The registrar has access to make changes to a registry by adding, deleting, or updating domain name records.
ICANN Board		The body that reviews policy recommendations developed by the ICANN community and sends approved policies to the ICANN organization for implementation. The Board also performs strategic oversight for ICANN org, ensuring that the organization acts within its mission and operates effectively, efficiently, and ethically.
ICANN organization	org	The entity that implements the ICANN community's recommendations at the direction of the ICANN Board.
Implementation guidance	IG	The Working Group strongly recommends the stated action, with a presumption that it will be implemented, but recognizes that there may exist valid reasons in particular circumstances to not take the recommended action exactly as described. However, the party to whom the action is directed must make all efforts to achieve the purpose behind the recommended action (as expressed in the rationale and the recommendation to which the implementation guidance is linked, if applicable), even if done through a different course. In all cases, the full implications must be understood and carefully



Term	Acronym	Definition
		weighed before choosing a different course. 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 the caveats above.
Implementation Review Team	IRT	An Implementation Review Team is a voluntary ICANN team that reviews proposed implementation plans as drafted by ICANN org and checks for consistency with ICANN Board-approved GNSO recommendations. The team also answers questions and gathers clarifications from ICANN org as needed. It provides advice on technical and operational details concerning the recommendations in question.
Independent objector	IO	A party selected by ICANN org to act solely in the best interests of the public. The independent objector may file objections to applications on the grounds of Limited Public Interest and community.
Initial Evaluation	IE	An Initial Evaluation is a group of evaluations that are conducted after acceptance of an application. If applications fail in Initial Evaluation, the applicant may choose to undergo an Extended Evaluation.
<a href="#">Initial Report on the New gTLD Subsequent Procedures Policy Development Process (Overarching Issues &amp; Work Tracks 1-4)</a>		Dated 3 July 2018
Internationalized Domain Name	IDN	A domain name in which one or more of its labels contain characters other than ASCII letters, digits, or hyphens. Because IDNs support the use of Unicode characters, they can include characters from local languages and scripts. For example, [실례.테스트], is a domain name composed entirely of Hangul characters. IDNs are implemented using the

Term	Acronym	Definition
		Internationalized Domain Names in Applications protocol.
Intergovernmental organization	IGO	An IGO is an organization composed primarily of sovereign states or of other intergovernmental organizations. IGOs are established by treaty or other agreement that acts as a charter creating the group. Examples include the United Nations, the World Bank, and the European Union.
Internet Assigned Numbers Authority	IANA	The suite of Internet coordination functions relating to ensuring the assignment of globally unique protocol parameters, including management of the root of the DNS and the Internet Protocol address space.  The IANA functions are delivered by Public Technical Identifiers, an affiliate of ICANN.
Internet Protocol address	IP address	A unique identifier for a device on the Internet, used to accurately route traffic to that device.
Internet Protocol version 4	IPv4	The version of the Internet Protocol that supports 32-bit IP addresses.
Internet Protocol version 6	IPv6	The version of the Internet Protocol that supports 128-bit IP addresses.
Legal Rights Objection		An objection filed on the grounds that the applied-for gTLD string infringes the existing legal rights of the objector.
Limited Challenge/Appeal Mechanism		This mechanism allows the applicant to have any of eight different evaluations carried out by a different panel composition.
Limited Public Interest Objection		An objection filed on the grounds that the applied-for gTLD string is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.
Main RSP	RSP	Provides at least Extensible Provisioning Protocol and Registration Directory Services, and generates and sends data escrow

Term	Acronym	Definition
		deposits to the approved data escrow agent for the gTLD.
Name Collision Analysis Project	NCAP	In 2017, the Board directed SSAC to establish NCAP to conduct studies related to name collision that refers to the situation where a name that is defined and used in one namespace may also appear in another. Users and applications intending to use a name in one namespace may actually use it in a different one, and an unexpected behavior may result where the intended use of the name is not the same in both namespaces. The circumstances that lead to a name collision could be accidental or malicious.
Naming Services portal	NSp	An online service available through the ICANN website that provides a central location for contracted parties (e.g., contracted registry operators and accredited registrars) to conduct business with the ICANN organization. The portal helps streamline operational processes and is customized with community-requested features such as case tracking, multiuser company access, and structured workflows. Users can ask questions, submit information, and request approvals through the portal.
New gTLD Program Committee	NGPC	The New gTLD Program Committee was delegated authority in 2012 by the Board for all legal and decision-making authority of the Board relating to the New gTLD Program (for the round of the Program, which commenced in January 2012 and for the related Applicant Guidebook that applies to this current round).
New gTLD Subsequent Procedures Operational Design Phase	SubPro ODP	The purpose of the SubPro ODP is to inform the ICANN Board's determination on whether the recommendations of the Final Report on the new gTLD Subsequent Procedures Policy Development Process are in the best interests of ICANN and the community.

Term	Acronym	Definition
Next round		The New gTLD Program assesses applications in rounds. The Next Round refers to the round that will occur after the 2012 round.
Objection		A formal objection filed with a Dispute Resolution Service Provider in accordance with that provider's procedures.
Objection Filing Period		This term was used in the 2012 Round to refer to the period after application publication. See Community Review and Action Period.
Objector		A person or entity that has filed a formal objection against a new gTLD application with the appropriate DRSP.
Onboarding		The process by which a newly contracted registry operator completes steps to provide operating information for the registry operator, passes any required testing, and provides technical details for the gTLD to ICANN org.
Operational Comment Period		A period during which new applications, proposed changes to applications, or other changes are posted for public awareness. During this period, the public may comment on the application or the proposed change(s), and such comments will be taken into consideration as the application or change is evaluated.
Operational Design Assessment	ODA	The final outcome of the ODP.
Operational Design Phase	ODP	This process, initiated by the ICANN Board and conducted by ICANN org, assesses the operational impact of the implementation of GNSO policy recommendations. The outcome of the ODP provides the ICANN Board with relevant information to facilitate its determination of whether each policy recommendation is in the best interest of

Term	Acronym	Definition
		ICANN. Community consultation on the facts, figures, and assumptions used by ICANN org is an important part of the ODP. It is not a process to relitigate policy questions settled during the policy development process.
Outputs		The affirmations, policy recommendations, and implementation guidance stemming from the Final Report.
Personally Identifiable Information	PII	Any representation of information that permits the identity of an individual to whom the information applies to be inferred.
<a href="#">Program Implementation Review Report</a>	PIRR	A report produced by ICANN org in 2016 which is a collection of staff experiences during the operational implementation of the 2012 round in the New gTLD Program.
Public Interest Commitment Dispute Resolution Procedures	PICDRP	The PICDRP is a dispute resolution mechanism that, in certain cases, utilizes an evaluation panel. For those gTLDs with RAs that incorporate the PICDRP, the procedure is available to any party harmed by a registry operator's failure to comply with its PICs. The PICs and the PICDRP are one of the safeguards for the community created as part of the 2012 New gTLD Program.
Public Interest Commitments	PICs	Public Interest Commitments are binding obligations that gTLD registry operators have with the Internet community under their contracts with ICANN org. They are subject to compliance oversight and enforcement by ICANN org (See also PICDRP and RVCs.)
Registrar	Rr	An organization through which individuals and entities (registrants) register domain names. During the registration process, a registrar verifies that the requested domain name meets registry requirements, and submits the name to the appropriate registry operator.

Term	Acronym	Definition
		Registrars are also responsible for collecting required information from registrants and making the information available through WHOIS.
Registration Restrictions Dispute Resolution Procedure	RRDRP	A formal procedure that gives established institutions a way to resolve disputes related to the registration restrictions in the Registry Agreement for gTLDs.
Registry	Ry	The authoritative master database of all domain names registered in each top-level domain. The registry operator keeps the master database and also generates the zone file that allows computers to route Internet traffic to and from top-level domains anywhere in the world.
Registry Agreement	RA	A contract between ICANN and the registry operator of a designated TLD. The agreement defines the rights, obligations, and provisions for the registry operator to operate the TLD.
Registry operator	RO	The organization that maintains the master database (registry) of all domain names registered in a particular TLD. ROs receive requests from registrars to add, delete, or modify domain names, and they make the requested changes in the registry. An RO also operates the TLD's authoritative name servers and generates the zone file. This information enables recursive name servers across the Internet to translate domain names into Internet Protocol addresses, so devices on the Internet can connect to one another.
Registry service provider	RSP	A registry service provider refers to an entity providing certain technical operations for a registry operator.

Term	Acronym	Definition
Registry Service Provider (RSP) Pre-Evaluation Program		This program allows registry service providers to be evaluated once for the services they intend to provide to applicants. Successful applicants will become pre-approved for the next round. Applicants that incorporate a pre-approved RSP into their applications will not need to undergo a technical evaluation as long as the RSP remains pre-approved.
Registry Services Evaluation Policy	RSEP	The policy that governs the evaluation of proposed registry services by a registry operator or applicant.
Registry Services Technical Evaluation Panel	RSTEP	A group of experts in the design, management, and implementation of the complex systems and standards-protocols used in the Internet infrastructure and DNS. RSTEP members are selected by its chair. All RSTEP members and the chair have executed an agreement requiring that they consider the issues before the panel neutrally and according to the specified definitions of security and stability.
Registry Voluntary Commitments	RVCs	(Formerly referred to as PICs; See also PICs.)
Reserved Names		A domain name that is not available for registration in a gTLD. Reserved names include: names of country code top-level domains; names related to ICANN; names related to IANA) functions; names of countries and territories; names of international and intergovernmental organizations; and names that a registry operator uses in operating the gTLD. The Registry Agreement defines the reserved names for a gTLD. The reserved names vary according to the gTLD.
Rights Protection Mechanism	RPM	A mechanism that helps safeguard intellectual property rights in the Domain Name System. RPMs include the Uniform Domain Name

Term	Acronym	Definition
		Dispute Resolution Policy, Uniform Rapid Suspension, and Trademark Post-Delegation Dispute Resolution Procedure.
Root zone		The root zone database represents the delegation details of top-level domains, including gTLDs and ccTLDs. As manager of the DNS root zone, IANA is responsible for coordinating these delegations in accordance with its policies and procedures.
Script		A collection of symbols used for writing a language. There are three basic kinds of scripts. One is the alphabetic (e.g. Arabic, Cyrillic, Latin), with individual elements termed “letters.” A second is ideographic (e.g. Chinese), the elements of which are “ideographs.” The third is termed a syllabary (e.g. Hangul), with its individual elements representing syllables. The writing systems of most languages use only one script but there are exceptions, such as Japanese, which uses four different scripts, representing all three of the categories listed here.
String		The string of characters comprising an applied-for gTLD.
String Confusion Objection		An objection filed on the grounds that the applied-for gTLD string is confusingly similar to an existing TLD or to another applied-for gTLD string in the same round of applications.
String contention		The scenario in which there is more than one qualified applicant for the same gTLD or for gTLDs that are so similar that they create a probability of user confusion if more than one of the strings is delegated into the root zone.
String Similarity		String Similarity occurs when two or more applications are so similar that they would



Term	Acronym	Definition
		create a probability of user confusion if allowed to coexist. See Contention Set.
Subsequent Procedures	SubPro	Introduction of new gTLDs beyond the 2012 round.
Technical Evaluation Panel		See Technical and Operational Evaluation Panel.
Technical and Operational Evaluation Panel		A panel that assesses if the applicant can demonstrate a clear understanding and accomplishment of groundwork toward the key technical and operational aspects of gTLD registry operation.
Top-level domain	TLD	Top-level domains (TLDs) are the names at the top of the DNS naming hierarchy. They appear in domain names as the string of letters following the last dot, such as “NET” in www.example.net. The TLD administrator controls what second-level names are recognized in that TLD. The administrators of the root domain or root zone control what TLDs are recognized by the DNS.
Trademark Clearinghouse	TMCH	A mechanism designed to help protect the rights of trademark holders. The Trademark Clearinghouse verifies and records rights information from all over the world. This verified information is used during domain name registration processes, especially when new gTLDs launch.
Trademark Database	TMDB	The Trademark Database is part of the Trademark Clearinghouse. It provides an interface for registries and registrars via which they can meet the requirements of certain Rights Protection Mechanisms.
United Nations official languages	UN6 languages	The six languages used by the United Nations: Arabic, Chinese, English, French, Spanish, and Russian.

Term	Acronym	Definition
Uniform Domain Name Dispute Resolution Policy	UDRP	A policy for resolving disputes arising from alleged abusive registrations of domain names (for example, cybersquatting), allowing expedited administrative proceedings that a trademark rights holder initiates by filing a complaint with an approved dispute resolution service provider.
Uniform Rapid Suspension	URS	An expedited administrative procedure that rights holders can initiate for certain types of domain name disputes. The URS procedure is a tool for quickly addressing clear-cut cases of trademark infringement.
Variants		An Internationalized Domain Name that can be registered in different ways due to variations in the spelling of words in a given language.
WHOIS		Records containing registration information about registered domain names.
Working group	WG	A temporary group formed by a Supporting Organization or Advisory Committee to solve a specific problem or carry out a particular assignment.
Zone file		A file on an authoritative name server that defines the contents of a zone in the Domain Name System. Resource records (RRs) in a zone file identify the IP addresses of the hosts (e.g., web servers, mail servers) and name servers within the name server's zone. A zone file can also contain other types of RRs (such as ones containing digital signatures) as determined by the zone owner. The RRs in a zone file enable an authoritative name server to respond definitively to DNS queries about the contents of a zone.



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