

ICANN BOARD PAPER NO. 2024.10.24.1a

TITLE: **Appointment of Board Designee to the Pilot Holistic Review Team**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

The Board is being asked to appoint a Board member serve as a liaison and member of the Pilot Holistic Review (PHR) Team. In [April 2024](#), the Board requested that preparations begin immediately to initiate the Pilot Holistic Review by no later than September 2024. As part of its action, the Board stated its intent to designate a Board member to serve as a liaison to the Pilot Holistic Review Team. The selected Board member will also serve on the Review Team as a full member, as well as reporting to the Board on the progress of the PHR, and facilitate Board consultation on the level of effort required and the expected impact of the recommendations being considered by the Review Team. The Board Governance Committee (BGC) placed a call for volunteers and León Sánchez volunteered to serve in this capacity. The BGC has approved a recommendation that the Board appoint León serve as the Board liaison and member on the Pilot Holistic Review Team.

BOARD GOVERNANCE COMMITTEE (BGC) RECOMMENDATION:

The BGC recommends that the Board appoint León Sánchez to serve as the Board liaison and a member of the Pilot Holistic Review Team.

PROPOSED RESOLUTION:

Whereas, on 29 April 2024, the Board [directed](#) that “preparations shall begin immediately to initiate the Pilot Holistic Review as soon as possible, by no later than September 2024. The Pilot Holistic Review shall be carried out based on the Pilot Holistic Review ToR and follow the Operating Standards for Specific Reviews, modified to be applicable to the Pilot Holistic Review.”

Whereas, the Board stated its intent to designate a Board member to serve as a liaison on the Pilot Holistic Review. The selected Board member will also serve on the Pilot Holistic Review Team as a full member as well as reporting to the Board progress of the review and facilitating Board consultation on the recommendations being considered by the Review Team.

Whereas, the Board Governance Committee (BGC) has recommended the Board designate León Sánchez to as the Board liaison and a member of the Pilot Holistic Review Team.

Resolved (2024.10.24.xx), the Board hereby appoints León Sánchez to serve as a Board liaison and a member of the Pilot Holistic Review Team.

PROPOSED RATIONALE:

The Board is addressing this issue as part of its commitment to implement Board-approved community-issued Specific Review recommendations. As part of the initiation of the Pilot Holistic Review, the Board noted its intent to appoint a Board member to serve as a liaison on the Pilot Holistic Review Team. The selected Board member will also serve on the Pilot Holistic Review Team as a full member as well as reporting to the Board progress of the review and facilitating Board consultation on the recommendations being considered by the Review Team.

This action is in the public interest and within ICANN's mission as the Holistic Review would be focused on improving how the ICANN community contributes to the overall effectiveness of ICANN. Proceeding with the Board mandated Pilot Holistic Review to develop community supported guidelines for how the Holistic Review would be run is both in the public interest and within ICANN's mission.

There are no direct security, stability or resiliency issues relating to the DNS.

This is an Organizational Administrative Function that does not require public comment.

Submitted by: Samantha Eisner

Position: Deputy General Counsel

Date: 21 October 2024

Email: samantha.eisner@icann.org

ICANN BOARD SUBMISSION NO. 2024.10.24.2a

TITLE: Updates to ICANN Delegation of Authority Guidelines

PROPOSED ACTION: For Board Consideration and Approval

EXECUTIVE SUMMARY:

The [ICANN Delegation of Authority Guidelines](#) (Guidelines) set out a clear line of delegation of authority between the role of the Board and the roles of CEO and management. The Board Governance Committee (BGC) is responsible for “[l]eading the Board in its periodic review of its performance, including its relationship with the ICANN President and CEO.” ([BGC Charter, Sec. II.B.](#)) In this role, the BGC reviewed the Guidelines and recommended that they be updated to align with current areas of authority and responsibilities between the ICANN Board and the ICANN CEO. The Board is being asked to approve the proposed updates to the Guidelines, attached as Attachment A to the Reference Materials.

BOARD GOVERNANCE COMMITTEE (BGC) RECOMMENDATION:

The BGC recommends that the Board adopt the amended Delegation of Authority Guidelines attached as Attachment A to the Reference Materials.

PROPOSED RESOLUTIONS:

Whereas, ICANN Bylaws [Article 2](#) establishes that with certain exceptions, the powers of ICANN shall be exercised by, and its property controlled and its business and affairs conducted by or under the direction of, the Board.

Whereas, ICANN Bylaws [Article 15](#) establishes officers of ICANN, and designates the President to be the Chief Executive Officer (CEO) of ICANN in charge of all of its activities and business. All other officers and staff shall report to the President or his or her delegate, unless stated otherwise in the Bylaws.

Whereas, on [8 November 2016](#), the ICANN Board adopted Delegation of Authority Guidelines (Guidelines) to set out a clear line of delegation of authority between the role of the Board and the roles of CEO and management. The Board noted therein that “the Guidelines shall be reviewed regularly and amended from time to time by resolution of the Board.” The Board subsequently revised the Guidelines on [16 March 2017](#).

Whereas, the Board Governance Committee has reviewed the Guidelines and has recommended updates to the Guidelines to align with current areas of authority and responsibilities between the ICANN Board and the ICANN CEO.

Resolved (2024.10.24.XX), the Board hereby adopts the updated ICANN Delegation of Authority Guidelines to provide clear guidance and clarification of roles between the ICANN Board and the ICANN CEO.

PROPOSED RATIONALE:

The Board is taking action at this time in furtherance of its adoption of the ICANN Delegation of Authority Guidelines (Guidelines) to provide greater clarity of roles between the Board and CEO. As resolved on [8 November 2016](#), the Guidelines were anticipated to need updating and modification, and the process for such modification includes resolution of the Board. The updated Guidelines align with current practices and provide greater clarity of the roles between the Board and the CEO, and the key interdependencies in those relationships. By adopting these updated Guidelines, the Board intends to ensure that the Board and CEO continue to operate within the scope of its mission.

This decision is within the public interest and consistent with ICANN's mission as it is expected to positively impact the ICANN community as provides additional transparency and clarity about the roles and responsibilities of key members in the ICANN organization. Additionally, it provides additional accountability to the community by clearly defining the roles and responsibilities.

The action is not expected to have a fiscal impact on ICANN organization.

This is an Organizational Administrative Function that does not require Public Comment.

Submitted By:	Amy A. Stathos, Deputy General Counsel
Date:	8 October 2024
Email:	amy.stathos@icann.org

ICANN'S DELEGATION OF AUTHORITY GUIDELINES

(As amended on [insert date])

PREAMBLE

This document details the general distribution of authority into those areas retained by the Board and those that are delegated by the Board to the ICANN President and Chief Executive Officer (CEO). It also outlines several key areas of cooperative responsibility and is intended for the information and benefit of all ICANN stakeholders, including the Board, ICANN staff, and the broader community.

At the outset, it is noted that while authority and responsibility can be delegated, accountability cannot. Pursuant to the ICANN Bylaws, the Board remains accountable for the overall powers and authority provided to it under the Bylaws. It is the utmost responsibility of the Board and President and CEO to ensure that ICANN remains in compliance with all applicable legal/regulatory requirements and to act in accordance with ICANN's Articles of Incorporation, Bylaws, and documented policies and procedures. Where the authority rests with the President and CEO, the President and CEO may ask others in the organization to take the lead on various topics, but the responsibility remains with the President and CEO.

While noting the distribution of specific areas of authority, it is emphasized that the Board and the President and CEO work in a close and trusted partnership, with open communication and in a spirit of shared responsibility.

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
COOPERATIVE RESPONSIBILITIES		
The President and CEO is the spokesperson for ICANN. The Board Chair is the spokesperson for the ICANN Board, unless delegated to other Board members.	X	X

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
Both the Board and the President and CEO work together on Board workshops and Board meeting agendas, with the President and CEO responsible for timely delivery of information to the Board to enable the Board to act in an informed manner.	X	X
The Board relies on the President and CEO for information upon which the Board will base its decisions. The President and CEO should proactively inform the Board of all relevant information to enable the Board to act in an informed manner. For urgent or sensitive matters requiring Board action, including key Human Resources issues, the President and CEO should promptly notify the Board Chair.	X	X
The Board relies on the President and CEO to support the Board's interactions with the ICANN community.	X	X
The President and CEO oversees day-to-day operations. The Board exercises oversight over the President and CEO and, through the President and CEO, has visibility into the activities of members of the Executive Team or their designee.	X	X
The President and CEO implements Board resolutions and acts within the scope of delegated authority reflected within those resolutions.	X	X
The Board and the President and CEO, in coordination with each other, actively engage with governments, organizations and the ICANN community to ensure that ICANN serves the global public interest within ICANN's mission.	X	X

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
The Board and the President and CEO share specific responsibilities as highlighted through ICANN accountability mechanisms, including: Empowered Community rights, Reconsideration of Board or staff actions, Independent review of Board or staff actions.	X	X
Both the Board and the President and CEO are responsible for leading the activities to develop budget and operating and strategic plans through, among others, community consultation, and the Board approves those budgets and operating and strategic plans and sets priorities.	X	X
Once approved, the President and CEO implements budget, plans, and priorities approved by the Board.	X	X
Interacting with the ICANN community to ensure that ICANN is serving the global public interest within ICANN's mission.	X	X
SPECIFIC RESPONSIBILITIES		
EXTERNAL RELATIONS		
Interacting with governments and intergovernmental organizations within the scope of ICANN's Mission and in coordination with the organization.	X	
Interacting with governments and intergovernmental organizations within the scope of ICANN's Mission and Board's directives in coordination with the Board.		X

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
Interacting with the broader Internet community and other interested parties within the scope of ICANN's Mission and Board's directives.		X
Speaking for the organization and serving as the external face of the organization.		X
FINANCIAL		
Adopting each fiscal year, the annual budget, setting operation and strategic plans, appoint independent auditors and causing the annual financial report to be published.	X	
Overseeing ICANN's internal financial and accounting controls and procedures including those related to fraud prevention, and being informed of applicable laws, regulations and best practices.	X	
Overseeing the development of, and approval of, key financial direction such as the investment policies and reserve fund management policies.	X	
Setting registry and registrar fees and charges for ICANN services in accordance with the RAA and Base Registry Agreement.	X	
Authorizing entering into expenditures and obligations as required by Contracting and Disbursement Policy.	X	
Managing within the approved budget.		X

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
Within budget, authorizing entering into expenditures and obligations as required by Contracting and Disbursement Policy in accordance with Board guidance in its oversight role of guarding against risk of financial fraud.		X
ADMINISTRATIVE/OPERATIONS		
Acting collectively by voting at meetings to authorize and direct the President and CEO (or designee) to take actions on behalf of the organization, especially when such actions not otherwise already under the President and CEO's authority.	X	
Selecting the President and CEO and appointing other officers; undertaking the President and CEO succession planning.	X	
Setting, reviewing and approving performance and compensation structure for the President and CEO. Approving compensation for officers.	X	
Setting and overseeing enforcement of conflicts of interest policy.	X	
Delegating the Board's authority (within statutory limitations) to Board committees and the President and CEO (or designee).	X	
Approving new ICANN office locations, including hubs and engagement centers.	X	

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
Approving the need to move an ICANN Public Meeting from a previously identified location or need to vary from approved meeting strategy.	X	
Maintaining open line of communication with the Board, acting as the main point of communication between the Board and the organization, and overseeing and coordinating the organization's support for the work of the Board.		X
Leading and overseeing the organization's day-to-day operations (i.e., the President and CEO is day-to-day decision maker).		X
Executing global compensation structure for the organization based upon Board policies per legal obligations.		X
Proactively informing the Board in a timely fashion of relevant information to enable the Directors to act in an informed manner and complying with information requests by the Board pursuant to the Bylaws.		X
Performing operational work in accordance with the strategic direction of the Board.		X
Identifying sites for ICANN's Public Meetings within the approved Budget and meetings strategy, and providing relevant information to Board information regarding risk, security and human rights assessments.		X
Upon Board approval of need to move a previously-announced ICANN Public Meeting or variance from meetings		X

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
strategy, identify sites for ICANN Public Meetings within approved Budget and variance.		
Following all applicable conflict of interest policy, confidentiality, employee conduct guidelines, applicable expense policies and travel guidelines, etc.		X
Responsible for the IANA functions and reporting back to the ICANN Board on Public Technical Identifier's work as ICANN's contractor.		X
LEGAL/RISK		
Respecting and supporting accountability mechanisms including: Participating in the Empowered Community processes as specified in Bylaws; considering Requests for Reconsideration; and considering final Independent Review Process declarations.	X	
Exercising oversight of enterprise risk within the organization	X	
Appointing and overseeing the performance of the Ombuds.	X	
Supporting accountability and transparency mechanisms, including coordination of reviews, supporting and advising the Board in considering Reconsideration Requests and declarations from Independent Review Processes, and document disclosure requests.		X
Ensuring that ICANN remains in compliance with all applicable legal/regulatory requirements and providing		X

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
regular updates to the Board of material and relevant changes to legal/regulatory environment.		
Proactively protecting the organization from third-party claims.		X
Monitoring and mitigating risks to the organization in accordance with Board oversight.		X
MULTISTAKEHOLDER MODEL GOVERNANCE		
Appointing membership of the ICANN Root Server System Advisory Committee and the ICANN Security and Stability Advisory Committee, pursuant to the recommendations from the respective groups.	X	
Appointing the Nominating Committee Chair and Chair-Elect.	X	
Delegating the Board's authority (within statutory limitations) to Board committees and the President and CEO (or designee).	X	
Appointing members to membership and chair positions of the various Board committees, working groups, caucuses, and other Board groups.	X	
Selecting PTI Board membership.	X	
Setting agenda for the Board, and identifying the structure and information needed to support that agenda	X	

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
Electing the Board Chair, Board Vice-Chair, and Chair of the Board Governance Committee.	X	
Supporting the Empowered Community processes as necessary		X
Implementing the decisions of the Board, including implementation of policies approved by the Board and reviewing recommendations approved by the Board.		X
POLICY DEVELOPMENT/COMMUNITY RECOMMENDATIONS		
Considering policy recommendations arising out of Supporting Organizations (SOs), including participating in consultation processes if necessary.	X	
Acknowledging advice from Advisory Committees (ACs) and considering advice as appropriate, including following consultation processes relating to AC advice when necessary.	X	
When necessary, creating ACs and working groups to report recommendations and findings to the Board.	X	
Considering recommendations from reviews.	X	
STRATEGIC		
Exercising strategic oversight, including oversight of the development of the strategic plan.	X	

KEY ROLES	ICANN BOARD	ICANN PRESIDENT AND CEO
Supporting community in development of and then implementing Strategic Plan/Operating Plan as approved by Board in its oversight of the development of the Strategic Plan.		X

LEGEND

“ICANN BOARD” column – authority of the Board

“ICANN PRESIDENT AND CEO” column - authority delegated to ICANN President and CEO by the Board.

REFERENCE MATERIALS - ICANN BOARD SUBMISSION NO. 2024.10.24.2a

TITLE: **Updates to ICANN Delegation of Authority Guidelines**

Documents

The following attachment is relevant to the Board's consideration of the updates to the ICANN Delegation of Authority Guidelines.

Attachment A is the proposed amended Delegation of Authority Guidelines.

Submitted By: Amy A. Stathos, Deputy General Counsel
Date: 8 October 2024
Email: amy.stathos@icann.org

ICANN BOARD PAPER NO. 2024.10.24.2b

TITLE: **GAC Advice: ICANN80 Kigali Communiqué (June 2024)**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

The Governmental Advisory Committee (GAC) delivered advice to the ICANN Board in its [ICANN80 Kigali Communiqué](#) issued 17 June 2024. The advice concerns the Applicant Support Program and Auctions: Mechanisms of Last Resort/Private Resolution of Contention Sets in New gTLDs.

The ICANN80 Kigali Communiqué was the subject of an exchange between the Board and the GAC on 15 July 2024. The purpose of the exchange was to ensure common understanding of the GAC advice provided in the communiqué. The Board planned “to take an action that is not consistent with Governmental Advisory Committee advice” and initiated the Board-GAC consultation process to discuss two advice items concerning the Applicant Support Program on 29 July 2024. In accordance with Bylaws 12.2(a)(x), the Board-GAC consultation to “try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution” for the two GAC advice items regarding the Applicant Support Program in the ICANN80 Kigali Communiqué took place on 16 September 2024.

The Board is being asked to approve the GAC-Board Scorecard to address two GAC advice items concerning the Applicant Support Program in the ICANN80 Kigali Communiqué. In approving the GAC-Board Scorecard, the Board is being asked to move forward with a mutually acceptable compromise on advice item 1.a.i and to reject GAC on advice item 1.a.ii. The draft Scorecard is attached to this briefing paper. The draft Scorecard includes: the text of the GAC advice; the Board’s 29 July response; the Board’s Understanding Following the 16 September 2024 Board-GAC Consultation Call; and the Board’s proposed response to the GAC advice.

ICANN ORG RECOMMENDATION:

The ICANN org recommends that the Board adopt the attached scorecard to address some of the GAC’s Applicant Support Program advice in the June 2024 ICANN80 Kigali Communiqué.

PROPOSED RESOLUTION:

Whereas, the Governmental Advisory Committee (GAC) met during the ICANN80 meeting in Kigali, Rwanda and issued advice to the ICANN Board in a [communiqué](#) on 17 June 2024 (“ICANN80 Kigali Communiqué”).

Whereas, the ICANN80 Kigali Communiqué was the subject of an exchange between the Board and the GAC on 15 July 2024.

Whereas, in a 12 July 2024 [letter](#), the GNSO Council provided its feedback to the Board concerning advice in the ICANN80 Kigali Communiqué relevant to Applicant Support Program and Auctions: Mechanisms of Last Resort/Private Resolution of Contention Sets in New gTLDs.

Whereas, the Board developed a scorecard to respond to the GAC’s advice in the ICANN80 Kigali Communiqué, taking into account the dialogue between the Board and the GAC and the information provided by the GNSO Council.

Whereas, on [29 July 2024](#), the Board initiated the Board-GAC consultation process in accordance with Bylaws 12.2(a)(x) on ICANN80 Kigali Communiqué GAC Consensus Advice items §1.a.i and §1.a.ii.

Whereas, on [16 September 2024](#), the Board met with the GAC to “try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution” for the two GAC advice items regarding the Applicant Support Program in the ICANN80 Kigali Communiqué.

Whereas, on [3 October 2024](#) the Board sent correspondence to the GAC outlining the Board's understanding of the Consultation meeting compromise and conclusion on advice items 1.a.i and 1.a.ii.

Whereas, on [16 October 2024](#) the GAC sent correspondence to the Board affirming its understanding of the Consultation meeting compromise and conclusions on advice items 1.a.i and 1.a.ii.

Resolved (2024.10.24.xx), the Board adopts the scorecard titled "[GAC Advice – ICANN80 Kigali Communiqué: Actions and Updates](#) (24 October 2024)" in response to some of the open GAC advice items in the ICANN80 Kigali Communiqué.

PROPOSED RATIONALE:

Article 12, Section 12.2(a)(ix) of the ICANN Bylaws permits the GAC to "put issues to the Board directly, either by way of comment or prior advice, or by way of specifically recommending action or new policy development or revision to existing policies." In its ICANN80 Kigali Communiqué (17 June 2024), the GAC issued advice to the Board regarding the Applicant Support Program and Auctions: Mechanisms of Last Resort/Private Resolution of Contention Sets in New gTLDs. The GAC also provided a follow-up to previous advice regarding the Applicant Support Program and Urgent Requests for Disclosure of Registration Data. Article 12, Section 12.2(a)(x) of the ICANN Bylaws states that the "advice of the Governmental Advisory Committee on public policy matters shall be duly taken into account, both in the formulation and adoption of policies. In the event that the Board determines to take an action that is not consistent with Governmental Advisory Committee advice, it shall so inform the Governmental Advisory Committee and state the reasons why it decided not to follow that advice. Any Governmental Advisory Committee advice approved by a full Governmental Advisory Committee consensus, understood to mean the practice of adopting decisions by general agreement in the absence of any formal objection ("GAC Consensus Advice"), may only be rejected by a vote of no less than 60% of the Board, and the Governmental Advisory Committee and the Board will then try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution. The

Governmental Advisory Committee will state whether any advice it gives to the Board is GAC Consensus Advice.”

The ICANN Bylaws require the Board to take into account the GAC’s advice on public policy matters in the formulation and adoption of policies. The Board is taking action today on two GAC Consensus Advice items regarding the Applicant Support Program to the ICANN Board in the ICANN80 Kigali Communiqué in the scorecard dated 24 October 2024. This decision is in the public interest and within ICANN's mission, as it is consistent with ICANN's bylaws for considering and acting on advice issued by the GAC.

In adopting its response to accept the compromise on GAC advice item 1.a.i and to reject GAC advice item 1.a.ii in the ICANN80 Kigali Communiqué, the Board reviewed various materials, including, but not limited to, the following materials and documents:

- ICANN80 Kigali Communiqué (17 June 2024):
<https://gac.icann.org/advice/communiqués/ICANN80%20GAC%20Communique-zh.pdf>
- GAC Response to ICANN80 Kigali GAC Communiqué and Initial Feedback for Consideration (08 July 2024): <https://gac.icann.org/contentMigrated/gac-response-to-icann80-kigali-gac-communique-and-initial-feedback-for-consideration>
- The GNSO Council’s review of the advice in the ICANN80 Kigali Communiqué as presented in the 12 July 2024 letter to the Board:
<https://gns0.icann.org/sites/default/files/policy/2024/correspondence/dibiase-to-sinha-12jul24-en.pdf>
- The ICANN Board’s July ICANN80 Advice Scorecard (29 July 2024):
<https://www.icann.org/en/system/files/files/scorecard-gac-advice-kigali-communique-board-action-29jul24-en.pdf>

- The ICANN Board and GAC Consultation Call on ICANN80 Advice (16 September 2024): <https://gac.icann.org/sessions/gac-and-icann-board-consultation-call-on-icann80-advice-asp>
- Correspondence: Update following Board-GAC Bylaws Consultation on ICANN80 GAC Advice on the New gTLD Applicant Support Program (ASP) (3 October 2024):
<https://gac.icann.org/advice/correspondence/incoming/20241003/update-following-boardgac-bylaws-consultation-on-icann80-gac-advice-on-the-new-gtld-applicant-support-program-asp>

The adoption of the GAC scorecard will have a positive impact on the community because it will assist with resolving the advice from the GAC concerning gTLDs and other matters. There are no foreseen fiscal impacts associated with the adoption of this resolution. Approval of the resolution will not impact security, stability or resiliency issues relating to the DNS. This is an Organizational Administrative function that does not require public comment.

Signature Block:

Submitted by: Sally Costerton
Position: Interim President & CEO
Date Noted: 24 October 2024
Email: sally.costerton@icann.org

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Governmental Advisory Committee

16 October 2024

Tripti Sinha
Chair, ICANN Board of Directors

Subject: GAC Response to Board Update following Board-GAC Bylaws Consultation on ICANN80 GAC Advice

Dear Tripti,

Thank you very much for your recent [letter](#) following the Board-GAC Bylaws Consultation on the ICANN80 GAC Advice regarding the Applicant Support Program (ASP).

The GAC wishes to take this opportunity to thank the Board for the productive [Consultation Call on ICANN80 GAC Advice](#) on the ASP¹, held on 16 September 2024. As noted in your letter, during this meeting, the Board presented different approaches to address the GAC's concerns with a first-come, first-served ASP evaluation process.

The GAC understands the Board's compromise for 1.a.i as:

- The Board will direct ICANN org to share monthly reporting with the ICANN community on the geographic distribution of ASP applications received and qualified. The Board expects that monthly reporting will be available via the Program Statistics on the ASP website and via updates to the SubPro Implementation Review Team (IRT). The monthly reporting on geographic distribution can inform quarterly adjustments to the ASP Communications, Outreach & Engagement efforts. The GAC would highly encourage ICANN org to share these monthly reports proactively with the GAC.
- The GAC is pleased with the Board's agreement to conduct a review after 20 successful ASP applications. The GAC understands the Board will direct ICANN org to share results of geographic distribution with the IRT after 20 qualified ASP applicants to determine adjustments to Communications, Outreach & Engagement to target applications from developing countries and to determine if additional funding may be needed.

¹ ICANN80 Kigali Communiqué: <https://gac.icann.org/contentMigrated/icann80-kigali-communique>

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Governmental Advisory Committee

With regard to advice item 1.a.ii, the GAC understands that the Request for Proposal (RFP) process to select an independent third-party evaluator is underway and that ICANN org will select a vendor with appropriate evaluation skills and diverse experience to conduct a fair and objective assessment of globally diverse ASP applicants, taking into consideration the GAC's expressed position on ensuring that the ASP facilitates global diversification of the new gTLD program.

As such, the GAC is supportive of these remedial options, and would encourage the Board to move forward with a resolution of the ICANN80 GAC Advice prior to ICANN81, if possible, in order to avoid delaying the launch of the Applicant Support Program, which remains a top priority to the Committee.

The GAC looks forward to continued collaboration with the Board on matters pertaining to new gTLDs and in particular a meaningful Applicant Support Program.

Sincerely,



Nicolas G. Caballero
Chair, Governmental Advisory Committee (GAC)
Internet Corporation for Assigned Names and Numbers (ICANN)

GAC Advice – ICANN80 Kigali Communiqué: Board Action (24 October 2024)

GAC Advice Item	Advice Text	Board Understanding Following Board-GAC Call	Board Response
§1.a.i Applicant Support Program (ASP)	a. The GAC advises the Board to: i. <i>To take final decisions on successful Applicant Support Program (ASP) applicants, who applied within the twelve month time period, at the conclusion of that period as opposed to on a first come, first served basis. This would mean that no preference is given to applicants who applied earlier in the twelve month period, and will help ensure underserved regions are not at a disadvantage through the ASP.</i> <u>RATIONALE:</u> The ASP application submission period is twelve months. In that time period, applications that are compiled and submitted earlier in the process should not be given an advantage over applications submitted later in the process. Giving applications submitted earlier in the window an advantage, in terms of earlier evaluation, could detrimentally impact organizations applying from underserved regions, who will likely take longer to prepare applications due to the need to access enhanced services, for example, translation services into their native languages, i.e. in languages other than the six (6) official United Nations languages. It will also take longer to raise awareness of the ASP and its benefits with those without existing connections to the ICANN community. The GAC wants to mitigate against a scenario where places for ‘successful applicants’ have been filled before applicants from underserved regions have had an opportunity to apply in the time period advertized.	The GAC has concerns about potential disadvantages to prospective ASP applicants from under-served regions that may learn about the program later in the application process when allocated funds are unavailable. The GAC does not think that evaluating and providing ASP evaluation results on an ongoing basis is aligned with the goals of the Applicant Support Program. The GAC would like a stronger Board commitment on the funding for supported applicants, should demand exceed available resources to support 45 applicants.	The Board appreciates the GAC’s concerns and is aligned with the GAC that the emphasis on communications, outreach, and engagement activities for the ASP should focus on underserved regions, in line with the GNSO Guidance Process recommendation #1. The Board is concerned that making changes to the processing and evaluation of ASP applications may affirmatively harm ASP and supported applicants by significantly reducing the time they have to access resources and prepare a strong gTLD application. The Board is also concerned that waiting until the end of the ASP application submission period does not solve the challenge of how to decide which applicants receive support over others, if it is not based on a first-come, first-serve basis. Additionally, the GNSO Guidance Process for ASP explored how to allocate resources if demand exceeds the budget and decided against prioritizing some applicants over others. The Board has accepted these recommendations and directed ICANN org to implement them. Additionally, the Board would like to ensure that implementation work continues as per the timelines communicated in the implementation plan. The Board understands the GAC’s request that was noted in the correspondence, dated 8 July 2024, for a firmer financial commitment should the demand for ASP exceed the available resources of 45 supported applicants. However, the Board is not in a position to make open-ended financial commitments given its fiduciary responsibilities. As discussed during the Consultation Meeting, the Board will direct ICANN org to share monthly reporting with the ICANN community on the geographic distribution of ASP applications received and qualified. The Board expects that monthly reporting will be available via the Program Statistics on the ASP website and via updates to the SubPro Implementation Review Team (IRT). The monthly reporting on geographic distribution can inform quarterly adjustments to the ASP communications, outreach & engagement efforts. In addition, the Board will direct ICANN org to share results of geographic distribution with the IRT after 20 qualified ASP applicants to determine adjustments to communications, outreach & engagement. The geographic distribution and volume of ASP applications may also inform Board discussions on whether additional funding may be needed. As a result of the Board-GAC consultation, the resulting compromise, and the GAC’s correspondence on this matter, the Board takes the action to accept the compromise reached on ICANN80 Kigali Communiqué GAC Advice Item 1.a.i in accordance with Article 12, Section 12.2(a)(x) of the ICANN Bylaws.
§1.a.ii	a. The GAC advises the Board to:	The Board appreciates the GAC’s interest in community participation in the ASP evaluation	The Board understands the GAC’s concerns and understands the potential value the GAC and other community groups could bring to the process.

GAC Advice Item	Advice Text	Board Understanding Following Board-GAC Call	Board Response
Applicant Support Program (ASP)	i. <i>To invite members of the community with relevant expertise to monitor and participate in the ASP Application Evaluation process that will result in final decisions on ASP application outcomes. The GAC signals its willingness to fully participate in this process.</i> <u>RATIONALE:</u> Given that members of the community have continued to express a high level of interest in the delivery of an ASP that facilitates global diversification of the new gTLD program, the GAC is of the view that applicants through the program, and the program itself, would benefit from having non-conflicted members of the community, including the GAC, monitor and participate in the ASP Application Evaluation process.	process and the desire to leverage community expertise.	However, the Board believes that implementing this advice would significantly increase the risk of conflicts of interest and legal challenges over the evaluation and related decision-making– and therefore the Board is not supportive of such a step. The Board believes that an independent third-party panel would be best positioned to conduct the evaluation, in line with Globally Recognized Procedures for Financial Assistance Programs. A change to this approach would be a significant departure from established plans and cause significant delays to the launch of the ASP. During the Consultation Meeting, the Board informed the GAC that the Request for Proposal (RFP) process to select an independent third-party evaluator is underway and thus changes would directly impact the launch of the ASP program. The Board expects that ICANN will continue with its plans to select a vendor with appropriate evaluation skills and diverse experience to conduct a fair and objective assessment of globally diverse ASP applicants. As a result of this conclusion on advice item 1.a.ii during the Board-GAC consultation, the Board takes the action to reject the ICANN80 Kigali Communiqué GAC Advice Item 1.a.ii in accordance with Article 12, Section 12.2(a)(x) of the ICANN Bylaws.

ICANN BOARD INFO PAPER No. 2024.10.24.2c

TITLE: Approval of the ASP Handbook
PROPOSED ACTION: For Board Consideration and Approval

EXECUTIVE SUMMARY:

The Applicant Support Program (ASP) was developed as part of ICANN's New Generic Top-Level Domains (gTLD) Program. The ASP is intended to make applying for a new gTLD or operating a registry more accessible to applicants who would be otherwise unable due to financial and resource constraints. The ASP is for gTLD applicants seeking financial and non-financial support.

The ASP application process is separate from the New gTLD Program application, occurring before the application submission period for the New gTLD Program: Next Round begins. This ensures that supported applicants have sufficient time to apply before the opening of the application submission period for new gTLDs. The ASP application submission period is expected to open on 19 November 2024 for a period of 12 months.

The ASP budget covers costs for evaluating up to 200 ASP applications, via a third-party vendor. The budget also includes funding to cover the costs of evaluating up to 45 supported gTLD applications at a 75% reduction in the base gTLD application fee and other applicable evaluation fees. Applicants that qualify for support will also be eligible to access additional resources. These include: a list of pro bono services; capacity development (Applicant Counselor, training/mentorship); a bid credit for supported applicants in an ICANN Auction of Last Resort; and reduced base Registry Operator fees for the first few years post-delegation.

ASP applicants will be evaluated on:

- Business Due Diligence
- Financial Need
- Financial Stability
- Public Responsibility Due Diligence
- Eligible Entity Status

Since ASP applicants have access to financial and non-financial resources to assist with their gTLD applications, there will be some restrictions on ASP applicants to prevent gaming and abuse of the program. These include, for instance, that supported applicant entities will be restricted to one gTLD application submission. ICANN will also confirm supported applicants' eligibility to receive financial support throughout the lifecycle of anticipated support.

The Board is being asked to approve the Applicant Support Program (ASP) Handbook which is based upon 24 meetings with the dedicated ASP Implementation Review Team (ASP-IRT) Sub-track, and public comment.

The ASP Handbook provides prospective ASP applicants with the information necessary to understand the processes and criteria to qualify for support. The ASP implements the policy recommendations under Topic 17: Applicant Support of the Final Report on the New gTLD [Subsequent Procedures Policy Development Process](#).

Development of the ASP Handbook was used as the mechanism by the Subsequent Procedures Applicant Support Program Implementation Review Team (IRT) Sub-track to provide feedback to ICANN org with regard to the implementation of the ASP. Draft ASP criteria and indicators as well as the ASP Handbook were shared with the ASP-IRT over 24 meetings, as well as a briefing meeting on the draft ASP Handbook for the full IRT.

A public comment period was held between 12 February 2024 to 2 April 2024. In total, ICANN received nine public comment submissions. [The Summary Report](#) of the public comments was published on 15 April 2024. Following the public comment period, ICANN staff worked collaboratively with the ASP-IRT to address public comments and publish a [v2 of the ASP Handbook](#) to the new gTLD Program: Next Round website. The Applicant Support Program Terms & Conditions were also drafted in consultation with the IRT and put out for [public comment](#) from 24 July to 23 August 2024.

STAFF RECOMMENDATION:

Staff recommends the Board approve the ASP Handbook with the Proposed Resolution below.

PROPOSED RESOLUTION:

Whereas, the ICANN Board [directed ICANN org](#) to make preparations for the New gTLD Program: Next Round at the ICANN76 Community Forum.

Whereas, the ICANN Board [acknowledged](#) receipt of the plan for preparations of New gTLD Program: Next Round and directed ICANN org to provide the Board with periodic updates on its progress of implementation of this program.

Whereas, the Subsequent Procedures Implementation Review Team (SubPro IRT) was formed to assist ICANN org in the implementation of [Final Report in the new gTLD Subsequent Procedures Policy Development Process](#).

Whereas, the Applicant Support Program (ASP) is an implementation of Topic 17 of the Subsequent Procedures Policy.

Whereas, ICANN org affirms that the ASP Handbook describes the Applicant Support Program criteria, indicators, and evaluation process.

Whereas, the SubPro ASP-IRT has reviewed the ASP Handbook.

Whereas, a [public comment proceeding](#) was held between 12 February 2024 to 2 April 2024 for the express purpose of soliciting feedback on the ASP Handbook, and all feedback received was subsequently addressed by ICANN org in consultation with the ASP-IRT.

Whereas, a [public comment proceeding](#) on the [draft ASP Terms and Conditions](#) was held between 24 July and 23 August 2024 and ICANN org addressed feedback in consultation with the full IRT.

Resolved (2024.10.24.xx), the ICANN Board approves the implementation of the Applicant Support Program as described by the ASP Handbook .

Resolved (2024.10.24.xx), the ICANN Board approves the ASP Handbook, and directs the Interim President and CEO, or her designee(s), to publish the ASP Handbook and update it as appropriate.

PROPOSED RATIONALE:

Why is the Board addressing this issue?

The Applicant Guidebook for the 2012 round of new gTLDs was [explicitly approved](#) by the ICANN Board. Unlike the 2012 round, the New gTLD Program: Next Round has several child programs, each requiring a separate document for applicants. The Board is approving the ASP Handbook to acknowledge the community review it has received similar to the Applicant Guidebook of the 2012 round.

What is the proposal being considered?

The proposal being considered is the affirmation of the ASP Handbook following the review by the ICANN community through consultation with the ASP Subsequent Procedures Implementation Review Team (SubPro ASP-IRT), a public comment proceeding, and further consultation with the ASP-IRT.

What concerns or issues were raised by the community?

Overall, the community provided constructive feedback regarding the ASP Handbook. Many suggestions from both the SubPro ASP-IRT and the public comments were incorporated into the ASP Handbook.

Some in the community raised concerns regarding the accessibility of the ASP eligibility criteria and the ASP Handbook, especially in light of global diversification aims.

These concerns had two areas of focus:

1. The ASP eligibility criteria do not include geographic restrictions or prioritization for ASP applicants from lesser developed economies or regions, and that the ASP Handbook should include more focus on underserved regions.
2. The ASP Handbook is not accessible to diverse, non-English speaking audiences.

Per recommendation 17.1 of the [GNSO Final Report on the new gTLD Subsequent Procedures Policy Development Procedure](#), the ASP should be open to applicants regardless of their location as long as they meet other program criteria. Following the public comment period, ICANN staff updated the ASP Handbook structurally and accessibility-wise.

Following the public comment period on the draft ASP Handbook, the Governmental Advisory Committee (GAC) issued advice on the Applicant Support Program in its [ICANN80 Kigali Communiqué](#). The GAC expressed concerns with the first-come, first-served approach of evaluating ASP applications on an ongoing basis. The GAC also expressed a desire for ICANN community members with relevant expertise to participate in the ASP application evaluation process. The Board and the GAC entered into a Bylaws consultation on these advice items and the Board took action on the ASP-related ICANN80 GAC advice items 1.a.i and 1.a.ii on 24 October 2024.

What other factors did the Board consider?

The ASP application submission period is anticipated to open on 19 November 2024. Material changes to the ASP Handbook and/or the ASP Evaluation may require a delay in the opening of this period, which could in turn impact the opening of the gTLD application period. Additionally, material changes may require some re-implementation to systems that have been developed for the ASP Evaluation, increasing the cost of the program.

What materials did the Board review?

- [The Final Report of the Subsequent Procedures Policy Development Process](#)
- [The Summary Report](#) of the ASP Handbook Public Comment Proceedings
- [The Final Draft ASP Handbook](#)
- [The ICANN Board's July ICANN80 Advice Scorecard \(29 July 2024\)](#)
- [The ICANN Board and GAC Consultation Call on ICANN80 Advice \(16 September 2024\)](#)
- [Correspondence: Update following Board-GAC Bylaws Consultation on ICANN80 GAC Advice on the New gTLD Applicant Support Program \(ASP\) \(3 October 2024\)](#)

Are there positive or negative community impacts?

Approval of the ASP Handbook will allow the ASP to launch to receive applications for support, in-line with the Board-approved policy recommendations on Topic 17 from the [Final Report of the Subsequent Procedures Policy Development Process](#). As evidenced by the community attention and participation on the topic of Applicant Support, there is a great deal of community anticipation about the implementation of the Applicant Support Program.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?

The fiscal impacts of the Applicant Support Program are part of the gTLD Program: Next Round budget and funding. The Board [previously resolved](#) (2024.09.07.03) on funding for the Applicant Support Program.

Are there any security, stability or resiliency issues relating to the DNS?

Applicants that qualify for support under the Applicant Support Program are still required to apply for and successfully complete all aspects of the gTLD Program evaluation in order to be eligible for delegation of a new gTLD. Security, stability and resiliency issues relating to the DNS are addressed as part of the New gTLD Program.

Is this decision in the public interest and within ICANN's mission?

Approving the ASP Handbook will allow the ASP to launch the application submission period, anticipated on 19 November, to receive applications for support. As part of the New gTLD Program: Next Round, the ASP is designed to be in line with Affirmation 1.3 of the Final Report on the new gTLD Subsequent Procedures Policy Development Process: "The Working Group affirms that the primary purposes of new gTLDs are to foster diversity, encourage competition, and enhance the utility of the DNS."

Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?

The ASP Handbook already completed a [public comment period](#) from 12 February 2024 to 2 April 2024.

New gTLD Program Applicant Support Program Handbook

Guide to Applying for Assistance in the New Generic Top-Level
Domains Program: Next Round

9 August 2024



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1. Introduction

1.1. ICANN and its Mission

The mission of the Internet Corporation for Assigned Names and Numbers (ICANN) is to help ensure a stable, secure, and unified global Internet. To reach another person on the Internet, you need to type an address – a name or a number – into your computer or other device. That address must be unique so computers know where to find each other. ICANN helps coordinate and support these unique identifiers across the world. ICANN was formed in 1998 as a nonprofit public-benefit corporation with a community of participants from all over the world.

1.2. The Applicant Support Program

ICANN developed the Applicant Support Program (ASP) as part of its New Generic Top-Level Domain (gTLD) Program. The ASP is a global program that is intended to provide financial and non-financial assistance to eligible entities that demonstrate need and wish to apply for and operate a gTLD in the Domain Name System ("DNS"). As noted in [Section 4: Applicant Eligibility and Evaluation Categories](#), eligible entities are nonprofits/charities/nongovernmental organizations; intergovernmental organizations; indigenous/tribal communities; small businesses that are social enterprises or operating in a less-developed economy.

As part of the New gTLD Program: Next Round, the ASP is designed to be in line with Affirmation 1.3 of the [Final Report on the new gTLD Subsequent Procedures Policy Development Process](#): "The Working Group affirms that the primary purposes of new gTLDs are to foster diversity, encourage competition, and enhance the utility of the DNS." More details about eligibility criteria and the types of entities that can qualify for support are provided in [Section 4: Applicant Eligibility and Evaluation Categories](#).

1.3. Handbook Objectives

This handbook establishes the rules for applicants seeking assistance to apply to the New gTLD Program. It provides a guide to the application process and includes information regarding deadlines, criteria, and evaluation processes.

Please note that the New gTLD Program: Next Round will be in development during the ASP application submission period. ASP applicants are therefore encouraged to review previously published New gTLD Program resources as well as the ongoing community work on the New gTLD Program: Next Round in the interim. These resources will inform interested parties about the estimated costs and draft requirements of applying to the New gTLD Program: Next Round and enable these parties to make an informed decision about whether to apply to the New gTLD Program.

These resources include:

1. [New gTLD Program website](#)
2. [Draft New gTLD Program: Next Round Applicant Guidebook Materials on the Subsequent Procedures Implementation Review Team \(IRT\) Wiki Workspace](#)

-
3. [New gTLD Program: Next Round Applicant Guidebook](#): Note that the Applicant Guidebook for the New gTLD Program: Next Round is being updated in consultation with the Implementation Review Team. Based upon updated policy recommendations outlined in the [Final Report on the new gTLD Subsequent Procedures Policy Development Process](#), the Guidebook serves as the official roadmap for applicants in the program.
 4. The 2012 version of the [New gTLD Applicant Guidebook](#) (for historical reference).



Please address any questions regarding the ASP or ASP Handbook to:
globalsupport@icann.org.

1.4. Terms and Conditions

All ASP applicants should read and must agree to the terms and conditions for the ASP application process. Please refer to [the terms and conditions on the ASP website](#) for more details. (Also see [Section 4.6: Restrictions](#).)

2. Overview

The Internet is a global resource. One critical part of its infrastructure is the Domain Name System (DNS), which makes this vast network navigable. The DNS enables us to use easy-to-remember names instead of Internet Protocol addresses (series of numbers) to reach a website. The ASP aims to serve the global public interest by fostering diversity, encouraging competition, and enhancing the utility of the DNS. In addition to meeting other evaluation criteria (e.g, financial need, financial viability) ASP applicants must qualify as one of the five eligible entity types: 1) nonprofits/nongovernmental organizations/charities; 2) intergovernmental organizations; 3) indigenous/tribal organizations; 4) micro or small business social enterprise; 5) micro or small business operating in a less-developed economy.

The intent of the ASP is to make the New gTLD Program application and evaluation processes and fees more accessible to entities that would like to operate a registry but would otherwise be unable to apply, because of financial and resource constraints. ASP applicants that qualify will receive percentage-based reductions on the base gTLD evaluation fee and other gTLD evaluation fees, as outlined in [Section 2.1: New gTLD Program Evaluation Fees](#).

2.1. Support Available to Qualified ASP Applicants

The ASP will provide qualified applicants (also referred to in the Handbook as “supported applicants”) the opportunity to pay reduced New gTLD Program evaluation fees (see [Section 2.1: New gTLD Program Evaluation Fees](#)). Supported applicants also will have access to a package of non-financial support to assist them in submitting a gTLD application.

This handbook outlines the financial and non-financial assistance that **supported** ASP applicants may receive. The package includes:

1. An ASP training program.
2. Access to *pro bono* (volunteer) service providers* that have agreed to volunteer their services to supported applicants.
3. Resources and information for potential applicants to better understand the New gTLD Program, what it means to operate a gTLD, and how to participate in ICANN’s multistakeholder community.
4. Access to Applicant Counselors to help answer questions about the gTLD application process and provide guidance on where to find available resources.
5. A 75-85% reduction in New gTLD Program evaluation fees for supported applicants.
6. A bid credit applied to supported applicants participating in contention resolution procedures established in the [New gTLD Program: Next Round Applicant Guidebook](#), which could occur if two or more applications are placed in contention sets. The type of support will be determined as part of the implementation of [SubPro Final Report Topic 35](#) (see pp. 173-182). Further detail around this will be included in the [New gTLD Program: Next Round Applicant Guidebook](#).
7. Reduced base Registry Operator fees, should the supported applicant prevail in the gTLD program evaluation and proceed to contracting and delegation.

**Pro bono service providers are independent from ICANN. Pro bono services are not endorsed or contracted by ICANN, though ICANN may play a facilitative role in making supported applicants aware of the services available, should applicants seek to utilize them. ICANN is working to identify service providers that have made themselves available and will provide a list of those vendors to supported applicants.*

Reduction of New gTLD Program Evaluation Fees

Qualified ASP applicants will be eligible to receive **a 75-85% reduction in New gTLD Program evaluation fees**, as outlined in [Table 2](#).

New gTLD Program Evaluation Fees

Table 2. New gTLD Program: Next Round evaluation fees with ASP reduction fees for qualified ASP applicants

New gTLD Program Financial Support and Evaluation Fees	Reduction for Qualified ASP Applicants
New gTLD Program base evaluation fee reduction	at least 75%; up to 85%
Other applicable conditional evaluation fees as defined in the New gTLD Program: Next Round Applicant Guidebook .	at least 75%; up to 85%
Bid credit	The type of support will be determined as part of the implementation of SubPro Final Report Topic 35 . (see pp. 173-182). Further detail around this will be included in the New gTLD Program: Next Round Applicant Guidebook .

Please see [the resources page of the ASP website](#) for information regarding the ASP Funding Plan, including the number of applicants that ICANN org anticipates being able to support within the available budget.

2.2. Evaluation Phases and Categories

This section describes the assessments that are performed to evaluate an application:

1. **General business due diligence**
2. **Public responsibility due diligence**
3. **Financial need**
4. **Financial viability**
5. **Applicant is an eligible entity**

The evaluation will be conducted in two phases as outlined below. Phase 2 evaluation will be conducted by a third-party vendor managing a Support Applicant Review Panel (SARP).

Phase 1: All ASP applicants must pass the general business due diligence process in order to move to Phase 2.

1. **General business due diligence:** This pre-screening includes:
 - ✓ Legal compliance check;
 - ✓ Confirming that all required documentation has been submitted;
 - ✓ Confirming that the applicant meets the New gTLD Program: Next Round eligibility criteria noted in the [New gTLD Program: Next Round Applicant Guidebook](#); and
 - ✓ Background screening.

Applicants that do not pass the general business due diligence pre-screening will not be considered for Phase 2 ASP evaluation. Applicants that pass general business due diligence will proceed to Phase 2 evaluation.

Phase 2: All ASP applicants will be evaluated against the following evaluation categories (see [Figure 2. High-Level Eligibility Flowchart](#))

2. **Public responsibility due diligence:**
 - ✓ Applicant does not produce, trade in, or promote an industry/string that is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law (see [Section 4.2: Public Responsibility Due Diligence](#)); and
 - ✓ Applicant is not affiliated with an existing gTLD Registry Operator and/or another prospective gTLD applicant in the Next Round that would not meet the ASP criteria.
3. **Financial need:** The applicant could not otherwise afford to

apply to the New gTLD Program without financial hardship.

4. **Financial viability:** The applicant demonstrates a plan to cover the unsupported portion of the base gTLD evaluation fee and upon qualifying, will submit a deposit.
5. **Eligible Entity Categories:** The entity applying for support meets at least one of the eligible entity categories and indicators, as articulated in [Section 4.5: Eligible Entity Categories](#).

2.3. ASP Evaluation vs. gTLD Evaluation

Qualifying for the ASP does not automatically result in an approved application for a new gTLD. The ASP and the New gTLD Program have two distinct application processes, each with their own requirements and evaluations. All gTLD applicants will need to pass those requirements, regardless of any previous evaluations conducted for the ASP.

Relevant application information from the ASP Application System is anticipated to be available for use in the gTLD Application System when supported applicants begin their new gTLD application process.

All new gTLD applicants—supported or not—are required to submit a completed application for a new gTLD, which requires demonstration of the technical, operational and financial capabilities needed to operate a gTLD. ASP applicants will be able to use their user account for the gTLD Application Program and transfer relevant information related to the applying entity. Applicants that ***apply for, but do not qualify for, support are still welcome to submit a new gTLD application***, but would be required to pay the full gTLD evaluation fees.

3. Applicant Support Program Timeline

ICANN currently plans to accept ASP applications between 19 November 2024 to 19 November 2025. Applications will be evaluated and results shared with applicants on an ongoing basis. Application processing times can vary between 12 - 16 weeks. This encompasses the time from application submission to conditional results (prior to receiving deposit payment).

Translations of required documents, seeking responses to clarifying questions, and/or responding to change requests will result in longer processing times (up to approximately 21 weeks, depending on the number of documents requiring translations and applicant response times).

Applicants that qualify for the program will be notified of their conditional approval, and will be changed to fully approved after confirmation of deposit, and will have 30 days to submit their deposit on their gTLD application. Exceptions for extenuating circumstances may be made on a case-by-case basis on the 30-day period. Upon receipt of payment, conditionally-approved applicants will be notified of their final approval, along with further instructions on financial and non-financial support. This process can take up to 12 weeks depending on the time deposit is received and confirmed.

ASP applicants are strongly encouraged to apply early for the following reasons:

1. ICANN has budgeted support for up to 40 applicants at an 85% fee reduction. Should demand exceed this amount, the fee reduction can be reduced to 75% to support up to 45 supported applicants. However, it is important to recognize program resource limitations.
2. Since ASP evaluations will be conducted on an ongoing basis, the first applicants to apply and qualify for support will be able to take advantage of the resources available. Those that apply after the available resources have been expended may have to wait until future cycles of the program.
 - a. Example: an ASP applicant that applies and qualifies for support by April 2025 will have a full 12 months to take advantage of the non-financial support prior to the gTLD application submission period.
3. To take advantage of available support and resources to assist with preparing a gTLD application. For example, New gTLD Program applicants need time to negotiate with Registry Service Providers (RSPs) in advance of submitting a gTLD application and may want to utilize pro bono (volunteer) services available. Access to additional non-financial support will be most beneficial if the supported applicant has adequate time to utilize those resources.
4. To avoid a situation where the results of an applicant's ASP evaluation are pending during the gTLD application submission period. This may cause the applicant to have to pay the full gTLD evaluation fee to meet the deadline while waiting for the results of the ASP evaluation. Should the applicant later qualify for support, ICANN org would refund the applicant's supported portion of the gTLD evaluation fee.

Table 1. ASP Timeline and Key Dates (*Note: Dates are subject to change*)

Date	Description
19 November 2024	The application submission period for ASP opens. • Applicants register, upload application documentation, and submit information necessary to be assessed in each of the five evaluation categories. • Applications that pass General Business Due Diligence are sent to the Support Applicant Review Panel of third-party evaluators for review. • Applicants receive evaluation results generally 12-16 weeks after their application is confirmed to be complete. • <i>As noted in Section 4.10: Restrictions, applicants are not permitted to re-apply for support within the current round of new gTLD applications. (This does not preclude applicants from applying to the ASP associated with future new gTLD program application rounds.)</i>
19 November 2025	• The application submission period for ASP closes; no additional ASP applications will be accepted for this round.
April 2026	The New gTLD Program: Next Round application submission period opens Note: The gTLD application submission period is expected to be open for 12-15 weeks.

Submission of ASP Deposit

Applicants that qualify for support will be required to submit a USD 2500 deposit on their gTLD application. The applicant will be “conditionally approved” pending receipt of this deposit. The deposit must be submitted to ICANN within 30 days of receiving notice of their results. The deposit serves as the last step in the ASP evaluation process, and once received, the applicant moves from “conditionally approved” to “fully approved” and becomes a qualified ASP applicant (per Financial Viability criteria and indicators). The deposit also signals the applicant’s intention to apply for a new gTLD. Submitting a deposit will grant the supported applicant access to the package of financial and non-financial support available. Also see [Section 6.4: Evaluation Results](#) and [Appendix 2](#).

Exceptions to this timing may be made on a case-by-case basis. If an applicant has qualified for support *but does not intend to submit a gTLD application*, it is critical for that applicant to communicate this to the ASP as quickly as possible so that support can be made available for other eligible applicants.

The ASP application submission period is twelve months. The deadline for submitting ASP applications is 19 November 2025, or about five months prior to the opening of the New gTLD Program application submission period. ICANN org retains the option to modify the ASP application

submission period and will communicate the extension accordingly so that applicants and prospective applicants are aware. Example scenarios for when ICANN may consider extending the ASP application submission period include: 1) fewer than 40 applicants have fully qualified for support; 2) there is remaining budget and some ASP applications are in progress but have yet to be submitted for evaluation.

The intent is for all ASP applicants to have the results of their evaluation before applying to the New gTLD Program. Depending on the volume of ASP applications received in the final weeks of the application submission period, applicants may not know whether they have qualified for support in advance of the gTLD application submission period opening. See [Table 1](#) and [Figure 1](#).

ICANN org and the evaluators will make every effort to evaluate ASP applications and communicate results as quickly as possible. In the case that an ASP applicant is still waiting for its results, the applicant may need to submit a gTLD application and pay the base gTLD evaluation fee and other gTLD evaluation fees. The ASP applicant would be eligible for the applicable refund should the applicant qualify for support. ICANN will ensure that any refunds are processed as quickly and efficiently as possible.

Figure 1. High-Level Flow of ASP and gTLD Program Timelines



*The new gTLD application submission period is projected to open April 2026 for 12-15 weeks. Dates are subject to change.

4. Applicant Eligibility and Evaluation Categories

The ASP is designed to provide financial and non-financial support to qualified candidates, as defined in the criteria and indicators below. ASP criteria are distinct from the criteria for approval of a New gTLD Program application, which are oriented toward determining applicants' capabilities to successfully operate a gTLD registry (See: [New gTLD Program: Next Round Applicant Guidebook](#)).

The ASP application requires documents and responses to questions to demonstrate that the applicant meets all program criteria and requirements. (Also see [Section 3: Applicant Support Program Timeline](#) and [Appendix 3](#) for more information on documents submitted in a language other than English.)

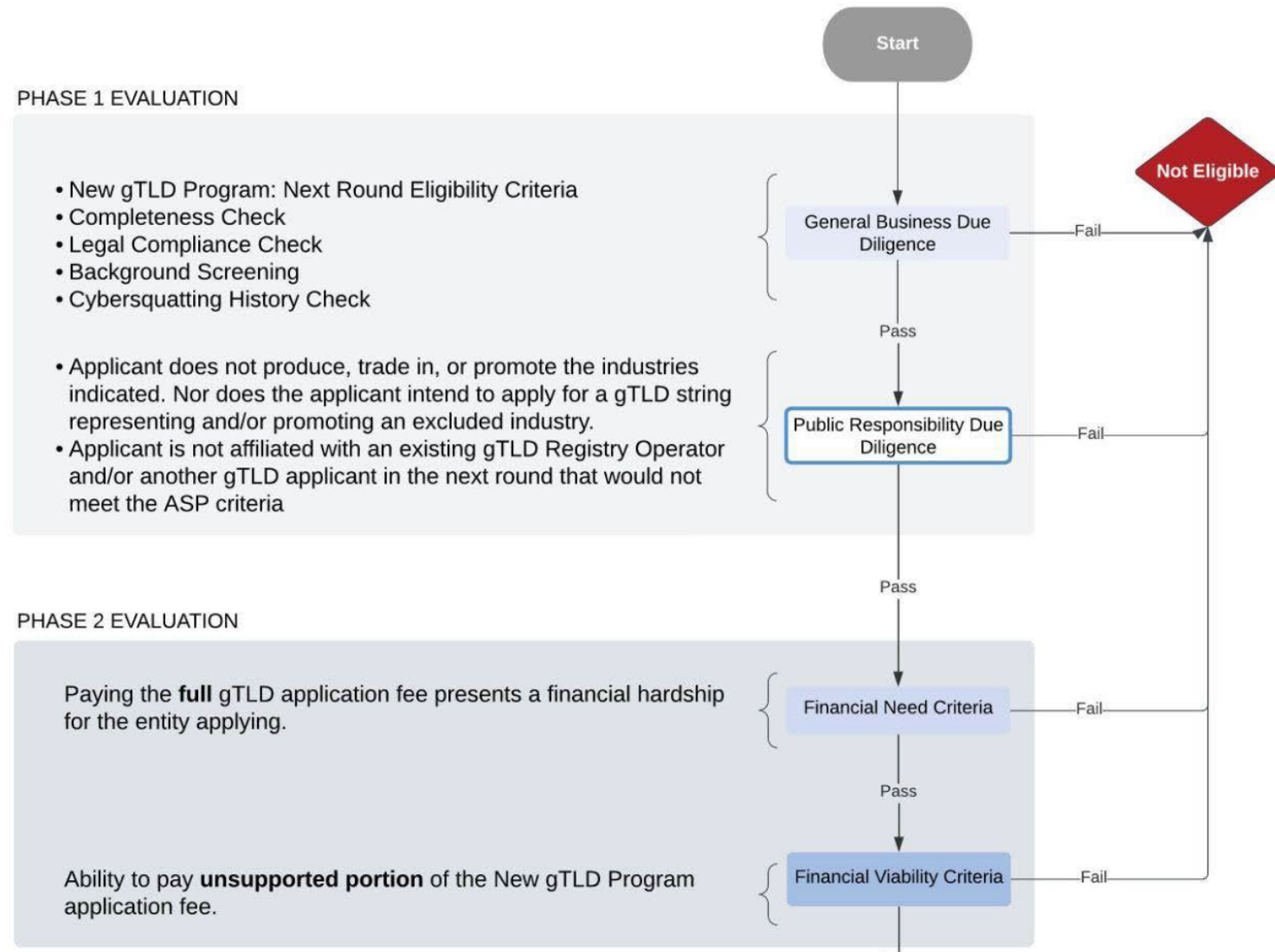
As noted, **ASP applicants are advised not to submit information about their intended New gTLD Program application string when applying to the ASP.** This will help protect the confidentiality of applicants' business information in advance of the opening of the application submission period for the New gTLD Program: Next Round.

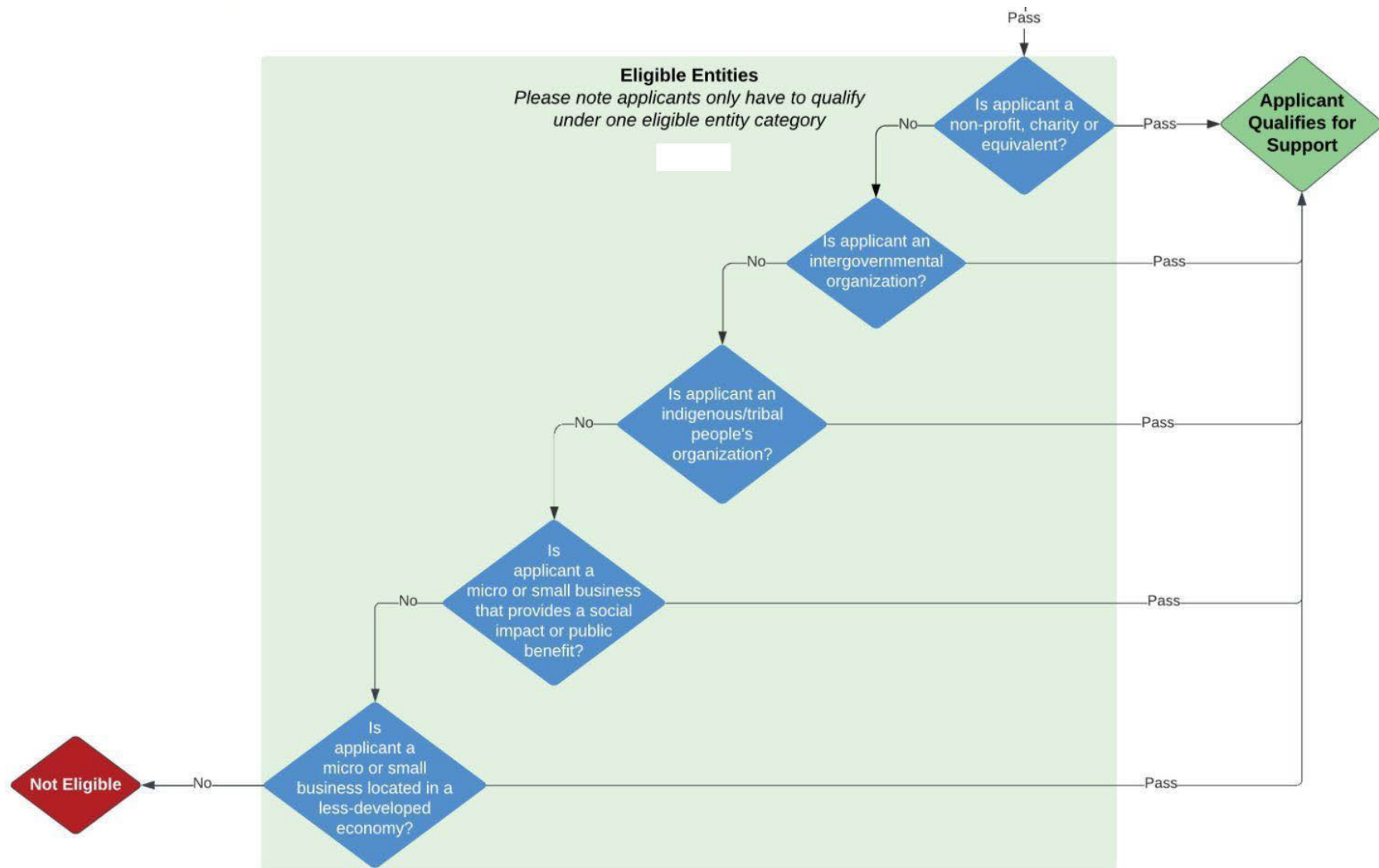
The next section provides an outline of the ASP evaluation criteria categories. This includes a description of each criterion and indicators that the evaluators will assess, and the questions which applicants will be asked in the ASP Application System. This section also lists required documentation, where applicable. The criteria are slightly different in nature but where applicable, each section is organized in the following manner.

EXAMPLE

1. Criterion name
 - a. Criterion description application question (where applicable, some criterion do not have associated questions).
 - b. Instructions and documentation (if any are required for that application question).
 - c. Indicators, where applicable, for meeting eligibility requirements.

Figure 2. High-Level Eligibility Flowchart





**Please note: Evaluations and processes shown are not necessarily sequential*

4.1. General Business Due Diligence

4.1.1. Legal Compliance Check

Applicant acknowledges that ICANN must comply with all applicable laws including U.S. laws, rules, and regulations. One such set of regulations are the economic sanctions 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 on individuals and entities that appear on OFAC's List of Specially Designated Nationals and Blocked Persons (the SDN List). ICANN 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 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 has been requested to provide services to individuals or entities that are not SDNs, but are residents of sanctioned countries, ICANN has sought and been granted licenses from OFAC as required. However, Applicant acknowledges that ICANN is under no obligation to seek such licenses and, in any given case, OFAC could decide not to issue a requested license.

4.1.2. Completeness Check

The applicant must submit a complete application to the ASP Application System. ICANN org conducts a review of each ASP application to determine if all required responses and documentation have been submitted before proceeding to a background screening.

If any required documents are missing, ICANN org will inform the applicant and allow them to submit those materials. The application will not be further evaluated until it is complete.

4.1.3. New gTLD Program: Next Round Eligibility Check

Applicants must meet eligibility criteria as noted in the [New gTLD Program: Next Round Applicant Guidebook](#).

ICANN conducts a review of each submitted ASP application to confirm that the applicant meets eligibility criteria before the application proceeds to background screening.

New gTLD Program: Next Round Eligibility Criteria:

- Applicant and individuals named within the Organizational Account Record must be in good corporate standing under their applicable laws and regulations.
- Applicant and individuals named within the Organizational Account Record must confirm that they are free and absent of:
 - Convictions of any crime related to financial or corporate governance activities, or judgements by a court to have committed fraud or breach of

fiduciary duty, or subject of a judicial determination that is the substantive equivalent of any of these within the last ten years.

- Disciplinary actions by any government or industry regulatory body for conduct involving dishonesty or misuse of funds of others within the last ten years.
- Convictions of any willful tax-related fraud or willful evasion of tax liabilities within the last ten years.
- Convictions of perjury, forswearing, failing to cooperate with a law enforcement investigation, or making false statements to a law enforcement agency or Representative within the last ten years.
- Convictions of any crime involving the use of computers, telephony systems, telecommunications or the Internet to facilitate the commission of crimes;
- Convictions of any crime involving the use of a weapon, force, or the threat of force;
- Convictions of any violent or sexual offense victimizing children, the elderly, or individuals with disabilities;
- Convictions within the last ten years of the illegal sale, manufacture, or distribution of pharmaceutical drugs, or been convicted or successfully extradited for any offense described in Article 3 of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.
 - Note: A past conviction for an offense that is no longer a criminal offense in the jurisdiction at the time of application shall not be considered.
- Convictions or been successfully extradited for any offense described in the United Nations Convention against Transnational Organized Crime (all Protocols);
- Convictions of aiding, abetting, facilitating, enabling, conspiring to commit, any of the listed crimes above; and
- Entrance of a guilty plea as part of a plea agreement or has a court case in any jurisdiction with a disposition of Adjudicated Guilty or Adjudication Withheld (or regional equivalents) within the respective timeframes listed above for any of the listed crimes.
- Systematic or repetitive engagement in cybersquatting, as defined in the Uniform Domain Name Dispute Resolution Policy (UDRP), Anti-cybersquatting Consumer Protection Act (ACPA), or other equivalent legislation, or was engaged in reverse domain name hijacking under the UDRP or bad faith or reckless disregard under the ACPA or equivalent legislation. Three or more such decisions with one occurring in the last four years will generally be considered to constitute a systematic or repetitive engagement in cybersquatting.
- Involved in any administrative or other legal proceeding in which allegations of intellectual property infringement relating to registration or use of a domain name have been made against the applicant or any of the individuals named in the Organizational Account Record respectively, within the last 10 years.

4.1.4. Background Screening

ICANN org directs a third-party vendor to conduct a background screening on the applicant and other relevant parties identified in the application. ICANN org assesses the outcome of the background screening and determines if an application may proceed in the application process.

Background screening will be conducted at both the organizational and individual levels to confirm eligibility and assess risk. Information may vary based on the accessibility of data and local data protection laws. ICANN may take into account information received from any source if it is relevant to the criteria listed below and in compliance with local data protection laws.

The application requires applicants to provide information on the legal establishment of the applying entity, the identification of directors, officers, partners, and major shareholders of that entity as well as the ultimate parent and/or individuals with control of the applicant. “Major shareholders” shall be those holding at least 15% of shares.

Background Screening Criteria

ICANN, in compliance with local laws and regulations, will perform background screening to ensure the applicant meets the eligibility criteria (see [Section 4.1.3: New gTLD Program: Next Round Eligibility Check](#)). The eligibility criteria are aligned with the “crimes of trust” standard sometimes used in the banking and finance industry. ICANN reserves the right to reject an application, even if the applicant is otherwise qualified, based on information uncovered during the background screening process.

In the absence of exceptional circumstances, applications from any entity with or including any individual not meeting the eligibility criteria listed below will be disqualified from the program.

Background Screening Results

Based on the outcome of the background screening, ICANN reserves the right to approve or not approve an application to proceed in the application process. For example, a final and legally binding decision obtained by a national law enforcement or consumer protection authority finding that the applicant was engaged in fraudulent and deceptive commercial practices as defined in the Organization for Economic Co-operation and Development (OECD) Guidelines for Protecting Consumers from Fraudulent and Deceptive Commercial Practices Across Borders may cause an application to be rejected. ICANN may also contact the applicant with additional questions based on information obtained in the background screening process.

See [New gTLD Program: Next Round Applicant Guidebook](#) for more information.

4.2. Public Responsibility Due Diligence

Criterion 1: Applicant does not produce, trade in, or promote an industry/string that is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.

Application Question: (a) Does the Applicant produce, trade in, or promote an industry/string that is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law?

Indicators:

The applicant does not produce, trade in, or promote an industry/string that is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.

Activities that may be considered contrary to generally accepted legal norms relating to morality and public order that are recognized under principles of international law are:

- Incitement to or promotion of violent lawless action;
- Incitement to or promotion of discrimination based upon race, color, gender, ethnicity, religion or national origin, or other similar types of discrimination that violate generally accepted legal norms recognized under principles of international law;
- Incitement to or promotion of child pornography or other sexual abuse of children; or
- A determination that the entity produces or trades in activities that would be contrary to specific principles of international law as reflected in relevant international instruments of law.

See pages 3-21 through 3-22 of the gTLD Applicant Guidebook, Version 2012-06-04: <https://newgtlds.icann.org/sites/default/files/guidebook-full-04jun12-en.pdf>

Criterion 2: Applicant is not affiliated with an existing gTLD Registry Operator and/or another prospective gTLD applicant in the next round that would not meet the ASP criteria.

Application Question: (a) Is the applicant an affiliate of an existing gTLD Registry Operator and/or another prospective gTLD applicant in the next round that would not meet the ASP criteria?

Indicators:

The applicant is not an affiliate of an existing gTLD Registry Operator, a Registry Service Provider (RSP), and/or another prospective gTLD applicant in the next round that would not meet the ASP criteria. Note that a relationship with a back-end Registry Service Provider (RSP) is expected and permissible; the RSP cannot have control over the ASP applicant entity, per the definition of “affiliate”.

"Affiliate" means a person or entity that, directly or indirectly, through one or more intermediaries, or in combination with one or more other persons or entities, controls, is controlled by, or is under common control with, the person or entity specified, and "control" (including the terms "controlled by" and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of a person or entity, whether through the ownership of securities, as trustee or executor, by serving as an employee or a member of a board of directors or equivalent governing body, by contract, by credit arrangement or otherwise."

See section 2.9 of ICANN's Base Registry Agreement - approved 21 January 2024:
<https://www.icann.org/en/registry-agreements/base-agreement>

4.3. Financial Need

Criterion 1: Paying the full base gTLD evaluation fee presents a financial hardship for the entity applying.

Application Question: (a) How would funding support from ICANN enable the applicant to apply for a new gTLD, and how would paying the full base gTLD evaluation fee present a financial hardship?

Instructions:

Describe in a narrative statement how funding support from ICANN would enable the applicant to apply for a gTLD and why paying the full base gTLD evaluation fee presents a financial hardship.

Indicators:

The answers should correspond with your financial documentation, description of funding, revenue, cash and cash equivalent sources, including profit and loss and balance sheet, if applicable. (See [Appendix 1](#) for a narrative statement template.)

(b) Provide financial documentation in support of (a).

Instructions:

Upload complete, audited financial statements for the two most recent fiscal years for the applying entity. Where audited statements cannot be provided, provide either reviewed or compiled financial statements for the most recently closed fiscal year or interim period. All financial statements must be prepared by a third-party accounting firm and include the following:

- Signed statement from third-party accounting firm
- Balance sheet
- Profit and loss statement
- Statement of cash flow
- Statement of equity
- Notes to the financial statements

As noted above, financial statements must be prepared by a third-party accounting firm based on one of three types: Audit report, review report, or compiled report. If a complete set of “audited” financial statements are not provided, the applicant must provide a statement clarifying whether the set of financial statements submitted have been “reviewed” or “compiled” and why audited statements were not provided, explicitly stating what accounting standards were used to prepare the financial statements provided. The applicant should also include an explanation of why the financial statements submitted were chosen for submission and are the most appropriate set of financial statements to review.

The New gTLD Program: Next Round will have similar requirements as noted above.

Indicators:

To be eligible for consideration, the applying entity cannot, in any of the past two years, have reported:

- In excess of USD 5 million revenue per annum from all sources as reported in their annual profit and loss statement.
- In excess of USD 5 million Cash and Cash Equivalents (CCE) as reported in their financial year end balance sheets.

If the entity was not in operation for two years, the financials for the most recent years will be considered. Financial reporting not in USD shall be converted to USD using current exchange rates. Moreover, by applying to ASP, the applicant asserts that it does not have in excess of USD 5 million in unreported or unrealized commitments for financing.

The applying entity must not be majority (more than 50%) owned or controlled (defined in [Section 4.2](#) Criterion 2 indicator) by an entity that does not meet the Financial Need criteria.

For operating entities, the cost of the base gTLD evaluation fee is greater than or equal to 5 percent (or $> 1/20$) of the organization's annual revenue; for non-operating entities, cash and cash equivalents cannot exceed USD 5 million.

Example: If the base gTLD evaluation fee is USD 250 thousand, the applicant must demonstrate that this amount is greater than or equal to 5% its annual revenue; therefore the applicant's annual revenue cannot exceed USD 5 million.

4.4. Financial Viability

Criterion 1: Ability to pay the unsupported portion of the New gTLD Program base evaluation fee and other gTLD evaluation fees.

Application Question: (a) How does the applicant plan to pay the unsupported portion of the new gTLD Program base evaluation fee and other gTLD evaluation fees?

Instructions:

Describe, in a narrative statement or funding plan, how the applicant plans to cover the unsupported portion of the base gTLD evaluation fee. (See [Appendix 1](#) for a narrative statement template.)

Indicators:

A USD 2500 deposit will be required once the applicant has been notified that it has passed evaluation and conditionally qualifies for support.

See [Section 3: Applicant Support Program Timeline](#) for information about requirements to submit a deposit.

4.5. Eligible Entities Categories

The eligible entity categories identified below are not mutually exclusive. Should the ASP applicant fit into multiple eligible categories, the applicant is encouraged to submit necessary documentation for all applicable eligibility categories so it may be evaluated accordingly, as resubmissions are not allowed (see [Section 4.6: Restrictions](#)). Note, however, that **ASP applicants are only required to meet the eligibility criteria and indicators for one of the eligible entity categories listed**. Please note that once the applicant selects its eligible entity type(s) and proceeds with the application, the selection is final and cannot be changed later in the process.

Submitting documentation for multiple entity types does not negatively impact the applicant's eligibility (i.e., if an applicant submits documentation for two entity categories and qualifies for one but does not qualify for another, the applicant still passes the "Eligible Entity" evaluation category). See additional examples below.

Applicant Example 1: If the applicant is a nonprofit/charitable organization and an Indigenous/Tribal Peoples' organization, it may submit documentation to demonstrate eligibility for either category or for both categories. The applicant only needs to meet the criteria and indicators for one entity type to pass the "Eligible Entity" evaluation criterion.

Applicant Example 2: If the applicant is a small-business social enterprise and principally located in a less-developed economy, it may submit documentation to demonstrate eligibility for either or for both categories. The applicant only needs to meet the criteria and indicators for one entity type to pass the "Eligible Entity" evaluation category.

4.5.1. Eligible Entities - Nonprofits, Charities, or Equivalent

To qualify as a nonprofit, charity, or equivalent organization, the applicant needs to determine which of the three criteria (1, 2, or 3) best describes the entity applying. Then respond to **one** of the three criteria below by following those instructions.

Criterion 1: The organization must be a registered, recognized nonprofit, nongovernmental, and/or charitable organization with relevant regulatory authority.

Application Question: (a) Is the applicant a registered, recognized nonprofit, nongovernmental, and/or charitable organization with a relevant regulatory authority?

Instructions:

Upload a formal document or certificate from relevant regulatory authorities, acknowledging the applicant's charitable status if the applicant answered "Yes" to this question.

Some governments recognize charities/nonprofits. Therefore, documentation may be submitted to demonstrate nonprofit/charitable status. See example of [Local NGO Definitions](#).

-OR-

Criterion 2: The organization must have a current, valid Equivalency Determination certificate completed by a qualified tax practitioner.

Application Question: (b) Does the applicant have a current, valid Equivalency Determination certificate completed by a qualified tax practitioner?

Required only if the requested documentation in (a) is not provided.

Instructions:

Upload a current, valid Equivalency Determination certificate completed by a qualified tax practitioner. This is required if a formal document or certificate acknowledging the applicant's charitable status is not available. A qualified tax practitioner may be an attorney, accountant, or other licensed professional with credentials certifying their expertise in making this type of determination.

An equivalency determination is a good faith determination that a non-U.S. organization is the equivalent of a U.S. public charity. See NGOSource resource for more information.

-OR-

Important Note: If the applicant is applying as a nonprofit, charitable organization, or equivalent but does not meet the nonprofit/charitable organization criteria (1) or (2), then Criterion 3 with questions (c) - (i) are required.

Criterion 3: If the applicant does not meet a) or b) requirements, then it needs to respond to the following questions c) through i) to determine nonprofit / charitable status.

Application Question: (c) Does the applicant certify that it is organized for charitable purposes by showing that it has recognized legal status in its respective country?

Instructions:

Applicants will upload governing documents for question (h) in the ASP Application System.

Indicators:

Confirm that the applicant is organized for charitable purposes. Applicant's governing documents will be reviewed to confirm this statement.

Application Question: (d) If applicable, does the applicant certify that it is primarily engaged in activities that are charitable, defined as at least 85% of its overall operational resources, are dedicated to accomplishing one or more charitable objectives?

Instructions:

Applicants will upload governing documents for question (h) in the ASP Application System.

Indicators:

Confirm that the applicant is primarily engaged in activities that are aimed at serving a substantial community benefit or cause or social welfare, defined as at least 85% of its overall operational resources – including direct program expenditures but also time and overhead – are dedicated to accomplishing one or more socially beneficial objectives. The applicant's governing documents will be reviewed to confirm this statement.

Application Question: (e) If applicable, does the applicant certify that on dissolution, its assets will be transferred for charitable purposes?

Instructions:

Applicants will upload governing documents for question (h) in the ASP Application System.

Indicators:

Confirm that the applicant's assets, upon dissolution, will be transferred for charitable purposes. The applicant's governing documents and/or applicable local legal requirements will be reviewed to confirm this statement.

Application Question: (f) If applicable, does the applicant certify that it does not engage in political activities or political campaigns for public office, including supporting political campaigns, raising funds for political candidates, making campaign contributions, publicly supporting or opposing political candidates, posting partisan messaging online, comparing the applicant's stance on an issue to a political candidate's views?

Instructions:

Applicants will upload governing documents for question (h) in the ASP Application System.

Indicators:

Confirm the applicant does not engage in political activities or political campaigns for public office, including supporting political campaigns, raising funds for political candidates, making campaign contributions, publicly supporting or opposing political candidates, posting partisan messaging online, comparing the organization's stance on an issue to a political candidate's views.

Note: This does not include general advocacy activities such as sharing best practices, success stories, model legislation examples, providing objective analysis and research, coalition building, hosting events, signing petitions, recruiting volunteers, among other activities.

The applicant's governing documents will be reviewed to confirm this statement.
Governing documents will be required in (h).

Application Question: (g) If applicable, does the applicant certify that its net assets do not benefit any private persons or non-charitable organizations and is not an affiliate for a for-profit entity?

Instructions:

Applicants will upload governing documents for question (h) in the ASP Application System.

Indicators:

Confirm that the applicant's activities do not benefit private persons or non-charitable organizations and the applicant is not an affiliate of a for-profit entity.

For the avoidance of doubt this is not intended to refer to the provision of support to third parties, for example grants, goods or services, made in the ordinary course of the performance of the applicant's charitable or public benefit mission. Applicant's governing documents will be reviewed to confirm this statement.

Application Question: (h) Provide governing documents that describe the applicant's purpose and powers, that demonstrate the applicant is prohibited from engaging in non-charitable activities, except as an insubstantial part of its activities.

Instructions:

Upload governing documents that describe the applicant's purpose and powers, that demonstrate the applicant is prohibited from engaging in non-charitable activities, except as an insubstantial part of its activities.

Indicators:

Governing documents (and actual activities) must:

- Describe purposes and powers.
- Prohibit the organization from engaging in non-charitable activities, except as an insubstantial part of its activities.
- Support the statements made in this application.

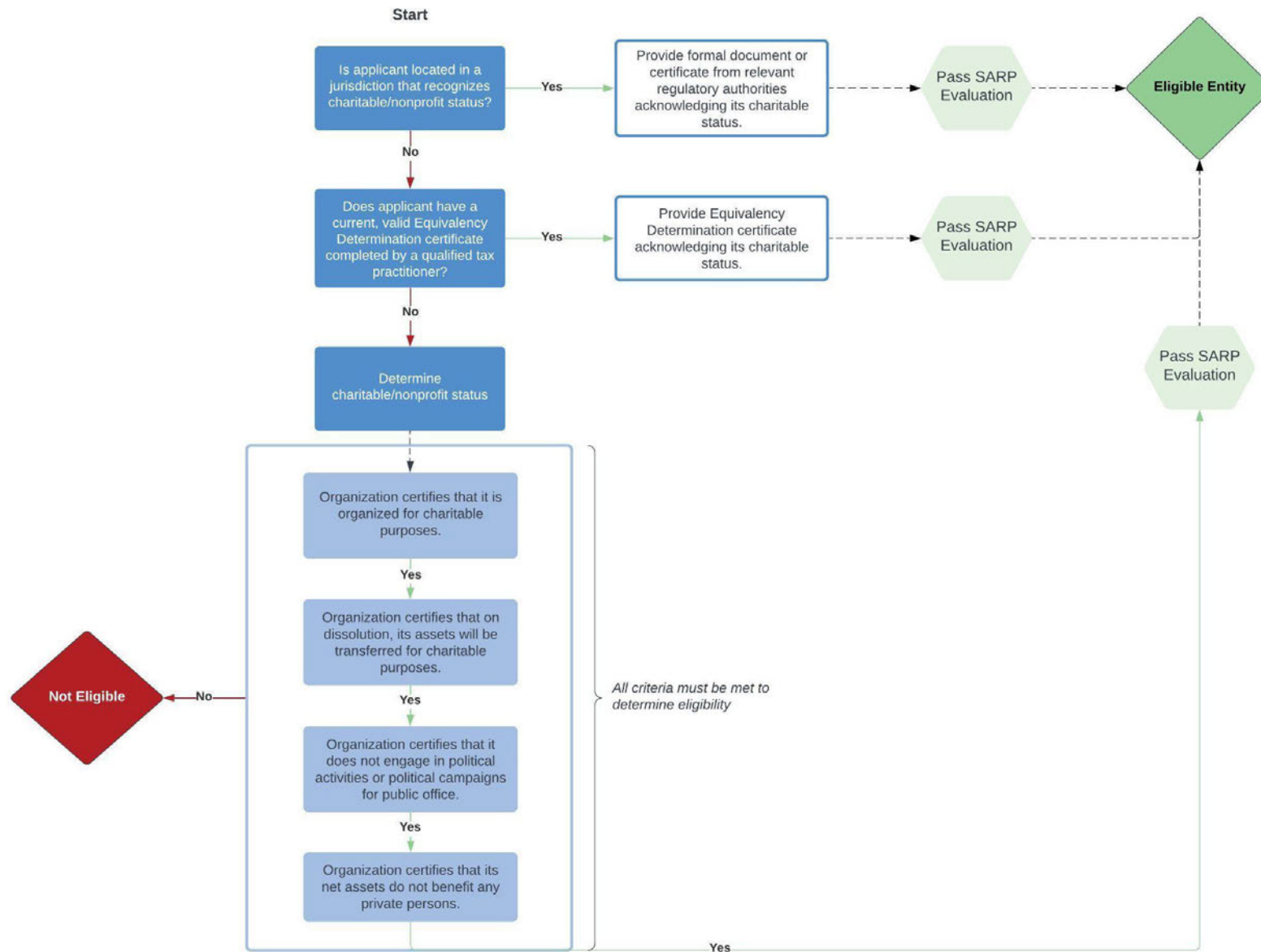
Application Question: (i) If applicable, provide any relevant ancillary documents such as annual reports or program brochures.

Instructions:

Upload relevant ancillary documents. Ancillary documents may include items such as:

- Annual reports
- Program brochures
- Organization website

Figure 3. Eligible Entity Determination: Nonprofits, Charities, or Equivalent



4.5.2. Intergovernmental Organizations (IGOs)

Criterion 1: Entity applying is an Intergovernmental Organization (IGO).

Application Question: Can the applicant confirm it is an IGO? If yes, provide the required documentation.

Instructions:

Upload required documentation to indicate the entity applying is an IGO.

Indicators:

An IGO is defined as: (i) an 'Intergovernmental organization' having received a standing invitation, which remains in effect, to participate as an observer in the sessions and the work of the United Nations General Assembly; or (ii) a Specialized Agency or distinct entity, organ or program of the United Nations.

A visual depiction of the United Nations system is available here, including its Specialized Agencies and various programs:

https://www.un.org/en/pdfs/un_system_chart.pdf

See also: Final Report of the Expedited Policy Development Process on Specific Curative Rights Protections for International Governmental Organizations (IGOs):
<https://itp.cdn.icann.org/en/files/generic-names-supporting-organization-council-gnso-council/epdp-specific-crp-igo-final-report-02-04-2022-en.pdf>

4.5.3. Eligible Entities - Indigenous/Tribal Peoples' Organizations

Criterion 1: Entity is an Indigenous/Tribal Peoples' organization.

Application Question: (a) Can the applicant confirm it is an Indigenous/Tribal Peoples' Organization? If yes, provide the required documentation.

Instructions and Indicators:

Upload documentation demonstrating indigenous/tribal organization status (e.g., official registration as an indigenous organization, and/or recognition by national or international indigenous rights organizations).

-OR-

Application Question: (b) Provide a letter of support from the Indigenous/Tribal Peoples' community represented by the applicant organization.

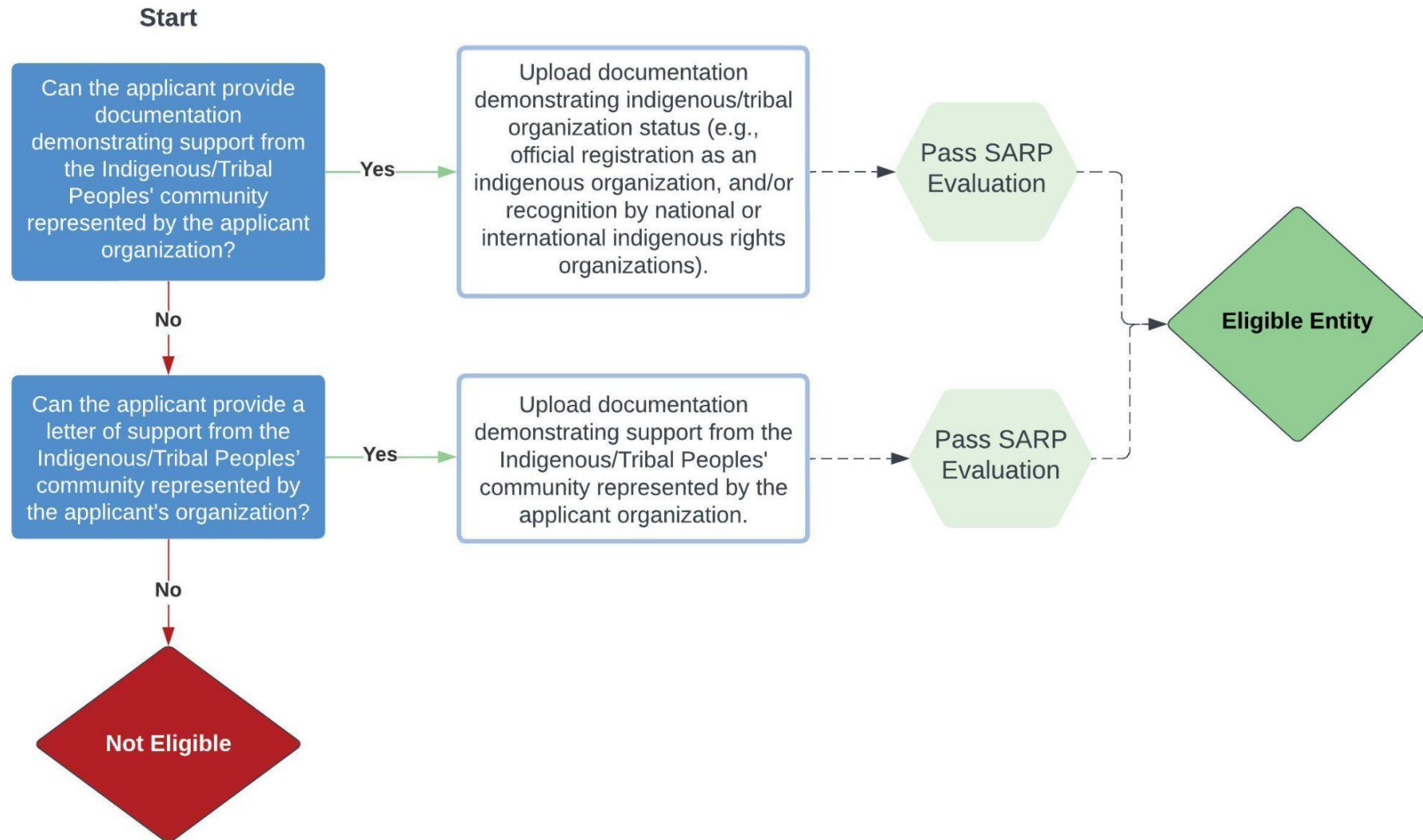
Required only if the requested documentation in (a) is not provided.

Instructions and Indicators:

Upload documentation demonstrating support from the Indigenous/Tribal Peoples' community represented by the applicant organization.

For Indigenous/Tribal Peoples' organizations that do not have official recognition from a relevant authority, it may be possible to apply under a different "Eligible Entity" type. For example, a nonprofit organization or a micro or small enterprise that either provides social impact/public benefit or is principally based in a less-developed economy.

Figure 4. Eligible Entity Determination: Indigenous/Tribal Peoples' Organizations



4.5.4. Eligible Entities - Social Impact or Public Benefit Micro-or Small-Sized Business

Criterion 1: Entity is a social enterprise, social impact, or public interest benefit enterprise.

Application Question: (a) Is the applicant incorporated/registered and/or certified as a benefit or social enterprise in the entity's principal place of business? If yes, provide the required documentation.

Instructions and Indicators:

Upload documentation demonstrating registration as a social enterprise or public benefit business.

A social impact business is a business whose primary purpose is the common good as demonstrated through its legal founding documents and whose principal business activity is directly related to accomplishing that stated social or environmental purpose. See examples:

<https://dpw.lacounty.gov/contracts/SocialEnterprise.aspx>

<https://www.socialenterprise.org.uk/all-about-social-enterprise/>

A public benefit corporation is a corporation created to generate social and public good, and to operate in a responsible and sustainable manner. See examples:

https://www.law.cornell.edu/wex/public_benefit_corporation

<https://www.sec.state.ma.us/divisions/corporations/download/notice-regarding-benefit-corporations.pdf>

B Corporation Certification: <https://www.bcorporation.net/en-us/certification/>

-OR-

Application Question: (b) If applicable, provide legal founding documentation to indicate a stated commitment to primary social or benefit purpose.

Required only if the requested documentation in (a) is not provided.

Instructions and Indicators:

Upload legal founding documentation demonstrating a stated commitment to social impact or public benefit purpose, such as Articles of Incorporation, Articles, Notice of Articles or equivalent, or annual assessment reports publicly posted, listing social or public benefits provided in the previous year

Required only if the applicant does not have documentation of the organization being

certified as a benefit corporation or registered and recognized by a relevant regulatory authority in the company's principal place of business as a social enterprise or public benefit company.

Application Question: (c) If applicable, provide required documentation to indicate that the applicant's operations are directed at pursuit of stated social or benefit purpose.

Required only if the requested documentation in (a) is not provided.

Instructions and Indicators:

Upload documentation demonstrating that the applicant's operations are directed at the pursuit of stated social or benefit goal/purpose, such as:

- Selection of a third-party standard the public/social benefit the enterprise plans to measure itself against and a public statement to that effect.
- Publicly stated rationale for selecting the chosen third-party standard.
- Annual assessment report against the selected third-party standard (self-assessment or third-party assessment).

Required only if the applicant does not have documentation of being certified as a benefit corporation or registered and recognized by a relevant regulatory authority in the company's principal place of business as a social enterprise or public benefit company.

Application Question: (d) If applicable, provide required documentation to indicate that the applicant's financial surpluses are primarily reinvested in the stated benefit purpose, rather than being primarily driven by the need to deliver profit to shareholders and owners.

Required only if the requested documentation in (a) is not provided.

Instructions and Indicators:

Upload documentation demonstrating that the applicant's financial surpluses are primarily reinvested in the stated benefit purpose, rather than being primarily driven by the need to deliver profit to shareholders and owners. Applicants are encouraged to submit all relevant documentation deemed appropriate to establish this criterion has been met. Examples of documentation to demonstrate adherence with this criterion include:

- Documentation including annual reports, impact assessments, or case studies that indicate how financial surpluses are being used to fulfill the stated social or public benefit objectives.
- Social or public benefit impact measurement and reporting that assess and quantify the social or public benefit outcomes achieved with the financial surpluses.
- Ratio of surplus allocation indicates that a majority (> greater than 60 percent of revenue or profits) went to programmatic activities aimed at achieving the entity's stated social or public benefit objectives.

Required only if the applicant does not have documentation of being certified as a benefit corporation or registered and recognized by a relevant regulatory authority in the company's principal place of business as a social enterprise or public benefit company.

Criterion 2: Entity is a micro- or small-sized business

Application Question: (e) Does the applicant meet the criteria to be considered a micro- or small-sized business? If yes, provide the required documentation.

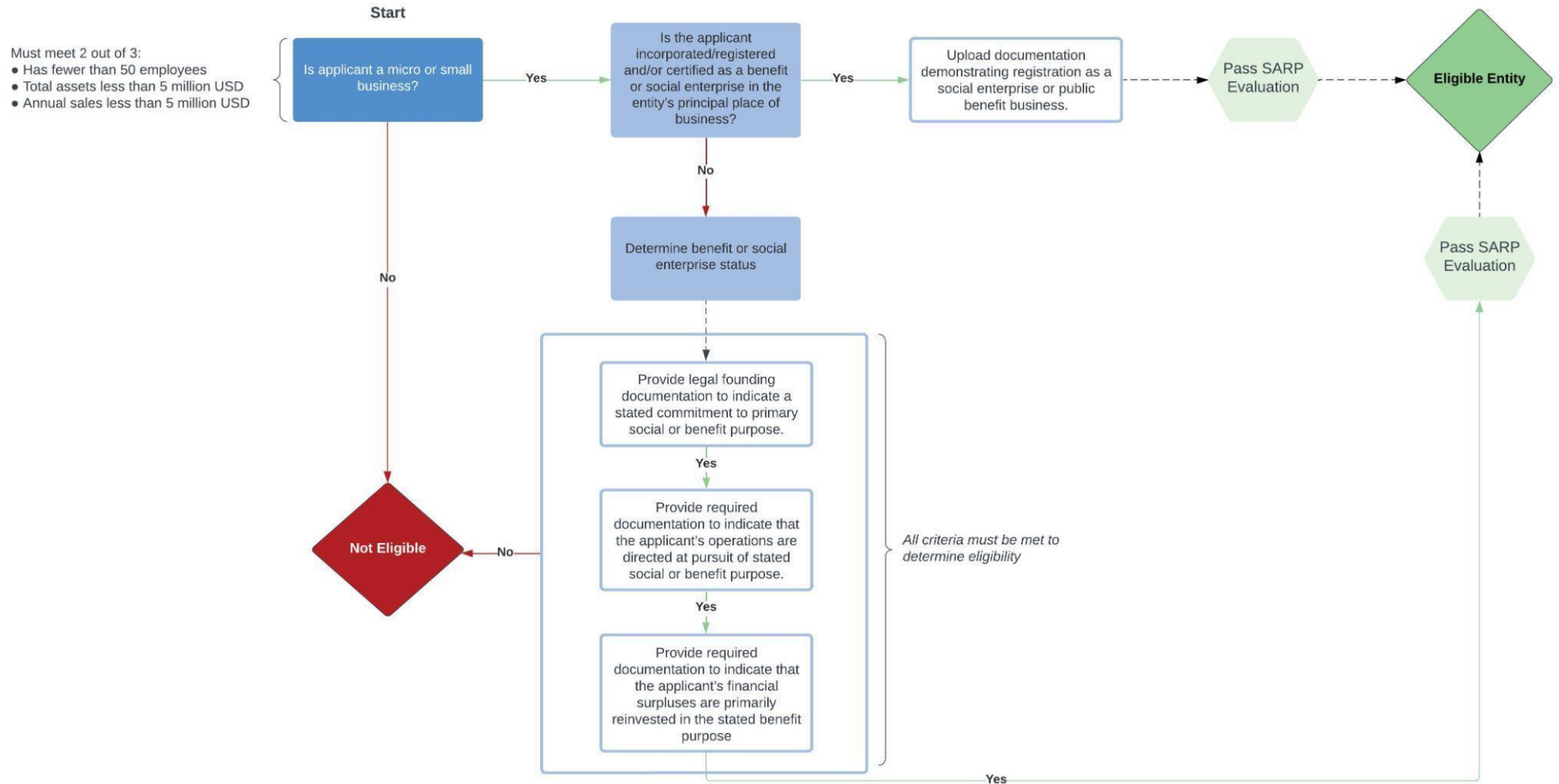
Instructions and Indicators:

Upload the required document demonstrating the applicant is a micro- or small-sized business. The applicant must meet at least two out of the three indicators below:

- Has fewer than 50 employees
- Total assets is less than USD 5 million
- Annual sales less than USD 5 million

There is no universal definition for micro or small business. Definitions vary from country to country. The indicators provided here are intended to reflect the most common thresholds from other global and regional funding institutions.

Figure 5. Eligible Entity Determination: Social Impact or Public Benefit Micro-or Small-Sized Business



4.5.5. Eligible Entities - Micro- or Small-Sized Business from a Less-Developed Economy

To meet this requirement, the applicant must answer “yes” to questions (a) and (b) together, or questions (c) and/or (d) together, or questions (e) and (f) together and yes to question (g).

If the applicant answers “yes” to any of the pairings noted above, the ASP Application System will not prompt them for the remaining questions until question (g).

Criterion 1: Entity’s principal place of business is from a country/territory/region that has a less-developed economy.

Application Question: (a) Is the applicant’s principal place of business located in one of the following: Small Island Developing States (SIDS), Least Developed Countries (LDCs), Economies in Transition, or Developing Economies?

Instructions and Indicators:

Confirm that the applicant’s principal place of business is from a less-developed economy, as defined by the World Economic Situation and Prospects report published by the United Nations in 2023 (see Statistical Annex with country classifications):

<https://www.un.org/development/desa/dpad/publication/world-economic-situation-and-prospects-2023/>.

Principal place of business is defined as the place where a corporation’s officers direct, control, and coordinate the corporation’s activities. The principal place of business cannot be a Post Office Box. This will be determined as the location in which the largest volume of the corporation’s operations is located and a supermajority (80%+) of the corporation’s officers are located. “Officers” refers to the high-level management officials of a corporation or business, for example, a CEO, vice president, secretary, chief financial officer. Partners would be listed in the context of a partnership or other such form of legal entity

Application Question: (b) Is more than 50 percent of the company owned by residents from one or more of the following: Small Island Developing States (SIDS), Least Developed Countries (LDCs), Economies in Transition, or Developing Economies? If so, please submit the corresponding evidence.

Instructions and Indicators:

Upload the documentation demonstrating proof of stakeholder residence confirming more than 50 percent of the company is owned by residents from one or more of the following: Small Island Developing States (SIDS), Least Developed Countries (LDCs), Economies in Transition, or Developing Economies.

Examples of documentation demonstrating proof of residence include utility bills such

as electric, water, or gas.

Extenuating circumstances to accommodate situational hardships that force relocation of business will be assessed on a case by case basis and will require a narrative statement outlining the extenuating circumstances.

-OR-

Application Question: (c) Is the applicant's principal place of business located within Indigenous/Tribal Peoples' lands?

Instructions and Indicators:

Upload documentation demonstrating proof that the applicant's principal place of business is located within Indigenous/Tribal Peoples' lands.

AND/OR

Application Question: (d) Is the applicant an Indigenous/Tribal Peoples'-owned business? If yes, provide the required documentation.

Instructions and Indicators:

Upload documentation demonstrating that the applicant is an Indigenous/Tribal Peoples'-owned business, such as an Indigenous/Tribal Peoples' Organization status, or a letter of support from the corresponding Indigenous/Tribal Peoples' community.

-OR-

Application Question: (e) Describe how the applicant's principal place of business is located in a less-developed economic area as demonstrated by globally recognized, verifiable, established proxy indicators.

Required only if the requested documentation in (a), (b), (c) and (d) is not provided.

Instructions and Indicators:

Describe how the applicant's principal place of business is located in a less-developed economic area demonstrated by globally recognized, verifiable, established proxy indicators.

The applicant should provide localized data that demonstrates disadvantage in keeping with the less-developed economic area criteria outlined above.

Application Question: (f) Is more than 50 percent of the company owned by residents from a less-developed economic area as demonstrated by globally recognized, verifiable, established proxy indicators?

Required only if the requested documentation in a), (b), (c) and (d) is not provided.

Instructions and Indicators:

Upload documentation confirming more than 50 percent of the company is owned by residents from a less-developed economic area as demonstrated by globally recognized, verifiable, established proxy indicators.

Examples of documentation demonstrating proof of residence include utility bills such as electric, water, or gas.

Extenuating circumstances to accommodate situational hardships that force relocation of business will be assessed on a case by case basis and will require a narrative statement outlining the extenuating circumstances.

Criterion 2: Entity is a micro- or small-sized business.

Application Question: (g) Does the applicant meet the criteria to be considered a micro- or small-sized business? If yes, provide the required documentation?

Instructions:

Upload the required document demonstrating the applicant is a micro- or small-sized business.

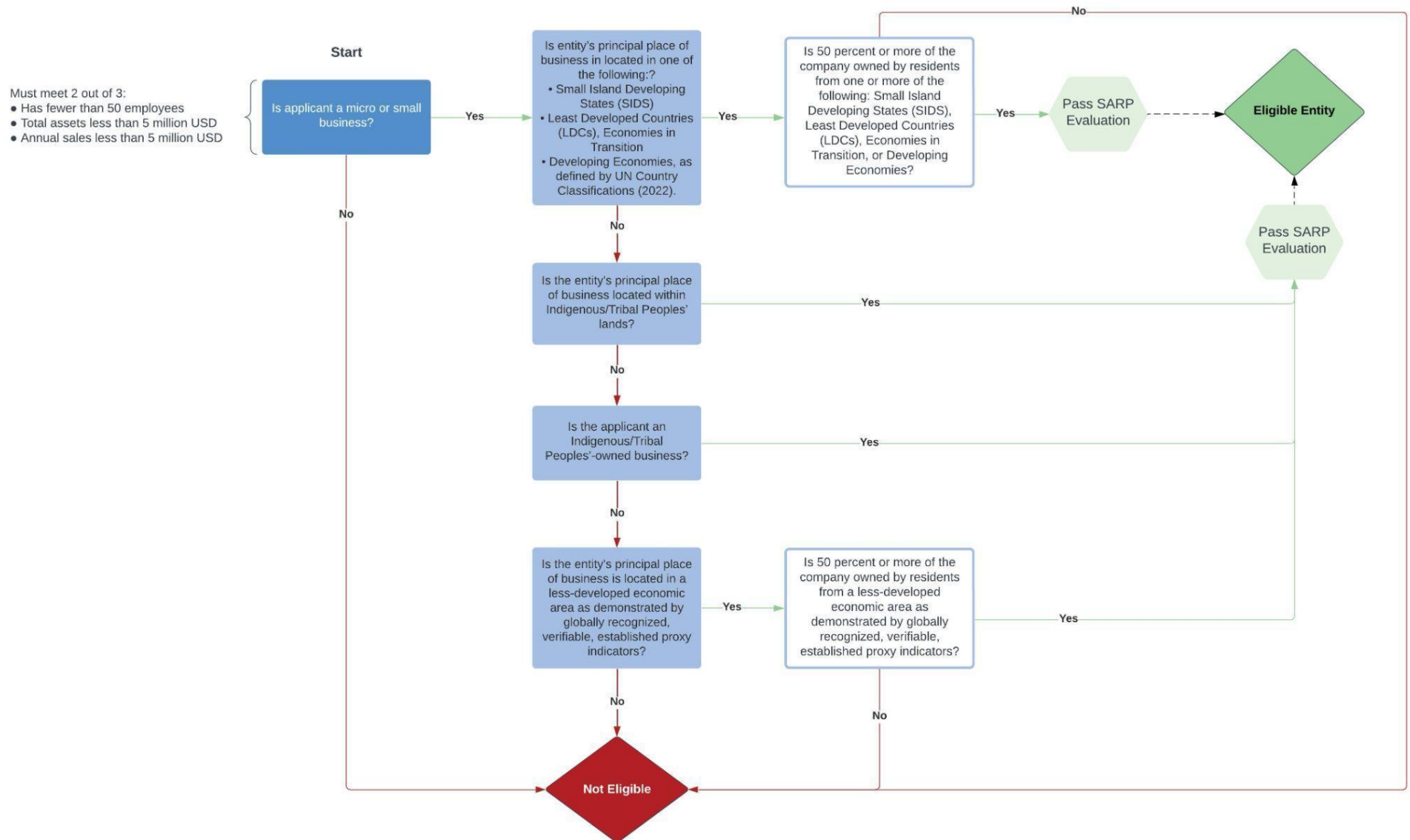
Indicators:

The applicant must meet at least two out of the three indicators below:

- Has fewer than 50 employees
- Total assets is less than USD 5 million
- Annual sales less than USD 5 million

There is no universal definition for micro or small business. Definitions vary from country to country. The indicators provided here are intended to reflect the most common thresholds from other global and regional funding institutions.

Figure 6. Eligible Entity Determination: Micro- or Small-Sized Business from a Less-Developed Economy



4.6. Restrictions

The following restrictions will be employed in applying for and receiving applicant support.

- 4.6.1. **ASP applicants are not permitted to re-apply or re-submit an application to the ASP.**
 - For information on restrictions related to application change requests, please see [Section 5.1: Changes to ASP Applications](#).
- 4.6.2. Qualified supported ASP applicants will receive a 75-85% reduction on gTLD evaluation fees relating to **one gTLD application only**.
- 4.6.3. Supported applicant entities that apply to the New gTLD Program will be restricted to one gTLD application submission.
 - Applicants interested in applying for TLD variants (determined by using the [RZ-LGR tool](#)) are advised to consult the [New gTLD Program: Next Round Applicant Guidebook](#). To follow the decision-making process on this topic, please see the [community page](#).
 - For instance, .example in simplified Chinese: [.样例] and in traditional Chinese [.樣例]
- 4.6.4. If a supported applicant applies for a new gTLD string (the name the applicant applies for) that is counter to public responsibility (see [Section 4.2: Public Responsibility Due Diligence](#)) their support may be withdrawn.
- 4.6.5. All gTLD applicant strings may be subject to the limited public interest objection; string confusion objection; community objection; or legal rights objection in the New gTLD Program: Next Round.
- 4.6.6. Supported applicants that progress to delegation will be restricted from assigning the Registry Agreement or from any Change of Control for a period of three years. Assignments that become necessary for the following reasons shall be permitted:
 - Assignments due to the TLD being unable to meet its financial obligations and unable to secure financing or restructure operations to carry out operations in the short-term.
 - Assignments due to death or retirement of a majority shareholder.
 - Assignments due to EBERO.
 - Assignments to affiliates or subsidiaries.
 - Assignments required by competition authorities.

All assignments after such time shall be governed under the then-current Registry Agreement standard provisions; provided that any Assignment or Change of Control after the third (3rd) year, but prior to the seventh (7th) year, shall require the applicant to repay the full amount of financial support received through the ASP Program, including application fees and any bid credit, multiplier, or related benefits, plus an additional ten percent (10%).

5. Applicant Support Program Application Process

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).

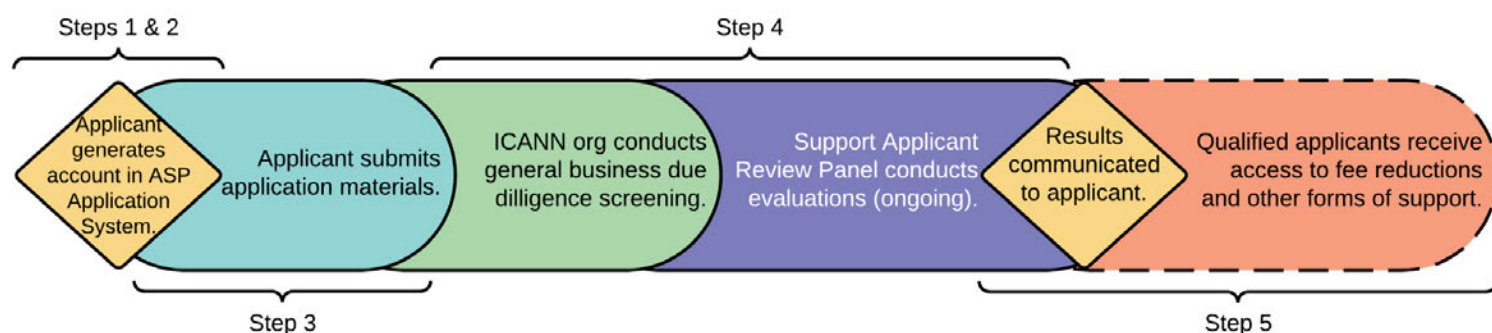
As part of implementation, ICANN org will evaluate which service providers supporting the New gTLD Program require access to the data processed during each New gTLD Program process or phase of the New gTLD Program (e.g., application submission, initial evaluation, objections). As part of this evaluation, 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 will be deleted when it is no longer needed for stated purposes, subject to legal requirements, 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. Any Personal Information (as defined in the ICANN Privacy Policy) collected, used, submitted or transmitted in connection with the ASP Evaluation will be processed only for lawful purposes and consistent with the purposes for which it was collected. Such Personal Information will be processed in accordance with the [New gTLD Program Personal Data Privacy Statement](#) and [ICANN Privacy Policy](#).

ASP Application Process

There are several phases to the ASP application process, outlined in Figure 7 and described in further detail.

Figure 7. Sequencing of Applicant Support Program Preparation, Evaluation, and Results



The outline below provides an overview of the stepwise process for the ASP application using the ASP Application System. In addition to this overview, potential ASP applicants will also have access to an [ASP Application System User Guide](#).

Applicant generates account in ASP Application System.

Step 1: Register

- a. Go to <https://newgtldprogram.icann.org/en/application-rounds/round2/asp/apply> to register for the ASP.
- b. Receive registration confirmation.

Step 2: Access application materials

- a. Either log in to the ASP Application System to access the application form directly; OR
- b. If an applicant wishes to work on the application responses offline, the ASP application information and system user guide can be downloaded from the [ASP website](#).

Applicant submits application materials. Please note only applications submitted through the ASP Application System will be considered for evaluation.

Step 3: Submit application

- a. Log in to the ASP Application System to:
 - i. Fill out required application questions. Applicants do not need to complete the application in a single session, the ASP Application System allows applicants to save their answers prior to submission and work in multiple sessions if needed.
 - ii. Upload required and relevant supporting documentation.
 - iii. Review and confirm the application is complete and all supporting documents have been uploaded.
- b. Submit the finalized ASP application.
 - i. Applicants will be able to confirm submission of the application and track the application status directly in the ASP Application System. Applications may not be updated after being submitted except by going through the change request process (see [Section 5.1: Changes to ASP Applications](#)).
 - ii. If issues with the application process arise, submit an inquiry in the ASP Application System for support.

Important note: ASP applicants are advised **not** to submit information about their intended New gTLD Program application string when applying to the ASP. This is to protect the business confidentiality of applicants' information in advance of the opening of the New gTLD Program application submission period.

ICANN org conducts general business due diligence screening and SARP conducts evaluations.

Step 4: Evaluation process

- a. ICANN org reviews submitted application for completeness.
- b. ICANN org may contact the applicant if submitted materials are incomplete, unclear, or inaccessible.

Note that providing application documentation in languages other than English may extend the timeline for evaluation. Applicants are requested to provide the original documentation along with the English translations, if available, when submitting documentation in a language other than English. If applicants use a certified or equivalent translation service, they will be asked to indicate the service used (see [Appendix 3](#)).

The processing time will be extended at least 2-4 weeks based upon the total volume of documents provided in a language other than English. **Please note that while the ASP is more flexible regarding translated documents, the New gTLD Program: Next Round may require certified translations of non-English documents.**

- c. ICANN org manages the general business due diligence evaluation.
Background screenings will be conducted by a third-party vendor managed by ICANN org. The applicant and its references may be contacted as part of this step.
- d. Applications that pass pre-screening are shared with the third-party vendor to conduct subsequent evaluations. ICANN org will relay clarifying questions raised by the SARP evaluators to the ASP applicant.
- e. The evaluation process is designed to be completed generally within 12–16 weeks.

Important note: Note: the period between the end of ASP application submission period and the start of the gTLD application submission period is an estimated 20-24 weeks. Submitting an ASP application close to the deadline could potentially create delays in receiving ASP evaluation results prior to the gTLD application submission period. This risk increases if the applicant receives clarifying questions from ASP evaluators or is delayed in submitting an ASP deposit.

Results are communicated to applicants and qualified applicants receive access to fee reduction and other forms of support.

Step 5: Evaluation results

- a. ASP applicants will be notified via email of application status changes and when evaluation results are ready. ASP applicants are directed to log into the ASP Application System to review evaluation results.
- b. If qualified, the applicant will receive information regarding the portfolio of available support (see [Section 6.6: Support Allocation for Qualified Applicants](#)).

-
- c. If the applicant does *not* qualify for support, they may:
 - i. Request Extended Evaluation (see [Section 6.5: Extended Evaluation](#)); or
 - ii. Proceed in submitting a standard New gTLD Program application and pay the evaluation fees in full.
 - d. All applicants wishing to submit a gTLD application may refer to the New gTLD Applicant Guidebook for detailed information about the New gTLD Program application process, requirements, and submission.

5.1. Changes to ASP Applications

Applicants may request changes or updates to their applications throughout the processing and evaluation period. This may include submitting missing documentation and/or replying to clarifying questions. In general, all applicants must update ICANN.org within a timely manner, no more than 15 business days of any material changes to information previously submitted on their application.

Change Request Determination Criteria

In evaluating each change request, all available information is considered against the seven criteria below. The weight of each criterion may vary on a case-by-case basis, depending on the facts and circumstances surrounding the change request and the application. Determination of whether changes will be approved will balance the following factors:

1. **Explanation** – Is a reasonable explanation provided?
2. **Evidence that original submission was in error** – Is there evidence to support an assertion or claim that the change is only made to merely correct an error?
3. **Cause for Change** – Is the change being made in response to a third party input, or organizational change (e.g., changes to the organization name or mailing address)?
4. **Precedents** – Is the change similar to others that have already been approved? Could the change lead others to request similar changes that could affect third parties or result in undesirable effects on the program?
5. **Impact to third parties, including other applicants** – What impact, positive or negative, would the change have on third parties, including other applicants? Does the change affect other third parties materially? Would permitting it have a change on other applicants? Would allowing the change be construed as fair to the general community? Would disallowing the change be construed as unfair?
6. **Materiality** – Would the change affect the evaluation score or require re-evaluation of some or all of the application?
7. **Timing** – Does the timing interfere with the evaluation process in some way? ICANN reserves the right to require a re-evaluation of the application in the event of a material change. All re-evaluations will be conducted using the established criteria.

After an ASP application is submitted, changes to the application will need to be submitted via an application change request. All application change requests during or after evaluation will be assessed to determine whether re-evaluation is needed, depending on the nature of the changes. The types of changes include:

Type of Change	Impact
Administrative Change (non-material)	An organization account change which does not have any material impact on an application's ability to pass one or more evaluation areas. Examples of these non-material administrative changes can include, but are not limited to, updates to an applicant's website URL, mailing address, adjustments to primary users, and banking information.
Administrative Change (material)	An organization account change which involves one or more updates that may affect an applicant's ability to pass one or more evaluation areas and may require a re-evaluation. Examples of material administrative changes can include, but are not limited to, changes to named individuals on the organization account, ownership changes, and ultimate control information.
Application Change (non-material)	An application response change which does not have any material impact on an application's ability to pass one or more evaluation areas. Examples of non-material application changes can include, but are not limited to, correcting typos and responding to clarifying questions.
Application Change (material)	An application response change which may affect an application's ability to pass one or more evaluation areas and may require a re-evaluation (please see Section 4.6: Restrictions to understand the limitations around material application changes).

As noted in [Section 4.6: Restrictions](#), ASP applicants are not permitted to re-apply or re-submit an application to the ASP once the results of the ASP evaluation are complete.

Application Withdrawal

An applicant may withdraw its ASP application at any time, from the point of application submission throughout the application submission period. Once an application has been withdrawn, it may not be resubmitted.

If an applicant qualifies for support, but no longer intends to submit a gTLD application, they are required to notify ICANN org via the ASP Application System. The ASP deposit submitted to ICANN can be refunded once ICANN receives notification that the supported applicant no longer intends to submit a gTLD application. ICANN will ensure that any refunds are processed as quickly and efficiently as possible.

6. ASP Application Evaluation

The evaluation of ASP applications will take place in two phases:

1. ICANN org-managed General Business Due Diligence Screening evaluation.
2. Third-party vendor-managed evaluation.

ICANN org will utilize the ASP criteria and indicators to conduct the General Business Due Diligence screening. After an ASP applicant has passed the General Business Due Diligence screening, the application will be shared (confidentially through the ASP Application System) with the third-party vendor solely for the purpose of conducting subsequent evaluations.

As described in the proceeding section, the third-party vendor is responsible for convening SARPs. These panels are composed of vendors with the necessary expertise to assess the ASP criteria categories.

6.1. Support Applicant Review Panels

A third-party vendor to ICANN will administer and manage the ASP evaluations after applicants pass ICANN's General Business Due Diligence screening. The third-party vendor will establish SARPs composed of experts to conduct evaluations against the remaining criteria categories: [Section 4.2: Public Responsibility Due Diligence](#), [Section 4.3: Financial Need](#), [Section 4.4: Financial Viability](#), and [Section 4.5: Eligible Entity Categories](#). The third-party vendor will be required to comply with ICANN's Code of Conduct and Conflicts of Interest Guidelines for the New gTLD Program: Next Round (see [New gTLD Program: Next Round Applicant Guidebook](#)). The panelists assigned to each application in the ASP Application System will be required to attest that there are no conflicts of interest in evaluating the application.

The vendor will ensure that the assembled reviewers have the relevant knowledge and experience required to provide high-quality, well-informed evaluations, and do not have a conflict of interest that would disqualify them from providing this service without bias. The vendor will also have the capability to formulate SARPs that are diverse in terms of geography, language, race/ethnicity, and gender.

Recognizing that the ASP criteria categories are distinct and may require different evaluative capabilities, the third-party vendor may establish several SARPs to fully assess the applicant. Organizing the evaluation in this way is consistent with research findings on other globally recognized programs (for more information see Section: Review Panels (pg. 40) of the [Survey of Globally Recognized Procedures for Financial Assistance Programs](#).)

The SARP will conduct evaluations on the ASP applications it receives from ICANN org and submit application evaluation results to ICANN org on an ongoing basis. Evaluations will be

conducted on a pass/fail basis against each required criterion and its related indicators (see [Section 2.2: Evaluation Phases and Categories](#)).

6.2. Assessment

To qualify for support, applicants must meet all criteria, based upon the identified criterion indicators, and required documentation and will be evaluated on a pass/fail basis. See [Figure 2](#) for a high-level flowchart of the evaluation process.

Evaluation of the criteria against applicants' documentation is at the sole discretion of the SARP. The SARP may review the applicant's website, social media accounts, principal place of business, annual reports, governing documents, and information pertaining to applicable proxy and/or localized eligibility definitions in relation to the eligibility criteria and indicators. The SARP also may ask clarifying questions of applicants, if necessary, to verify an application and supporting documentation.

6.3. Clarifying Questions

As noted, the SARP, via ICANN org, may ask clarifying questions of ASP applicants. Applicants will have the opportunity to provide responses to questions from panelists should they arise; any changes to the application will need to be submitted via an application change request. To ensure that applications are processed in a timely manner, all applicants will be encouraged to respond to clarifying questions as quickly as possible but no later than 21 calendar days after receiving the clarifying question, as this may affect the queuing process of applications (see Section 6.6: Support Allocation for Qualified Applicants).

Recognizing that English is the authoritative language for all ICANN business and that all gTLD applications will need to be submitted in English, the ASP is following this standard for the New gTLD Program: Next Round. As a result, ASP applicants' responses to clarifying questions must be submitted in English.

6.4. Evaluation Results

ASP applications will be evaluated on an ongoing basis. Applicants will receive the results of evaluation generally within 12-16 weeks of submitting a complete application. In receiving evaluation results, applicants will be notified that they either:

1. Qualify for support based upon meeting the evaluation criteria.
 - a. Applicants will receive instructions on how to submit a USD 2500 deposit to ICANN, to be paid within 30 days of receiving ASP evaluation results.
 - b. After the deposit is submitted within the required timeframe, applicants will receive instructions on how to apply their discount when they submit a gTLD application.
 - i. **If an applicant does not submit a deposit within 30 days of receiving ASP evaluation results, the application will be put on hold and may risk disqualification from the ASP.**
2. Do not qualify for support and are provided with an explanation of why they did not meet required criteria.
 - a. Applicants that do not qualify for support may:

-
- i. Request Extended Evaluation (see [Section 6.5: Extended Evaluation](#)); or
 - ii. Proceed to the standard new gTLD application and pay the full evaluation fees. Please note that this is a significant change from the 2012 round, wherein applicants that applied for support and did not qualify were not allowed to proceed with a standard application for the New gTLD Program.

6.5. Extended Evaluation

ASP applicants that do not pass the Phase 2 evaluation may request an extended evaluation. During extended evaluation, the SARP may seek clarification or additional information from ASP applicants to determine final evaluation results. ASP applicants have 21 calendar days to provide the requested information. If those responses do not satisfy the Phase 2 eligibility requirements, the applicant will not qualify for support.

6.6. Support Allocation for Qualified Applicants

Following application submission, General Business Due Diligence Screening, and Phase 2 SARP evaluation, ICANN org will notify applicants of their ASP support eligibility. Following the SARP evaluation, applicants that qualify for support will receive a welcome package outlining the portfolio of financial and non-financial support available. Note that all support, with the exception of access to Applicant Counselors, is for supported applicants only. The welcome package will include information about:

- 6.6.1. An ASP training program.
- 6.6.2. Access to pro bono service providers that have agreed to volunteer their services to supported applicants. Pro bono service providers are independent from the ICANN organization; their services are not endorsed or contracted by ICANN org. However, ICANN org may play a facilitative role in making supported applicants aware of the services available, should applicants seek to utilize them. ICANN org is in the process of identifying service providers and will make a list of those vendors available to supported applicants.
- 6.6.3. Resources and information for potential applicants to better understand the New gTLD Program, what it means to operate a gTLD, and how to participate in ICANN's multistakeholder community.
- 6.6.4. Access to Applicant Counselors to help answer questions about the gTLD application process and provide guidance on where to find available resources.
- 6.6.5. A 75-85% reduction in New gTLD Program evaluation fees for supported applicants.
- 6.6.6. A bid credit applied to supported applicants participating in contention resolution procedures established in the [New gTLD Program: Next Round Applicant Guidebook](#). The type of support will be determined as part of the implementation of [SubPro Final Report Topic 35](#). (See pp. 173-182). Further detail around this will be included in the [New gTLD Program: Next Round Applicant Guidebook](#).

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- 6.6.7. Reduced base Registry Operator fees, should the supported applicant prevail in the gTLD program evaluation and proceed to contracting and delegation.

Minimum and Maximum Fee Reductions

The level of ICANN fee reduction is expressed in a percentage of the evaluation fees. Qualified applicants will be notified of the percentage amount of the minimum level of fee reduction they will receive as a part of their support. **All ASP recipients will receive the same percentage minimum fee reduction.** See [Table 2](#).

In the event that the SARP evaluation for all ASP applicants has been completed and ASP support funds remain available, supported applicants may receive – in addition to the minimum fee reduction already communicated – an additional percentage fee reduction up to 85%. **Any additional fee reduction percentage will be distributed equally across all qualifying applicants.**

Application Queuing

ASP Applications will be queued for processing on an ongoing basis in the order that they are submitted in the ASP Application System. In the event that ICANN org's ASP budget is exhausted during the ASP application submission period, **ICANN org may pause processing further ASP applications and will communicate updates to applicants accordingly.** Please note that ICANN may reset an application's place in the processing queue if the applicant fails to complete necessary steps within the expected timeline, such as responding to clarifying questions or submitting the ASP deposit.

Should supported applicants decide they **no longer plan to submit** an application for a new gTLD, **the supported applicant must communicate this to ICANN org as soon as possible and prior to the gTLD application submission period.** This may allow additional applications for support to be evaluated for eligibility. It may also allow qualifying applicants that were waitlisted to receive support.

7. Additional Information

7.1. Program Evaluation and Reporting

To provide for continual improvement of the program, applicants that receive support will be required to participate in future research relating to the impacts of the ASP and effects of fee reductions.

7.2. Additional Resources

1. [Applicant Support Program website](#)
2. [New gTLD Program website](#)

Appendix 1: Example Templates for Narrative Statements

A. Financial Need

The Financial Need statement should include responses to the following questions:

1. How would funding support from ICANN enable your organization to apply for a gTLD?
2. Why would the full base gTLD evaluation fee present a financial hardship?

The answers should correspond with financial documentation and description of funding, revenue sources, cash and cash equivalents.

Documents:

- Two years of most recent audited financial statements, including profit and loss, and balance sheet, if available. If not available or more than 12 months old, most recent financial statements even if unaudited.

B. Financial Viability

1. Describe your organization's plans to pay the unsupported portion of the base gTLD evaluation fee via a narrative description and/or funding plan.

The answers should correspond with financial documentation and description of funding, revenue sources, cash and cash equivalents.

Documents:

- Two years of most recent audited financial statements, including profit and loss, and balance sheet, if available. If not available or more than 12 months old, most recent financial statements even if unaudited.

Appendix 2: Submitting the Financial Viability gTLD Deposit

To submit the USD 2500 deposit please follow the below instructions. Submitting the deposit is the final step in completing the Financial Viability evaluation. The deposit is required to advance from “conditionally approved” to “fully approved” status.

1. After the applicant receives notification of conditional approval for support, the applicant will also soon receive an invoice from ICANN org for the USD 2500 deposit.
2. Along with the invoice, the applicant will receive instructions for how to pay the invoice. The instructions will include the ICANN bank account information for deposit.
3. Applicants submitting a deposit should note that the payment received by ICANN must be in US dollars. This does not require the applicants to have a USD denominated account.
4. If the applicant is converting from another currency, the applicant is expected to pay all banking fees and cost to convert currency to USD. The full amount in USD must be received by ICANN. Applicant is responsible for all transaction fees and exchange rate fluctuation.
 - a. ICANN will not cover these costs.
 - b. Any short payment of these fees will be invoiced and may delay progression of the application process until the full amount has been paid.
5. Payment must be made via wire transfer, ACH, International Swift payment, or other method approved by ICANN for this service. Checks and credit card payments are not accepted. These methods also manage currency conversion.

Appendix 3: Translation of Supporting Documentation

If the applicant submits one or more English documents that were translated from a non-English original document, the applicant has the option to submit a certificate of translation (certificate of translation accuracy) for each translated English document. Properly submitted certified translations may enable faster review and processing of your applicant support materials. For properly attested certified translations, ICANN will perform a review of your original source documents and the certified English translation to confirm that they are accurate and complete. In all other cases where a certificate of translation is not provided for a document, ICANN will translate your original source documents to English for subsequent review and processing.

At a minimum, the certificate of translation should be written in English and include:

1. A statement of the translator's qualifications.
2. A statement affirming the completeness and accuracy of the document.
3. Identification of the translated document and language.
4. The translator's name, signature, and date.

Most professional translators and translation agencies should be able to provide a certificate of translation for the work they perform. The certificate of translation does not need to be notarized.

A sample certificate of translation accuracy can be found at <https://www.atanet.org/client-assistance/what-is-a-certified-translation/>.

A certificate of translation, if provided, should be submitted for each English translated document. It can be submitted as a Word document or a PDF.

ICANN BOARD PAPER NO. 2024.10.24.2d

TITLE: **Approval of Fundamental Bylaws Amendment on Accountability Mechanisms**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

The Board is asked to approve the Fundamental Bylaws Amendments to Article 4, Sections 4.2 and 4.3 of the ICANN Bylaws so that both the Reconsideration process and Independent Review Process (IRP) (collectively, “ICANN’s Accountability Mechanisms”) are not allowed to be used to challenge decisions to approve or not approve an application to the ICANN Grant Program. These exclusions are specifically and narrowly drafted to implement the anticipated update to Recommendation 7 of Cross-Community Working Group on New gTLD Auction Proceeds (CCWG-AP) on limiting access to ICANN’s Accountability Mechanisms. The public comments received on the proposed amendments are universally supportive.

This proposed Fundamental Bylaws amendment overtakes the proposal previously posted for [Public Comment](#) in February 2024, and once considered by the Empowered Community, will conclude the conversations on the implementation of Recommendation 7 and meet a dependency for the distribution of grants within the first cycle of the ICANN Grant Program.

BOARD ACCOUNTABILITY MECHANISMS COMMITTEE

RECOMMENDATION:

The Board Accountability Mechanisms Committee (BAMC) recommends that the Board approve, pursuant to Article 25, Section 25.2, the Fundamental Bylaws amendment to Article 4, Sections 4.2(d) and 4.3(c), as posted for public comment.

PROPOSED RESOLUTION:

Resolution Text Superseded

Resolution Text Superseded

Resolution Text Superseded

PROPOSED RATIONALE:

Rationale Text Superseded

Rationale Text Superseded

Rationale Text Superseded

Rationale Text Superseded

Rationale Text Superseded

Signature Block:

Submitted by: Samantha Eisner

Position: Deputy General Counsel

Date Noted: 11 October 2024

Email: Samantha.eisner@icann.org

Public Comment Summary Report Template

Proposed Fundamental Bylaws Amendments Related to Grant Program

Open for Submissions Date:

Wednesday, 07 August 2024

Closed for Submissions Date:

Monday, 16 September 2024

Summary Report Due Date:

Monday, 23 September 2024

Category: Governance

Requester: ICANN Board

ICANN org Contact(s): samantha.eisner@icann.org

Open Proceeding Link: <https://www.icann.org/en/public-comment/proceeding/proposed-fundamental-bylaws-amendments-related-to-grant-program-07-08-2024>

You need to complete the following sections in the pre-populated summary report template provided to you.

Outcome:

The commenters were all receptive to the proposal as published regarding amendments to ICANN's Reconsideration and Independent Review Processes, and no changes to the proposal are requested or needed. After this required Public Comment proceeding, the ICANN Board will be in a position consider further actions in the Fundamental Bylaws Amendment Process as provided for at Article 25, Section 25.2 of the ICANN Bylaws.

Section 1: What We Received Input On

The Internet Corporation for Assigned Names and Numbers sought input on a proposed amendment to Article 4, Sections 4.2 and 4.3 of the ICANN Bylaws. The proposed Bylaws amendment is designed to specifically exclude the use of the ICANN's Reconsideration and Independent Review Processes (collectively, "Accountability Mechanisms") to challenge decisions on individual applications in the ICANN Grant Program. This proposal replaces the earlier proposed amendments to Article 4, Section 4.1 to set out a general process for how the ICANN community can limit access to ICANN's Accountability Mechanisms.

The updated proposal incorporates specific language into both the Reconsideration (Article 4, Section 4.2) and Independent Review Process (Article 4, Section 4.3) sections of the ICANN Bylaws, but does not otherwise add to or modify the Bylaws governing either Accountability

Mechanism. The language added within each section sets out an exclusion that the relevant Accountability Mechanism shall not be used for claims or disputes “relating to decisions to approve or not approve an application to the ICANN Grant Program.”

This Bylaws amendment is offered as a way to fully implement part of the Cross-Community Working Group on New gTLD Auction Proceeds (CCWG-AP) Final Report, which recommended that ICANN’s Accountability Mechanisms should not be used to challenge decisions on grant applications. That recommendation, often referred to as “Recommendation 7,” can only be fully implemented if the Bylaws that define each Accountability Mechanism are amended.

Section 2: Submissions

Organizations and Groups:

Name	Submitted by	Initials
Governmental Advisory Committee	Rob Hoggarth on behalf of GAC	GAC
Registries Stakeholder Group		RySG
Registrars Stakeholder Group	Sarah Wyld	RrSG
ICANN Business Constituency		BC
At-Large Advisory Committee	ALAC Policy Staff on behalf of ALAC	ALAC
NIC Comercial	Jean Henrique	NIC Comercial

Individuals:

Name	Affiliation (if provided)	Initials
Nikesh B Simmandree		NBS
Felix Oppilli		FO

Section 2a: Late Submissions

At its discretion, ICANN org accepted late submissions, which have been appended to this summary report.

Organizations and Groups:

Name	Submitted by	Initials
Intellectual Property Constituency	Lori Schulman	IPC

Individuals:

Name	Affiliation (if provided)	Initials

Section 3: Summary of Submissions

The GAC provided a discussion about its understanding of the impact of the proposal, including that the updated proposal is narrowly scoped to limiting use of the ICANN Accountability Mechanisms in relation to the ICANN Grant Program. The GAC noted that it had previously raised concerns that the prior proposal was too general.

Each of the other commenters expressed either support for or identified no area of concern with the Bylaws amendment as posted for comment. In addition to supportive comments, some of the other items discussed within the comments include:

FO highlighted that not allowing the use of ICANN Accountability Mechanisms to channel decisions on individual applications within the ICANN Grant Program will result in more efficient and quicker distribution of grants. FO urged that the effectiveness of the amendments be reviewed in a year's time. NBS also highlighted that the amendments will improve efficiency for ICANN. NIC Comercial noted that that amendments provide better clarity for the ICANN Community.

The RySG noted that this more narrowly scoped amendment is “an appropriate method for for implementing Recommendation 7.” The RySG also thanked the Board for the confirmation that the prior Bylaws amendment would not be further pursued.

The ALAC voiced its “strong support” for the Bylaws amendment and noted that, as a Chartering Organization to the CCWG-AP, the proposal reflects the intent of what Recommendation 7 was designed to achieve within the ICANN Grant Program, and that it is sufficiently limited in scope to only the ICANN Grant Program.

The IPC, in addition to its statement of support, urged the Board to consider specifically repealing its 23 October 2023 Board decision regarding the ICANN Grant Program.

Section 4: Analysis of Submissions

The comments are generally supportive of the Bylaws amendment as posted. No commenter suggested the need for any modification to the language.

Section 5: Next Steps

The ICANN Board will consider the community's inputs as part of a further decision on the Fundamental Bylaws Amendment. If the Board approves the amendment, the Empowered Community will have an opportunity to consider whether it will approve the amendments.

----- **TEMPLATE END** -----

Publishing Your Summary Report

Submit to the Policy Development Support Team for Proofing and Publishing

- ⦿ Create an email to public-comment@icann.org and include:
 - ⦿ Name of Legal reviewer
 - ⦿ Name of Communications reviewer
 - ⦿ Name of Executive approver
- ⦿ Add the following attachments:
 - ⦿ Your completed summary report template as a Word file
- ⦿ The Policy Development Support team will:
 - ⦿ Review and proof your summary report.
 - ⦿ Return the proofed summary report to you with tracked changes.
 - ⦿ **Once the summary report is finalized, no further action from you is required.**
The Policy Development Support team will publish the summary report and will share the link.

August 2024

ARTICLE 4 ACCOUNTABILITY AND REVIEW

Section 4.2. RECONSIDERATION

(c) A Requestor may submit a request for reconsideration or review of an ICANN action or inaction ("**Reconsideration Request**") to the extent that the Requestor has been adversely affected by:

- (i) One or more Board or Staff actions or inactions that contradict ICANN's Mission, Commitments, Core Values and/or established ICANN policy(ies);
- (ii) One or more actions or inactions of the Board or Staff that have been taken or refused to be taken without consideration of material information, except where the Requestor could have submitted, but did not submit, the information for the Board's or Staff's consideration at the time of action or refusal to act; or
- (iii) One or more actions or inactions of the Board or Staff that are taken as a result of the Board's or staff's reliance on false or inaccurate relevant information.

(d) Notwithstanding any other provision in this Section 4.2, the scope of reconsideration shall exclude the following:

(i) Disputes relating to country code top-level domain ("**ccTLD**") delegations and re-delegations;

(ii) Disputes relating to Internet numbering resources; ~~and~~

(iii) Disputes relating to protocol parameters; ~~and-~~

(iv) Disputes relating to decisions to approve or not approve an application to the ICANN Grant Program.

Section 4.3. INDEPENDENT REVIEW PROCESS FOR COVERED ACTIONS

- (a) In addition to the reconsideration process described in Section 4.2, ICANN shall have a separate process for independent third-party review of Disputes (defined in Section 4.3(b)(iii)) alleged by a Claimant (as defined in Section 4.3(b)(i)) to be within the scope of the Independent Review Process ("**IRP**"). The IRP is intended to hear and resolve Disputes for the following purposes ("**Purposes of the IRP**"):

- (b) The scope of the IRP is defined with reference to the following terms:

(iii) "**Disputes**" are defined as:

(A) Claims that Covered Actions constituted an action or inaction that violated the Articles of Incorporation or Bylaws, including but not limited to any action or inaction that:

- (1) exceeded the scope of the Mission;
- (2) resulted from action taken in response to advice or input from any Advisory Committee or Supporting Organization that are claimed to be inconsistent with the Articles of Incorporation or Bylaws;
- (3) resulted from decisions of process-specific expert panels that are claimed to be inconsistent with the Articles of Incorporation or Bylaws;
- (4) resulted from a response to a DIDP (as defined in Section 22.7(d)) request that is claimed to be inconsistent with the Articles of Incorporation or Bylaws; or
- (5) arose from claims involving rights of the EC as set forth in the Articles of Incorporation or Bylaws.

(B) Claims that ICANN, the Board, individual Directors, Officers or Staff members have not enforced ICANN's contractual rights with respect to the IANA Naming Function Contract, and

(C) Claims regarding PTI service complaints by direct customers of the IANA naming functions that are not resolved through mediation.

(c) Notwithstanding any other provision in this Section 4.3, the IRP's scope shall exclude all of the following:

- (i) EC challenges to the result(s) of a PDP, unless the Supporting Organization(s) that approved the PDP supports the EC bringing such a challenge;
- (ii) Claims relating to ccTLD delegations and re-delegations;
- (iii) Claims relating to Internet numbering resources, ~~and~~
- (iv) Claims relating to protocol parameters; ~~and~~-

(v) Claims relating to decisions to approve or not approve an application to the ICANN Grant Program.