

July 29, 2011

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National Telecommunications and Information Administration
U.S. Department of Commerce
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via IANAFunctions@ntia.doc.gov

RE: Further Notice of Inquiry on the Internet Assigned Numbers Authority Functions

Please accept the following comment on the IANA FNOI, in particular, section *C.2.2.1.3.2 Responsibility and Respect for Stakeholder*, where it states:

For delegation requests for new generic TLDs (gTLDs), the Contractor shall include documentation to demonstrate how the proposed string has received consensus support from relevant stakeholders and is supported *by the global public interest*.

My comment arises from a conviction that provided the basis for my decade long involvement with internet governance, the ICANN, and its new TLD process: A desire to see that good domain names are reserved for those not currently able or prepared to use them.

I was freshly reminded of this during the ICANN meeting in Cartagena, Colombia in December 2010. During a conversation on the new TLD process a participant from Brazil commented to the effect that “no more than a half dozen people from my country are aware that the ICANN meeting is taking place, and the impact the new TLD program will have.”

I found it particularly ironic that a discussion of new TLDs was taking place in Cartagena, the trans-shipment center for the Spanish Empire's loot from the new world. And here sat a too narrowly defined group of “stakeholders” - with perhaps a handful of users and those “affected by” - divvying up digital resources that might be required to serve the needs of our digital world for decades to come.

It was with these memories in mind that I read the NTIA's FNOI calling for *Responsibility and Respect for Stakeholders*. With my attention focused on bringing the advantages of a TLD to the residents and organizations of New York, I find the gigantic Application Guidebook that will presumably aide New York in the acquisition of a TLD less than crystal clear. And so I was delighted to see that applicants for new TLDs might need to demonstrate consensus support for their applications under the proposed IANA contract.

Additionally, while I've long supported ICANN and fully appreciate the challenging task of developing global standards for new TLDs, and while the recent agreements with NTIA have moved it closer to being worthy of full independence, with the Application Guidebook's guiding hand having moved to a firm specializing in acquiring new TLDs, some might question the process' impartiality and the new TLD application assessment team left behind. For while extant guidelines have not been violated, the situation doesn't meet the U.S. standard of avoiding the appearance of impropriety, and thus *C.2.2.1.3.2's* proposed proof of consensus is highly beneficial, at least for the first round of new TLDs.

But how is that consensus to be defined?

To assist NTIA / IANA with defining consensus, I offer the following from the U.S. Department of Housing and Urban Development, commonly called HUD. These guidelines were developed to guide HUD grant-makers with assessing the level of local engagement in developing the plans submitted for funding.

[Source: see page 42 at <http://portal.hud.gov/hudportal/documents/huddoc?id=cnround2nofa.pdf>. A section called "Resident and Community Engagement," where HUD assesses an organization's overall resident engagement in developing the plan, include the impact of resident involvement in shaping the decision-making and plan as a whole.]

b. Resident and Community Engagement– 3 points. For this rating factor, you will be evaluated based on the extent to which you demonstrate that you have involved and will continue to involve neighborhood residents (including residents of the targeted public and/or assisted housing), local businesses, and community organizations in a sustained, informed and substantive way in the development and implementation of the Transformation Plan. Your application should demonstrate the impact of their involvement in shaping the vision for the neighborhood.

(1) Points will be awarded to the extent that your application:

- (a) Describes how residents of all ages as well as community-based organizations and local businesses are, and will continue to be, well informed and substantively engaged in the neighborhood transformation planning and implementation process. Explains key roles these interested parties have played in shaping the development of the Transformation Plan, and how you will ensure that local stakeholders' concerns remain at the forefront of decision-making moving forward;
- (b) Includes a summary of representative resident and community recommendations and concerns from meetings and other forms of communication and an explanation of how this resident and community input has been addressed through the components of your proposed Transformation Plan;
- (c) Describes the capacity building, training, and other supports that have been and/or will be provided to residents and the community in order to increase informed, substantive, and sustained participation in the development and implementation of the Transformation Plan and ensure long-term accountability to the proposed vision; and
- (d) Describes your system for tracking and monitoring local stakeholder satisfaction and how this has aided and will aid you in assessing and adapting your ongoing Resident and Community Engagement strategy.

(2) You will receive up to 3 points if you demonstrate that you have a feasible, well- defined, and high-quality Resident and Community Engagement strategy, which addresses all of the above criteria.

(3) You will receive fewer points for failure to address all of the above criteria, failure to address the criteria in a sufficient manner, and for lack of specificity.

(4) You will receive zero points for failure to demonstrate that your Resident and Community Engagement strategy addresses any of the above criteria or your application does not address

this factor to an extent that makes HUD's rating of this factor possible.

I believe these and other HUD's guidelines (see page 55 of the same document) can be used to help NTIA /IANA create a meter for assessing consensus in applications for geographic community TLDs, and perhaps others.

Sincerely,

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