
ICANN78 | AGM – GNSO - NCUC Issue Forum
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ANDREA GLANDON:

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BENJAMIN AKINMOYEJE: Thank you. Good morning, everyone. Thank you, Andrea. And thank you, everyone, who has shown up this morning. Your presence is highly appreciated. This is the Non-Commercial User Constituency Issue Forum, and as you know, NCUC, we are here to advocate for the rights of the non-commercials, researchers, activists, and the issues that are very dear to our hearts, such like privacy, freedom of expression, human rights, and other issues related. So this is another effort to try to ensure that our communities are capacitated, they understand the issues that are dear to our hearts, and with support from PIR, we have been able to get this done, and we are hoping that all the individuals we have called today would help us get more light to these issues that are pertinent to our concerns.

So with that, we have people like Kathy, Milton to do justice to this topic of discussion and every other one, big individuals who have invited here today to help us explain these issues, and we look forward to a very dynamic conversation today. Thank you. so right now, I'm going to turn the table to Prof. Milton to take over the conversation. Thank you.

MILTON MUELLER: Thank you, Ben. Good to see you. Good to see everybody, sort of. Sorry I can't be there in Hamburg, but I have a day job that is keeping me in the United States. So we have, this is a second in a series of issues forums in which we are providing our unique perspective on some of the controversies regarding ICANN policy. If you could go to the next slide, Kathy, I'll look at the -- so we're concerned right now about two specific issues. One of them is registry voluntary commitments, and some of you may have been part of our issues forum in Washington DC,

where we talked about the same issue, and there's been a lot of development and follow-up on that. We think we've made some progress in getting the ICANN board and the GNSO to modify its approach to these commitments, but we're still concerned about whether our VCs open up a possibility to bypass the multi-stakeholder policymaking process, and whether they would make ICANN enforce commitments that are outside of its mission.

So I'm going to first introduce Kathy Kleiman, who's going to introduce the history and principles of the whole problem of RBCs and PICs. And then we're going to coordinate with ALAC, or at least with the At-Large, and we're going to have Greg Shatan talk about the approach that they -- or excuse me, Steve DelBianco talk about some of the stress tests that we have developed to evaluate registry voluntary commitments. So Kathy, why don't you take it away now? Let's introduce the history and principles and get right down to it.

KATHY KLEIMAN:

Terrific. Thanks so much, Milton. Thanks, everyone, for being here in the room, and I just want to point out Steve is, of course, chair of the commercial stakeholder group, and so pleased to have him and Greg and ALAC for this cross-community discussion on really important issues, continuing the discussion of the NCUC Issues Forum, Part 2, and in celebration of our anniversary. I'm going to do a quick history for those who were not with us at ICANN77 in D.C. and dive back a little bit. What are registry voluntary commitments? So in the first round, let's go all the way back to 2013, go back with us to 2012 when the first new gTLD applications came in. We expected 500, we got 1,930, and there

were concerns about them, and we got GAC consensus advice in the Beijing communique, and among other things, the GAC asked for safeguards applied to all new gTLDs.

And these included mitigating abusive activity and conducting security checks about farming and fishing and malware and botnets, and operation of the new gTLD is consistent with principles of openness and non-discrimination. There were more, but for me, these are the highlights. So these GAC-requested commitments became embodied by ICANN Legal and ICANN's base registry agreement. And for those who don't always speak ICANN speak, this is the model registry agreement, the base for all new gTLD registry agreements. That also was part of the community process. And in specification 11, and a specification is really just an annex or an appendix, there was this new specification was called public interest commitments, and the ones I just mentioned became sections 3A through C. That's a public interest commitment, and we know them as PICs.

And these public interest commitments were common to all new gTLD registry operators. And that's a big thing. So they became a standard part of the new gTLD registry agreement. But as I've said in other groups, a funny thing happened on the way to the new gTLD agreements. Then-CEO Fadi Chehade and his chief contract officer, Allen Grogan, allowed in anything any applicant wanted to put into their base registry agreement, whether these commitments had anything to do with the public interest or not. And the temptation was great. Literally what got thrown into this, some of it was good, but literally what got thrown into it was the kitchen sink. That's not my quote, that is a senior ICANN board member. There was no review. It

was an appalling process. And the same senior ICANN board member said, I hope we never see anything like that again.

So we are here today to embody this wise hope that we never see anything like that again into a few principles and stress tests to create a review process for future private registry commitments. But let's talk about definitions first. I'm a lawyer. We love and a law professor. We love talking about definitions and they're critical. What's the difference between a PIC and an RVC? They are being used interchangeably and they shouldn't be. So the group that was reviewing most of the rules for new gTLD applications called, strangely, the Subsequent Procedures Policy Development Process Working Group, stripped the title of public interest from what had become known as private PICs and labeled them more accurately registry voluntary commitments, now known as RVCs.

So let's switch our discussion. PICs are now the public interest commitments that are in Annex 11, the ones that came from the GAC with consensus advice applicable to all registries. Registry voluntary commitments are individualized commitments per registry. And so this is our discussion. We're going to talk about RVCs. And they're what parties like the GAC, but also private parties, want new gTLD registries to put into their contract and they want ICANN to enforce it. So Milton, this section is for you because we should be honest with everyone. Our solution is to have no RVCs at all. It's the cleanest, cleanest way to do it. ICANN's policy has been and should continue to be, we think, standardized registry agreements with uniform contractual terms for all new gTLD registries.

RVCs are dangerous. They make every contract different. They push ICANN into enforcement of policies that may be well outside its mission and they replace or displace our multi-stakeholder policymaking process. That's dangerous. Nonetheless, if the community does want to allow RVCs and does expect ICANN to allow and enforce them, then these RVCs we respectfully submit must be limited within the scope of ICANN's bylaws and consistent with ICANN's bottom-up consensus-based multi-stakeholder process. So to that end, we submit all new RVCs must meet a set of principles. And I'm going to talk about those principles. And if they don't, they can be challenged under the independent review process. It's not a threat. It just is that ICANN has some fundamental bylaws that we're going to talk about that create a protection for us and for the world and for ICANN.

And if we go beyond that, we're all going to be in trouble. And that was one of the major messages of ICANN77 and part one of our Issues Forum. We talked about this at length, so I will not go into too much of the detail. So let me instead talk about something I think is really positive. Five principles for review and acceptance of registry voluntary commitments. The first one, all RBCs must be submitted for purpose within the scope and mission of ICANN. Honestly, we spent a lot of time on this in the last session. But you and I know that ICANN bylaws now say ICANN cannot act outside its mission. And ICANN shall not regulate services that use the internet's unique identifiers or the content that such services carry outside the express scope of Section 1.1A. And ICANN doesn't work with content. That's not what we do.

And as Milton said, since ICANN 77, the GNSO Council and SubPro Small Team have made some good progress on this principle on staying

within the bylaws. I can show you the language if you ask later. I have a whole slide on it, but let's go on to principle two. All RVCs must be legal under the laws of the jurisdiction of ICANN and the registry and consistent with ICANN's core values and fundamental commitments, including not being discriminatory. Principle number three, all RVCs must show a clear nexus between the proposed RBC or RBCs and the specific gTLD string applied for.

So TLD applicants should not make RVCs that are unrelated to the semantics of the specific string the registry holds. So a proposed tax may be submitting an RVC about including tax preparers with certain types of certifications, but please don't go into intellectual property rights generally. That belongs to the Rights Protection Mechanism Working Group and the PDP process. And I know because I co-chaired it for four years.

Four, RVCs must not contradict or overrule the scope or output of a completed GNSO PDP. And that relates back. We have a multi-stakeholder process. We've dealt with a lot of issues. We've decided not to deal with some. We've decided to deal with others. If we're working on general issues of intellectual property and free expression, that belongs in the PDP process.

Five, all RBCs must be enforced by ICANN's public interest commitments dispute resolution procedure. Don't outsource it. You cannot outsource what you cannot use, what you cannot do yourself. Contractual compliance is ICANN's primary responsibility. It can't be outsourced. These RVCs should be a narrow set of contractual conditions that can be enforced by ICANN compliance. And finally, just

a procedural principle. All RVCs should go out to the public for review, to ICANN legal for review consistent with legality in these principles, to the GNSO council, and then up to the board. Let's review them this time. We're not going to throw in the kitchen sink, and we're not going to be appalled by the results.

So hopefully that seems simple enough. And Milton, I'll put it back to you. And then, of course, we're going over to Steve, who is the famous stress test expert of ICANN and will talk to us about this important process. Back to you, Milton. Thank you.

MILTON MUELLER:

Thank you. Yes. So I just want to echo. I think, Kathy, you did a great job of outlining the policy questions that are raised by this. I just want to tell you a little more detail why I personally, and why I think NCUC and the entire non-commercial stakeholder group and ALAC should be very, very skeptical of RVCs. So the whole idea is that a new top-level domain should not be a beauty contest in which governments have arbitrary power to sort of say, we want you to do this, or we don't like that. They should be standardized, and there should be a well-defined set of criteria as to what TLDs are acceptable and what are not. And they should be objective and not on a case-by-case basis. So the whole thrust of RVCs is to make every contract different. And basically, the applicants will try to appease the GAC or anybody, any other special interest group by putting things in there that may not be good general policy.

So as Kathy indicated, Steve DelBianco, let's call him Mr. Stress. That may not be something he likes to hear, but he's certainly concerned

about stress test ideas. And we thought, let's come up with some specific examples of how we might play out this checklist that Kathy presented and whether a particular RVC would be a pass muster, so to speak. So let's turn it over to Steve now for 10 minutes.

STEVE DELBIANCO:

Thank you, Kathy and Milton. Steve Del Bianco with the Business Constituency, and I run NetChoice, a trade association in the US. Stress testing is an exercise where you try to come up with what are plausible scenarios. They don't necessarily have to be ones that are highly probable, just plausible. And they're used to test your systems, your mechanisms, test your theories to see how an external shock, how a unique instance or scenario might test your ability to deliver on the objectives, whether those objectives were accountability, transparency, staying within the mission, making sure they're enforceable. And we developed about 30 or 40 stress tests back in the transition, the 2014 to 17 period.

And I came up with that concept because I saw what was happening during the debate over the IANA transition is that each party would have their own sort of view of history. What Kathy described earlier as dangerous public interest commitments were viewed as helpful and barely adequate to protect users and registrants from fraud and abuse. So we could ruin the entire conversation by simply debating what was history. The beauty of stress tests is that nobody owns the history. A stress test is a hypothetical about the future. The name's changed to protect the innocent. You just make stuff up that will post a new

situation. And then everybody can objectively assess where that leads us in designing a better set of principles, rules, or procedures.

So quit fighting about the last war and prepare for the next one. So I do believe that in the case of RVC enforcement by ICANN, stress testing could really be helpful. And I want to structure this for you as one threshold stress test and then several examples. If you go to the next slide, if you don't mind.

So number one, we'll call it a threshold stress test. And in stress testing, you describe a scenario, walk it through, and describe the consequence if that scenario comes to fruition. So this notion here is that I'm suggesting that if we don't have any guidelines or principles, whether they're the ones Kathy articulated or not, if we have no principles at all, governments in the GAC will fully expect that they can lodge objections and that those objections would be work their way into a contract and the contract would be enforceable by ICANN.

They have a reasonable expectation of that. That's what's happening now with all of the RVCs, the picks that made their way into the 2012 round. And what I suggested is that let's suppose that they've got a set of objections and they want to ask the registry operator to make a promise that they'll take out any registrant who's resolving website fails to prevent the illegal sale of say drugs, a safeguard. But after delegation, let's suppose those governments and the GAC, they complain that the operator is not following its proposed safeguards. Governments and GAC potentially would turn to ICANN and the registrar operator and say, you're in breach of your agreement and they'd fully expect ICANN compliance to issue a breach notice.

Well, suppose that prompted an independent review panel, potentially filed by the people in this room at this table, who would claim that that content on the resolving domain is outside the scope of ICANN. And then the IRP might block ICANN from enforcing safeguards that involve the consideration of content or conduct that's on the domain name. Well, as a consequence, if this is a bait and switch surprise to the GAC in the next two to three years, the GAC may well advise ICANN that ICANN has not honored its commitments to enforce the safeguard RFCs and it might well factor into external processes like the United Nations General Assembly vote in 2025 on WSIS+20. That's a hypothetical, of course, it might be 2026 when this would happen, but there's always an external threat to ICANN.

And the point of this stress test is to say as a threshold matter, we can't just close our eyes and hope that they don't come up with unenforceable RVCs. We have to do it in advance. Now, what Kathy just presented was this notion that we would have a review of every single RVC for every single TLD. Well, another approach would be to articulate black and white lines, boundaries, guardrails beyond which the RVCs could not be enforceable by ICANN. And that could be done in several months. It would not take years.

To me, it's about finishing the work of SubPro. I read the minority report on topic nine in the SubPro final report. And I think it's exactly what you called for, Kathy, was the development of some bright lines. So if that happens and we do that process and do the work, I then have a handful of other stress tests that Milton suggested and then I came up with that would guide the work of developing those procedures, developing those guidelines or guardrails. Next slide, please.

KATHY KLEIMAN: Steve, if I might, I want to urge everyone to take notes as we go through it because we're going to be talking about these stress tests. And so, take some notes, see if you agree. These are being presented for discussion, as are the principles.

STEVE DELBIANCO: Great. Thank you. So number two, for instance, let's suppose that we have a registry voluntary commitment that has to do with the eligibility of registrants, the eligibility criteria. And let's suppose that ICANN reviews that RVC. And even though it may involve some consideration of content because ICANN compliance may have to look at the websites that were resolved from the domain name and look at that content to see if the registrant does meet the eligibility criteria. Say there's a tax professional, or a medical professional. Well, if they have to look at content to determine whether you're eligible, has that suddenly made it unenforceable because it involves content in some way?

Well, my stress test here wants you to test that question and ensure that we don't draw lines around content that are so strict that they prevent looking at the website to determine whether somebody was eligible, right, to learn their identity, where their qualifications lie. As a consequence, I'm suggesting in this stress test, ICANN could enforce the RVC because it's about eligibility. And as a consequence, the governments in GAC are all aware that compliance would evaluate it and they can drop their objections about eligibility. I think that would be a good outcome. And this becomes a cautionary tale about being

too strict on the content taboo. Milton came up with a couple of more in a row that have to do with the more generic version of content.

Let's suppose an applicant for .chatbot, and, Milton, I think this was a brilliant idea, the idea that it would be a TLD that would cater to registrants at the second level who have chatbot applications, ones that focus on generative AI, like ChatGPT. And based on public comments and warnings from the GAC and governments about harmful AI, and those of us who were at the IGF in Kyoto two weeks ago know that 75% of the IGF was about harmful effects coming out of AI. So they're very focused on that. So the applicant makes a commitment to write up an RBC saying that, yes, we'll remove the domain, any domain that resolves to a website where the chatbot generates harmful or biased messages.

And for a handful of us from the United States, our own government has a job owned big tech companies to say that they will avoid societal harms and anything that comes out of generative AI, whatever that means. Well, let's suppose before the RVC is accepted, ICANN Legal looks it over and says, wait a minute, the content of a chatbot response on a resolved domain is outside of ICANN scope. And then tell the applicant and the objecting governments that ICANN cannot enforce the RVC.

So as a consequence, the government would know, oh, this can't be in the RVC because ICANN can't enforce it. But I'm here to tell you that there may be some governments who may require the applicant to make a side agreement on just this in order to remove the objection.

I'm not recommending that. I'm not suggesting it. I'm asking you to recognize they may do it and there's nothing you can do to stop it.

Keep in mind that most ccTLDs have a side agreement. They have a side agreement between the government and the ccTLD operator that ICANN doesn't even see those agreements and has nothing to say about it. ICANN bylaws cannot limit what is in those agreements. On the gTLD side, you probably all know that .com has a side agreement with the US Department of Commerce. Even after transition, the US Commerce Department has their own agreement on .com. And it's outside of the contract that VeriSign uses today. So this stress test is meant to show that, yes, we can draw clear boundaries, but let's be sure and tell them in advance and let's understand that governments may require some other outside agreement for them to remove their objection, but ICANN would have nothing to do with enforcement.

Next one, Milton came up with a neat one here about, there you go, for a Chinese gTLD, an IDN, and it has a content-based registry voluntary commitment. Because let's suppose that the applicant wants this IDN-TLD to really target domains that resolve to news and other content, but China's GAC rep in this case does an early warning. They believe that the proposer needs to be based in China, subject to China's law, and needs approval of the Chinese government. Well, let's suppose that the applicant then comes up with a registry voluntary commitment that promises to suspend domains that offend the sensibilities and feelings of the Chinese people. As admirable as that may be, ICANN is going to determine that the content on those resolved domains is outside the scope, and they will inform the applicant and the governments that they cannot enforce it.

So once again, would the Chinese government remove their objection? They might, they might not, but they're not going to be able to count on ICANN to enforce this. They may have to do something else to try to achieve enforcement or drop the objection entirely. Next one, and here's one Milton came up with this one too, for entertainment, like a .entertainment, and it's got audio video images and maybe gaming. And then let's suppose that trademark and copyright interests really pressure the applicant to come up with strong registry voluntary commitments to suspend a domain that resolves to something that has a copyright violation, something that's validated. Well, ICANN might look at it and determine that the content on a resolved domain is outside of the scope. And at that case, they will not be able to enforce it.

At that point, the governments and GAAC, or whoever else had carried that objection on the part of IP interest in their country, it's got to determine whether to remove their objection. They're not likely to get a side agreement that would have much strength to it because it would be a global TLD. And then I think we have one more. And this one has to do with things that happen post delegation, post delegation. Let's suppose that a new gTLD for .THERAPY incurs a lot of objections from governments who worry about the regulated industry in some countries, and that they want to make sure that the registrants at .THERAPY are licensed therapists under whatever regime that country has. ICANN looks at it and says that we can do that. We could enforce that as a registry voluntary commitment on registrant eligibility.

However, let's suppose that after delegation, the original registrant transfers physical .THERAPY from me to someone else who may or may

not be a registered therapist, a licensed therapist. While the GAC would be upset about that, the government who wrote the RVC, they would advise ICANN that they've not honored their commitment because ICANN needs to enforce the RVC not only on the original registrant for physical .THERAPY, but on subsequent owners of that registration name.

So the idea there is we want to be sure that it carries over to avoid, again, disappointing everyone whose expectation in this case was ICANN could enforce it. And then all of a sudden ICANN doesn't finish the enforcement when it moves on. So that's a quick run through. You gave me 10 minutes. I probably took more. The notion here is to lay out a series of stress tests that we can come up with more so that we don't fight over what happened 10 years ago, but try to describe something that will last into the future.

KATHY KLEIMAN:

Thank you so much, Steve. Back to you, Milton.

MILTON MUELLER:

I think the distinction that Steve gave us was kind of eligibility criteria are if the TLD is promising to restrict itself to certain kinds of registrants, but content-related ones are not going to be. And I think that that is an important distinction. I'm not sure I agree with it. I tend to be a lot more liberal than everybody else in ICANN, but I think one of the points that comes out clearly from this is that we can't assume that ICANN is the only entity that has any impact on the policy of these registries. They

will have to comply with whatever law of whatever jurisdiction they're in anyway, regardless of what ICANN does.

And one of the mistakes that happened early on in ICANN's history is that many people demanded that it try to load up the top-level domain contract with all kinds of other policies not necessarily related to coordination of the root zone. And I think that's a mistake that kind of gets ICANN into trouble. So let's open it up now for discussion. I really appreciate Steve coming in and dialoguing with the NCSG. What people want to enter into this discussion now? I think we have another 15 minutes that we can go. I'd like to hear from other people about what they think about this problem.

STEVE DELBIANCO:

Can I respond to your suggestion? I think you're exactly correct that a registrant and a registry, they're all subject to whatever laws apply to their conduct, jurisdictionally, as well as if they're in a regulated industry. That's always been the case. Nothing I can do will remedy that. So why would ICANN, I'm going to suggest because of three of the stress tests, why would ICANN get involved in eligibility? Well, so much of this is driven by the leverage that's created when a government can object to an application. If you allow governments to object to an application, they will only remove the objection if they believe their concerns have been satisfied. They will of course look to the ICANN enforcement of contract to satisfy and remove the objection. But they may not.

They may decide that if ICANN cannot handle an eligibility restriction that might touch on content, well, then the governments may seek a

separate agreement with the registry operator that ICANN could not enforce and would have to be arranged as a bilateral between that government and the registry operator. And it could result in some arbitration or regulatory proceeding that occurs. And after that's over, the registry operators going to have to determine whether they will still be able to honor the rest of the base registry agreement. But governments have leveraged Milton. And I believe that's why things may make their way into registry contracts or side agreements that the NCUC would object to. But the leverage given to governments to object is a reality of life right now.

MILTON MUELLER:

I'd also just like to briefly address the UN question. I think that's been brought up in a chat. And I do think that, you know, I'm pretty familiar with the geopolitical situation as it affects internet governance right now. And I could say that there is no serious threat that the UN could take over ICANN functions. That was a live issue maybe during the World Summit on the Information Society, which is now like 15 years ago. It was still a bit of an issue during the World Conference on International Telecommunications in 2011, 2012. But now I think there's no plausible scenario by which the UN can suddenly take over rest control of the DNS from ICANN, although governments may be dissatisfied. I just don't see that as being a plausible thing. Kathy, it looked like you wanted to talk?

KATHY KLEIMAN: Yes, Milton, we've got quite a queue. And so let me tell you who's in it, because I'm seeing hands in the room, and I'm drafting somebody who doesn't know.

MILTON MUELLER: Take over the moderation function, Kathy. I can't see who these people are, so you go ahead and moderate that. Thanks.

KATHY KLEIMAN: Thank you, Milton. And I'm excited that our conversation is generating discussions. So Anne Aikman-Scalese first, Farzaneh, Greg, Wisdom, Jonathan's in the queue, and Elaine Pruis, I'm drafting you as the lead author of the Minority Report for Subsequent Procedures, if I remember correctly, on PICS and RVCs. And then, of course, please continue. And if there's any slide you want me to go back to so you can talk about stress test number, whatever, or you want to talk about the chatbot, just let me know and I'll go back and we can all look at it. Oh, and I'm in the queue as well. Anne, you first.

ANNE AIKMAN-SCALESE: Thanks, Anne Aikman-Scalese, NomCom, I'm non-voting on the Council, and thanks so much for having this dialogue. Just a couple of historical points in relation to RVCs. I have to congratulate Kathy and the SubPro process because she said we need to make a clear distinction between the specification 11 PICS and what are essentially other commitments that are not applicable to all registries. And so that's where the term came from was through that distinguishing

between the two. So we have registry voluntary commitments. I think it's also important to note historically that the existing registry voluntary commitments were grandfathered in the bylaws, current bylaws do protect those.

So just by way of history for folks, it referred to the bylaws with respect to the old PICS. The term RVC did not exist in the 2012 round. Third thing I wanted to say is that in the SubPro process, it was specified and is in the final report that all registry voluntary commitments are subject to public comment. They cannot come, it's not a backroom deal. They must be put out for public comment and I think that was one of your principles for evaluating RVCs. The other thing is that I have actually heard a couple of board members say that they believe that in this round the RVC process will be potentially subject to individual analysis as you've described in your principles.

Having said that, I think that the category that Steve has laid out about eligibility, when we start talking about, good RVCs and bad RVCs, it seems there's a fair amount of consensus with respect to eligibility where consumer protection is involved and I'm wondering if that is a point that with respect to licensing of doctors, licensing of lawyers, licensing of, and I know that that's not an easy question to answer because we're international, we're global, licensing regulations differ from country to country, but to the extent that there are safeguards for consumers in relation to those types of services, kind of hoping that we can agree that that's a good RBC, but maybe you know, I don't know if we can promote that in this discussion or not, it seems to make sense to me. As far as the UN is concerned, I think we need to understand that ICANN has to be building for the long-term trust in the global

community and that that's a principle that just needs to be upheld.
Thanks.

KATHY KLEIMAN: Thank you so much, Anne. Unless Milton or Steve want to respond, let's go on to Farzaneh.

FARZANEH BADIEI: Hello. Farzaneh Badiei speaking. I'm sorry, it's very early morning here. I think that the stress tests that Steve brought up, they are a little bit too stressy and unrealistic and not based on what happened in the past. We do have these public interest commitments that the new gTLDs actually signed up for, and we haven't looked at the consequences of those commitments. And I think that in any stress test that we want to come up with, we need to look at what happened in the past? And if we look at it, and this is a very cursory review of things when I looked at it, they had a dispute resolution process for these stress tests, sorry, for these picks so that people could go and complain if the pick was not enforced by a registry.

And not even once, as long as I remember, not even once that mechanism was actually used. Now, I do understand that, so I think that in terms of coming up with stress tests, we need to look at what happened in the past and then guess what is going to happen in the future. The other thing is that, and I have heard this argument that the UN is going to take over if we don't do this at ICANN. If we don't deal with DNS abuse, and now if we don't deal with this RBC thing because the GAC is going to run to the UN and say ICANN is not doing its

commitment. I think that this is a very dangerous argument. And unfortunately, if we keep saying this, then what are we doing at ICANN? Why are you making policies?

Well, let's just get GAC to tell ICANN board whatever they want and then make policies there. We have to, I think that this, the UN takeover risk is an over bloated risk. It might be as a result of that, we just came out of IGF and we were too exposed to it. But I think that we need to be also very wary of the fact that we are here at ICANN to do multi-stakeholder policy. And just because GAC wants something doesn't mean that if we don't actually agree with it, they are going to go and get the UN to take over. This kind of ITU bogeyman has been for, I'm sorry.

KATHY KLEIMAN: There's quite a queue here. I really appreciate everything you're saying.

FARZANEH BADIEI: So this ITU bogeyman thing, I think is just out of question. The other thing is the matter of sanctions that I keep repeating and nobody pays attention to. And I would like to have a conversation about that. It's early in the morning, I'm leaving, but I want to put that on NCUC's agenda. Thank you.

KATHY KLEIMAN: Thank you, Farzaneh. And let me first thank you for listening so closely, responding so extensively. And I also want to commend Farzanehi. The second panel in Issues Form 1 in DC was on sanctions. And Farzanehi, forgive me if I'm mischaracterizing, but not just use, but misuse of

domain names and sanctions. So if you want to talk with Farzaneh, she's a world expert on this issue and really leading the charge on it. Farzaneh, would you say all of that is fair? You get yes or no.

STEVE DELBIANCO: Well, that didn't work. Next.

GREG SHATAN: Thank you. Greg Shatan for the record. First off, the name Registry Voluntary Commitments is just awful. I wish the whole voluntary word just creates confusion. Probably should be called registry-specific contractual commitments. And I think the reason that they are worthwhile having is that, in fact, different registries and different TLDs are different. And therefore, the one-size-fits-all approach is good in many cases, but not when we've allowed certain applications to come in with certain business models that, like .butcher, should only be for real butchers and not for professional wrestlers named butcher or something. So that should be agreed to and an obligation. And I don't think that's not unusual. And I don't think that's content regulation.

And remember, it's the regulation of content. It's the opposing of rules on content that's prohibited in the bylaws. Maybe one reason to keep the word voluntary is that that shows that it's not an imposition of a regulation, but rather it's an agreed-on restriction. So therefore, not prohibited content regulation. Thanks.

KATHY KLEIMAN: Thanks. I'm going to take myself out of the queue. Jonathan and Elaine, you're the last to comment or question.

JONATHAN ZUCK: Thanks. I have a couple of things, but given your warning to Farzaneh, I'm going to try to rein myself in here. But I agree on this notion of the ITU takeover of ICANN being a little bit of an overblown concern. That said, government's frustration with ICANN and with the internet has resulted in national policies, including contradictory ones and things. And so I think there's something much more insidious that exists out there as a threat on some of these things like hate speech, misinformation, and potentially on intellectual property and things. Is countries just going on their own and creating a new rule or restriction on the TLDs that live within those jurisdictions or have customers within those jurisdictions?

And we've already seen ourselves chasing our tails over two of these things that have come out of Europe. And so I think that to me is a greater threat that requires us to not give complete deference to the GAC, but I think it's worth having in the stress test that an upset GAC, or more importantly, some part of the GAC might lead to, again, something else that we're having to have an everlasting PDP process about to try and resolve and to try to deal with these differences. So I think when we do these stress tests that we shouldn't ignore the implications of ignoring governments.

KATHY KLEIMAN:

Or also not just governments, private parties came in in the first round on this. Thank you, Jonathan. Elaine, and then I did forget that, and I apologize. Wisdom, you get the last word because you are definitely in the queue.

ELAINE PRUIS:

Thank you, Kathy. I'm Elaine Pruis. I was a contributing member to the SubPro IRT for several years and had concerns about the PICs and even the resulting recommendation that came out of the SubPro on what we're now calling Registry of Voluntary Commitments. So a couple of comments. One, Kathy, you tried to clarify that they used to be called PICs and now they're called RVCs. I think we might need to do some work within the community to ensure everyone knows that there will no longer be PICs. There will be RVCs. I think in a GAC session the other day I heard the two being interchanged. And there might be an expectation that they're independent of each other and will coexist.

So a little cleanup work there. I'm very happy to see the progress that's been made since the recommendations came out that there should be some very clear guidelines and guardrails on what a commitment might entail. And I just want to agree with Jonathan on the aspect that so maybe the threat of the ITU is not the most present and realistic threat, but there are significant threats at the national level when it comes to governments implementing legislation that addresses these problems that we are not able to take care of ourselves here within ICANN. So that's real. And I would really like to pursue this exercise of more stress tests and see what other possible consequences there might be.

I think it's a really excellent exercise to help us clarify what our guardrails should be when we go ahead and finalize this language after the small team gets done with their supplemental recommendation or clarifying statements. On that last statement, so I'm pretty sure the small team clarifying language on the recommendation on PICs and RVCs is going to be reviewed and approved by the board this week. And there's a statement in there that says that these have to be practicable in order to be enforced. So there's also movement in that regard on making sure that this is something that's not kind of an open book and giving too much rein to ICANN compliance or the GAC or the board on what a PIC could or could not -- sorry, RVC could or could not be. That's all. Thanks.

KATHY KLEIMAN:

Thank you, Elaine. Terrific. Yes, practicable and within the scope of ICANN bylaws, which is great. Progress since Issues Form 1. Wisdom, last word, and just let's put the applicant support panel on notice. You're on deck. And Greg, do you want to stay there? Do you want to come up here? So Greg and I are going to exchange places and Rafik, you're on deck in the ether. Wisdom, last word.

WISDOM DONKOR:

Thank you very much. My name is Wisdom Donkor. This whole discussion, I'm looking at it from the point of the developing world, Africa as an example. This is a continent that we are still getting things right. And then when you look at the way our governance processes is structured within our continents, you realize that government go, government come. And then this had been one of the major issues

within our continent. A government might come and then might implement these processes in the point of the citizens. Another government might come, might think of their own interests and then their interests only. So I'll be happy if we look into this also and try to see what we can do to address it. Because a government can use all of this to the advantage.

And then what we are also seeing now is that all that we are discussing, the government can come and say that whatever thing that we are doing at the moment, we are discussing, the government can come and say that whatever thing that we are doing at the end of it, let's have it to ourselves. And then it's happening in our part of the world where you see even government owning a telecom infrastructure. And then before they leave, they realize that their business people among themselves, then they sell the company to themselves. And then this is happening. So we have to look at all of this and then try to be, there should be a balancing where it's a win-win something for both society and then the government itself.

KATHY KLEIMAN:

Thank you, Wisdom, for your insightful comments. And also maybe the clarity of principles and stress tests will help governments know what we expect of them in this process before we end the round, as Steve says. A round of applause for everyone for participating so actively online and in the room. And now, Milton, it goes back to you for our second panel, an expedited panel on applicant support, which I'm very excited about.

MILTON MUELLER:

Thank you, everybody. That was a good discussion, but we did have to truncate it a bit because we want to discuss another important issue, which is called applicant support. This is the question of whether we should have special programs in effect to make it possible for, it's not always clear to me what kind of person we're targeting with this, but generally applying for a TLD is very expensive, both in terms of the application fee, but mainly in terms of the preparatory process and navigating the politics of ICANN and hiring consultants and all of that.

And so there has been some attempt to define policies that might make it easier. And this is something that some of us are skeptical about, but others are big supporters of, so I think it's important to have a discussion about this. And I really wanted to invite Rafik Dammak, who was a former chair of the NCSG, he's been on the GNSO, and he was a big player in the first round of new TLDs, defining some attempts to come up with mechanisms to make it easier for less well-endowed applicants to get new TLDs. So let's turn it over to Rafik and let him tell us a bit about how things worked the first round.

And then I had a very interesting conversation with Greg Shatan at the IGF, where we were fending off government takeovers of the internet. And Greg and ALAC have been big supporters of some kind of applicant support, and we discussed the various methods, and I think Greg had some very interesting ideas about how we might go about that. So first let's hear from Rafik. Can you give us about 10 minutes, Rafik, and then we'll turn to Greg, and then hopefully we'll have time for some open discussion.

RAFIK DAMMAK:

Thanks, Milton. Thanks to everyone for joining the session. So first, sorry, I didn't prepare any slides, but I will try to do my best to keep you interested here. So first, I think maybe I need to add a disclaimer. Personally, I was not involved in the time when the new TLD was discussed as a PDP. So I only when joined the GNSO Council 2009-2010, and at that time it was more discussion about the infamous applicant guidebook, that the scary more than scary 400 pages of all the requirement and what's needed for the application. Also, I cannot speak what maybe other groups did before, but I understand there was some talk about the application fee.

So that was the kind of point that was maybe raised many times, and I recall we had a discussion in Nairobi meeting 2010, if I'm not mistaken, when we had an update regarding the applicant guidebook, and it was raised the question about how we come up with that fee of \$185,000. I think we kind of, everyone was focused on that, but we tried to think more like there are more than just the fee. It's all about the complexity of the or complicated requirement that they were made in the applicant guidebook. So in terms of process, when we had all that discussion, I think it led the board to initiate the process, and I think March 2010, requesting the GNSO and other ACs to start and initiate that working group.

And that's how we ended up, I think, or I believe one of the first cross-community working group. We didn't have that kind of model before, but we started with the GNSO working group. In that time, only the ALAC wanted to join, and we had the GNSO and ALAC join the working group and applicant support. So I'm not going to spend too much time in the process, but just to share how it started, it took over one year in

terms of discussion. We had several interim reports to get feedback, and I can say there was also resistance even within the GNSO. And it's important to remind that there is people doubting, not for the same reason like Milton about why we are trying to do that, because maybe it's like from the, let's say from the registries and other parts of the GNSO, they were concerned why we are trying to help people to apply if they cannot do that in first place.

That can be a valid point. However, in terms of the GNSO working group, what we try to do is not just only to focus on that financial part, the fees. We also focus in what kind of other support that can help applicants, and those all the non-financial, like regarding the technical side, because there were several requirements, like support of IPv6 and so on. And that idea is not really for ICANN to provide that kind of support, but to be pro bono or in-kind support that can come from any organization or the different parts of the community that they want to help and to provide those in-kind support. At the end, we had all those recommendations. The working group tried to do its best. I think we kind of within one year, we come up with a recommendation.

But after that, so after we deliver it, it was not that smooth process in terms of convincing the approval, but we could deliver. And I think here, it's maybe I'm speaking more in my personal capacity here. We failed in terms of implementation because at the end, we came up quite late with regard to the timeline of the new gTLD program. So there was no really proper outreach where we can state maybe there was no any outreach at all about this program on itself. And we can see that most of the application, we got three, that's quite low number, and most three are kind of from people who are involved to some extent in ICANN.

So it's not really, was not targeted those applicants from developing countries, those who have done not really about business and so on. So we failed it and we need to take that into account.

But that's also what I believe even several they tried to review and see what kind, how they can improve. So that one reason, probably the outreach. So the implementation was not that good and coming up too late didn't help at all. So now the kind of setting that maybe historical context quickly. So the question here, can we do better this time? Because we did the review and the SubPro also worked on different recommendation, not all approved by the board. And I think that one of them will be kind of the topic of this discussion today. But back to the question from internet is who can be or is it really needed? It's hard to say, because maybe we didn't do that proper work to find out if there is need in first place. But also maybe the problem here is we are trying to fix an issue related to the program itself. I'm talking here about the new gTLD program, the applicant guidebook.

We made such a complex program, and we created all, I would say, criteria and blockers for any one, that just any newcomer, if I can say that to be a new registry. In particular, if you are from developing country, so the, the barrier were too high, so that we needed, at the end, from the community to try to find the work on how we can solve that issue, and also to have that more diversity in term of application, from other side than just from Europe and North America.

So, I get the question here, are we going to succeed, because still we are in the, ending up with probably more complex and complicated requirement, as we just had discussions, just about one aspect in the

previous part of the meeting. I'm not sure. So, I would stop here, but I hope that kind of just give some... quick explanation or reminder about the history of the jazz, how we failed at the end, maybe the working group can take responsibility of that, but it was also outside of our limit at the end, because that's related to the implementation. And so, what, what we can do better, and how we can succeed this time. Thanks.

MILTON MUELLER:

Thank you, Rafik, and I think it is really well worth considering the prior experience and now I'm going to turn it over to Greg, to talk about some of the ideas for possibly making it work this time, although I think it's very important... the comment Rafiq made about preparation and outreach. So, take it away, Greg.

GREG SHATAN:

Thank you, Milton. Greg Shatan, for the record. Well, I've got some slides here, just to go over what the, the At-Large proposal or model might be, and it's an incubator, model incubators are a well-known, long-standing way to bring younger and emerging businesses up to speed, so they'll succeed. The primary emphasis is not on financial support, but really on expertise and business support. So, let's see here. Sorry, just having a little trouble with the slides.

MILTON MUELLER:

Thank you, Greg. That was really nice and short.

GREG SHATAN:

Yes. Thank you. Here we are. Slides are working. So, the idea is that the incubators would be located regionally, that they would coordinate support services for qualified potential new gTLD applicants. The actual support services would be provided by expert third parties. We believe that the support should be provided throughout the application and evaluation process, and the overall goal is to find and help applicants who will succeed as operators of registries, and that means to be commercially successful. To the extent that there is financial support, it's really to deal with some of the front-end costs that may come in before company is perhaps fully funded, but not the idea of trying to create a whole second class of lower paying registrants. So, we envision a variety of support services being provided.

Business model advice, operational advice, financial advice, technical advice, obviously, both in terms of the technical aspects of running the registry and of aspects of what might be outsourced, such as the backend, marketing and branding advice, and of course, legal advice, and both legal advice would have to include US advice, since the applications are coming in to ICANN, which is a US entity, but also local advice in terms of setting up your business and dealing with local requirements. Of course, advice on preparing the application, which is no walk in the park. We would also see advice through the evaluation phase in support with responding to evaluation inquiries, developing enforceable RVCs, of course, and if it is a community application, dealing with the community priority evaluation process.

And even after approval could be if there is, and this is maybe looking a little further in the future, we don't need to get sidetracked about this advice in dealing with the contracting with various registry services,

with ICANN, technical advice and getting to delegation and implementation, and continued advice. In most cases, incubators have kind of an intense period that's a limited period in time, and after that, they may provide a kind of lesser or looser amount of support.

We would see that there would be an incubator operator, not ICANN, but an operator, perhaps multiple operators one for each region, coordinating with ICANN, but the ideas that they would identify, recruit, vet, and manage the service providers who would actually be providing the advisory services, then helping to match the service providers with the applicants, and then, of course maintaining confidentiality for each applicant, because this is there'll be multiple applicants in each incubator. Their information should not be shared unless they want to share it amongst themselves.

Yes, as noted, the service providers would be third parties, they'd be subject matter experts. In our original proposal, we viewed them as being pro bono, but they could also be some sort of reduced fee, low bono, or some other subsidization or waiver or flat fee. There's all kinds of ways to deal with fees. Service providers would not be providing an unlimited amount of advice and handholding. There would be a pool of or a limit in terms of hours and funds, however it might be measured, there needs to be an understanding that this is not a bottomless pit of help. There's been some controversy about whether ICANN could compensate these service providers. I think that's something that actually could work.

Maybe the ICANN Foundation or auction proceeds could be used to fund this. There are, I think, ways to limit ICANN's fiduciary obligations,

even if they are paying the bill. And so I wouldn't discount that. Obviously, whatever we're doing here has to be funded in some way. As I say, other than there's really no direct financial support in this model, no money in the pocket of the provider. They get services, they get expertise, they may get filing fee reductions or waivers for and perhaps other fees, perhaps a bid credit or multiplier, and ICANN auctions to help them compete on a more equitable playing field with major players. But it can never be so much that we're empowering companies that can't succeed.

The whole point of this is to find companies that can succeed on the standard terms, on commercial terms, and to bring them along so that they're ready. All sorts of huge successful companies have started in incubators. If the incubator is, if the chick never gets out of the incubator, it dies. It needs to turn into a full-size chicken. And that's the point here. It'll be some Tennessee hot chicken.

KATHY KLEIMAN:

You happen to have a picture of chicken.

GREG SHATAN:

So we can also look at various service models by which the services come from the incubator to the individual applicants. At least at the beginning, I see plenty of seminars and webinars and prepackaged materials that are educational intended to prepare and maybe even scare potential applicants so that they understand that they're getting themselves into a very serious business. Clearly, the heart of this is one-on-one advice, but there can also be prepackaged toolkits and other

written materials and also sort of maybe Sherpa or Doula type of help. Not so much providing the help, but providing access to the help. Maybe even just a Sherpa just for the ICANN website and perhaps PTSD counselors after using the ICANN website. And the services would be a combination of the above.

And that's the goal. There's the chick. So we start with the eggs. We want it to hatch. We want it to walk and talk. And then it will be devoured by the cruelties of business, but hopefully we have supplied it with the information it needs to actually get off the ground. So that's the proposal in a nutshell or an eggshell perhaps.

KATHY KLEIMAN:

Thank you. Milton, back to you briefly. We've already got a queue.

MILTON MUELLER:

Yes. I think that was very good. I think it raises many of the concerns that I had and that some of us have about this process that if you are in fact is this an incubator where the chick can go out and survive or is it an attempt to kind of create life that cannot survive and probably would not survive? I think that's the danger. I also note that the ICANN board, none of you mentioned this, but the ICANN board has come up with some, I think, some kind of a rejection of a recommendation regarding applicant support and cited some reasons. I know that ALAC has tried to address those concerns, but we do need to be aware of the issue that the board has already raised. So let's get to the queue, Kathy. Again, why don't you take control of that?

KATHY KLEIMAN:

Thank you, Milton. And thank you, Greg. And thank you, Rafik, for being up probably in the middle of the night your time. So yes, there were concerns raised by the board and Tomslin, who is the chair of the Non-Commercial Stakeholder Group Policy Committee, is on the Council's SubPro Small Team trying to work through and work out the negotiation over policy recommendations with the Council. We had an invitation at ICANN 77 in DC from Becky Burr on the board for NCSG and ALAC to bring their ideas together. So Tomslin, you submitted some ideas from the NCSG. Would you like to talk about them? And would you like to talk about how we're working to bring them together with ALAC?

TOMSLIN SAMME-NLAR:

Absolutely. Thanks, Kathy. So like Kathy mentioned, I did submit a proposal to the Council SubPro Small Team, which is quite similar to that of ALAC, in fact. And like Milton mentioned, there were two concerns that the board had. And one was fiduciary concerns. The board didn't want to be fiduciary responsible for what those organizations that provide the services do. And then the second was concerns about the potential uncertainty of the expenditure of the program. So we submitted or I did submit a proposal to the Small Team, which addressed this. We used the concept of non-for-profit organizations.

So we said the board ICANN could donate funds to some non-for-profit organizations who could then provide services to eligible applicants. And that's quite similar to the concept that ALAC has that they use the term. What's the term you use again? Incubator. Yes. So we use the

term non-for-profit organizations and they use the term incubators. And in terms of the second concern, which was around expenditure, our proposal was to use group sessions to manage that cost, which was similar to one of the services that ALAC had on the screen.

The other thing I just wanted to quickly mention is that we have looked at ALAC's proposal and we know that there were some differences between ours and theirs. But in general, we had more commonalities than differences. And where we had some differences was surrounding the scope of services. Our proposal simply brought the eligible applicant through the door or gate. So it helped the applicant apply for support services and prepared to write the application. And also provide counseling services regarding technical services, back end providers, and writing of both the application for the applicant support and the application, the registry application itself.

The ALAC proposal, however, goes further than that. It includes our proposal and it also proposes to support the applicant through the evaluation phase and even post delegation phases. So I actually do have a printed paper with me on the similarities and differences of our two proposals so that we could consider and have further discussions on how we can put together a proposal to the community. Thanks.

ELAINE PRUIS:

Thank you so much, Tomslin. Copies of the two-pager comparing the great similarities, particularly upfront, preparing those new gTLD applications. Coincidentally, between NCSG and ALAC, and this comparison was done informally by NCSG and ALAC people. And thank you to the people in the room if they want to identify themselves or not

identify themselves as having worked on this. Let's go back to the queue and let me go back to my computer as we pass these out. Laurie, I thought Jonathan and Rafik were next, but I'll go ahead.

MILTON MUELLER:

Rafik.

ELAINE PRUIS:

It may be relevant anyway since I wanted to comment on the procedural context, which is a direct follow-up to what Tomslin was saying. And procedural context, in fact, the board, I believe it was in its September 10th meeting, stated that it was non-adopting recommendation 17.2. And the reasons given had to do, as Tomslin said, with the financial commitments that seem to be unlimited there, sort of the floodgates argument, you would say. And then the other aspect of it was not really wanting to choose between applicants in terms of who would be provided with direct attorney's fees and direct consulting fees, etc. And so the procedural context at present is there is, as Tomslin said, a small team from Council that's been working on these non-adopted recommendations.

And the next step in that, and this is the important part, will be to invite SOs and ACs to designate their subject matter lead for this topic for applicant support so that the proposals that have been charted by the small team can be discussed further and developed further in the process of developing a supplemental recommendation in connection with what's necessary to go back to the board. Now, the only other thing I want to say about the procedural context, Kathy, is that that 75...

KATHY KLEIMAN: Just to let you know, we're going to get cut off in five minutes and we've got three people in the queue.

ELAINE PRUIS: Everybody needs to read that 75-page report from the staff of ICANN because it addresses a lot of these issues everyone's raising about capacity building and money. And that report is excellent and it should be required reading for everyone discussing this topic. Thanks.

KATHY KLEIMAN: Thank you very much. Over to Rafik. Short comments, everybody, because we are being cut off on time here. So, Rafik, Jonathan, Benjamin, thank you.

RAFIK DAMMAK: So thanks for a proposal. I think there are a lot of merits of what was shared and this idea of creating a regional incubator. It's kind of similar to what was discussed in the jazz working group at the time. And to give credit, it was an idea from Avri Doria, but was more focused on the creating regional registry service provider. So, I'm happy to see there is kind of much more kind of broader approach here to cover the different point. So, but I think there are maybe several aspects to have in mind. I believe it should not kind of supersede the idea also that we can have also other pro bono service or in-kind support because I think there are parts of the community or other organizations they want to help as much as they can.

The second point here is, so it's good to have that, but I think we need to be careful again. It's about implementation. I'm not sure about the current timeline, but if we want to succeed, it needs to be done quickly and also to be able to do the outreach in the first place and to identify possible applicants that can benefit from such support. So, I think that's kind of still the big challenge in addition, of course, to find the resources and so on and the funding. Thanks.

KATHY KLEIMAN: Thank you, Rafik. Jonathan, for a quick comment, and Benjamin.

JONATHAN ZUCK: Thanks. And I'm aware this is our proposal. So, there were people that at the sessions that was first raised that believed that totally localizing this effort may be more overhead than necessary. A lot of folks that were American consultants and lawyers worked on international applications all over the world. The language issue I think that Stephanie's raised is very real, but I don't know if creating a whole series of local incubators is unnecessary overhead because most of the procedural oddities of this whole process were common among applicants, I think. So, I don't know. It's just something we ought to think about before we try to pitch something that feels overwhelming to org, I think.

KATHY KLEIMAN: Thank you, Jonathan. Greg, then Benjamin.

GREG SHATAN: I just want to say briefly that the idea of the regional is to meet the applicants where they are, but if there are support being given by, say, consultants and lawyers who are in the United States, that could still be delivered through the applicants. The idea is not to create totally redundant, completely localized silos. The idea is to create a portal through which local applicants can get the advice wherever it comes from.

KATHY KLEIMAN: Benjamin, and then Milton, we will go back to you for a last word.

BENJAMIN AKINMOYEJE: Thank you. I just want to contribute to say, I know there's been a lot of conversation around no direct financial support, but I'm saying that it's quite necessary. We've seen this in other industries and it could be tagged incubators, it could be tagged anything, but what we are saying is, we need some form of enablement for new entrants into this space to let them participate actively. And we've seen it in digital innovations of all kinds, startups, and we've seen how great industries have been established. So I'm reiterating that point here again, that supports are needed. And if it has to be financial, so be it, but this new entrance should be supported in these other regions that we haven't seen participants thus far.

KATHY KLEIMAN: Thank you. Benjamin, do you have any other announcement to make for us?

BENJAMIN AKINMOYEJE: I thought so it's a tough deal to try and bring food into this place. So we've been able to arrange something and we also didn't want to lose you taking you to a place that is far at lunch. So we've got some sandwiches here and we hope after this meeting, you could take one or two for the energy you've burned so far. Thank you.

BENJAMIN AKINMOYEJE: And in celebration of NCUC's 20th anniversary, Milton, back to you for the last words.

MILTON MUELLER: Well, I want a sandwich. No, I'm kidding. Thank you all for attending. I think we really need, as the non-commercial stakeholders group, to take the lead on issues. And this is our attempt. I really want to thank Kathy for bringing up a lot of these issues and helping me organize this session. And I really hope that we can make our impact felt by insisting on policies that really do serve the general public interest, including that of non-commercial users. And I think I will leave it at that. I wish I could be there with you to celebrate NCUC's sandwich-laden anniversary, but I would maybe go more for a happy hour after the meeting. So I'll see you at some other meeting. Thanks a lot for attending. Goodbye.

KATHY KLEIMAN: Thank you, Milton. Take care. Andrea, do you have any announcement? That wraps up the meeting.

ANDREA GLANDON: Are you guys done? Thank you. You can end the recording.

[END OF TRANSCRIPTION]