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KEYNOTE ASSESSMENT BY LARRY STRICKLING, ASSISTANT SECRETARY OF COMMISSIONERS, GOVERNMENT OF THE UNITED STATES

BILL DRAKE:

So I think probably, Larry, we don't -- I get to say somebody who doesn't need much introduction in this case. Given recent events, I think that I don't have to read your bio. But it is linked off the Web site, if anybody wants to know who Larry Strickling is, the Honorable Assistant Secretary of State, head of the NTIA -- of Commerce, sorry. Commerce. I'm tired. And head of the NTIA. Here is Larry Strickling.

LARRY STRICKLING:

Well, thank you, Bill. And thank you for having us here. I mean, no better way to show a person he's welcome than to have him fly 24 hours and then sit through eight hours of meeting and then react to what he's heard all day. So we'll see how exactly this plays out.

But Bill had assured me, you don't have to prepare any comments. Just show up and react to the group. So that's what I'm going to do. But we'll try to cover any of the topics that I'm sure are on your mind, whether -- if I don't touch on them directly, do we have some time for Q&A? We'll try to take a few questions to make sure that we are able to address your issues.

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But I am extremely pleased to appear here because for 15 years, people said this would never happen. And I want to be able to -- I'm so pleased to be here to be able to say that finally the United States government has done something that Milton Mueller likes. So --

[Laughter]

[Applause]

Not that that was our goal.

[Laughter]

But it didn't hurt.

So I just have a few points I'd like to emphasize. And again, I did sit through the discussion today with the idea of trying to pick up some of the themes and trying to weave them together into some points that then relate to the action that we did announce last Friday.

And I will say that probably the most important take-away for me out of the discussion today is a point that was emphasized right from the beginning by Steve Crocker, right through the end, Marilia emphasized it again, and that's it idea that this IANA issue, the transition of the United States out of its role with the IANA functions, is really only one part of the Internet governance debate we are facing this year. And I would tell you that one of our greatest concerns in the U.S. government about this was the fear that -- well, not fear. The concern that by taking the action we took last week, that somehow we would suck the oxygen out of this larger discussion that I will tell you, in my own mind, is much more important longer term, and that's the question of how do we



engage the developing world and build acceptance of the multistakeholder model in countries that haven't had the same level of experience with it as the more developed countries. That, I think, should be the focus of NETmundial. And I'm pleased, from Marilia's comments, that it should be a major topic down there. That's the role of this high-level panel chaired by the President of Estonia to start to think about that. And, frankly, it was a very important part of today's discussion as reflected in the last panel. But that, I think, is the big, big set of issues that we have to be working on.

We have to find a way to get the developed world -- developing world engaged in this more than they have been. And part of that requires getting the communities in these countries, civil society, business communities, to be able to organize themselves to then provide the stakeholders that you need to have for a multistakeholder discussion.

So it's not just a question of talking and convincing governments of the wisdom of this. It's partly how do you reach out to the economies in these countries that are struggling to get their arms around the Internet economy and how to kind of ride that economic wave that comes with it. But that's what we really have to be focused on.

And my deepest hope of what we put into play last week is that it might serve as something of a booster shot to the efforts to focus on this larger question. And if it doesn't turn into that, then we should all say shame on ourselves because that's really what's at stake here, not just the question of who or what replaces the U.S. role in verifying the accuracy of changes to the root zone.

So that's kind of my first point.



The second one is that we did set out some principles for this transition last Friday. And what I hope and what I heard today is that I think that what we laid out, which were very basic, but I think that they already represent a consensus of the community. And I hope that that gets established in the discussion over the next few days, and, in particular, at the public session on Monday. But the four principles that we used to build the frame around the transition planning is we need to support and happens -- or the transition plan needs to support and enhance the multistakeholder model, it needs to maintain the security, stability, and resiliency of the Domain Name System, it needs to meet the needs of the global customers and partners of the IANA services, and it needs to maintain the openness of the Internet. I hope those are not controversial. We didn't intend them to be particularly controversial. We thought that these did reflect consensus viewpoints, and I hope that the community is able to affirm that.

I read with great interest Milton's and the IGP's proposal, and I think the statement of principles laid out there is very much resonant with some of this. Certainly his comment about governments is one that I think is very much in sync with what we have said, which is that we are saying very clearly that there shouldn't be a government-led solution to this or a solution that is an intergovernmental organization. And just to clarify, because I guess it was a matter of debate this morning, we're not saying governments don't play a role. Governments are part of the stakeholders like everyone else, so they clearly need to be part of the discussion. But I think Milton's paper makes a good point, which is you don't want to replace a single government solution with a multi-



government solution. And I think that's common sense, and it's certainly something that I hope the community embraces.

But on the question of the multistakeholder involvement for all this, we've tried to make it very clear from the outset that this is broader than just ICANN. ICANN is the party with whom we contract for the performance of the IANA functions. ICANN obviously, through these meetings and through its activities, has great experience in terms of running multistakeholder processes and, more importantly, iterative multistakeholder processes where people can work together on an issue over a period of time to reach a consensus decision.

So we've asked ICANN to convene, but we've made it very clear that this is something that we expect the Internet society, the Internet Engineering Task Force, the Internet Architecture Board, the RIRs, all of the technical community needs to be participating in this, and we expect that will be reflected in the session on Monday and will be reflected in the process as it's designed and carried out throughout all of this.

We think it's essential the process be transparent. I don't know how long it will be it's something where it's just large groups of people continuing to meet on it, but whatever it settles on, whatever the community settles on as the right process, we believe absolutely it's got to be transparent so that people can see exactly how it's playing out.

And we certainly aren't interested in seeing a top-down solution. We'd like to see this emerge out of a discussion in the community that then filters up into the proposal that is finally presented to us.



A lot of questions with accountability. A lot of discussion about accountability. And one thing I wanted to make clear, I guess people read our statement but maybe they didn't read what we didn't say. But one of the things we didn't say was we didn't put the Affirmation of Commitments into play by this at all. Now, does that mean the community can't talk about it? Not at all. We fully expect that the discussion that will take place among the community is going to fairly quickly segue into these larger questions of accountability and transparency and how well the existing AoC will operate in whatever is designed and whatever the community wants to go forward with. But I want to make it crystal career that we didn't come back and say we think that document is out of touch with the times or is past due, and we're basically saying that can work, and it should still work. And if the community wants to find a way to improve it, go to it. You're welcome to take it on. But in the absence of that the affirmation is still there and will continue to operate as envisioned.

I am -- I think Steve made the point, I guess a couple of times today, and I know he has made it in some of his writings. This issue of the fact that when we did the IANA contract in 2012, we had to go out and do it twice because we had to make it clear that first we took input from the international community and we reflected that in the scope of the contract that we wanted parties to compete for, and we had to do it twice to make sure that the winning bidder was actually going to take on the commitments that the international community wanted.

I do think the community has to have an important discussion about that as it thinks about what replaces us.



As Fiona made very clear, our role today is primarily fairly clerical in terms of what we actually do with the IANA functions. But we certainly understand the symbolism of all this. That's been a source of comfort for a lot of people, but has probably been a source of irritation for just as many if not more, other people. But this whole question -- in no way are we doing this in a way where we're handing the keys to ICANN and walking away from it. We're asking the community to stand up and say is it you want to have in terms of not just replacing the technical role we perform, but how do you replace the sense of confidence that people take out of the idea that somehow we're sitting in the middle. So we do think that's going to be a very important discussion for this community to have.

I do want to also talk a little bit about some of the international versus domestic interplay here. Those of you who are from the U.S. and have been watching the press know that already we're starting to see other issues emerge out of all this. And I think people need to be understanding of that. Not that they should be modifying their discussions or their viewpoints about this, but already we're seeing people who are suggesting that the U.S. is abandoning the Internet or that this is somehow going to inevitably lead to the loss of free expression on the Internet. We don't think that's the case, but we are being pushed by some of the political elements to keep emphasizing how conditional our offer was of the transition. The idea that conditions have to be satisfied. And I think the community should simply take that up as a challenge to bring back a well-thought-through, very solid plan to us so that we can push back against some of the political pressure that's starting to emerge on this.



In our mind, it's time to do the transition, but the community's got to step up now and really take this on in a way that can reassure policymakers in Washington and other people who simply want to comment on this sort of thing or use it to score political points that the responsible -- that there's a sense of responsibility here in the community to ensure these very important values such as free expression.

So my final point to you is as this discussion plays out over the next many months, don't let this become a political football. We've got at least two communities that need to be really, really impressed by the discussion and the debate that's going to be held. The first is where I started. It's the developing world that still isn't certain that the multistakeholder process is going to meet their needs. All right. Well, here, we've been talking about the benefits and the values of this for years and years. Now's the chance, as I think Mikey said, the world is watching. Yeah, they are watching, and they're going to see is this community able to come together quickly? Are they able to approach this in the goal of reaching consensus as quickly as possible?

We all know the multistakeholder process is chaotic, and there are going to be people out there looking to pick at it, because the second audience we're dealing with are the people who want to score political points out of this by trying to say it's not working or that it's a mess or that it's chaotic. Well, we know it's going to be that way at the outset, so it's really important for this community to act with a real sense of purpose and get people engaged in this process who are absolutely dedicated to reaching a consensus outcome in a responsible, realistic, maybe creative, hopefully creative, way. We can't let all these



extraneous issues kind of take away from the goal we have because there's just too much at stake here.

So I hope the community on Monday is able to establish some consensus around the principles we've set for it, and I'm really hoping the community can step up and take responsibility for this as quickly as possible and demonstrate once and for all that this multistakeholder business really works and is the way to move forward with these Internet policy-making issues as we work through these issues over the next many years.

So thank you very much, and with that, I'll take some questions.

[Applause]

BILL DRAKE: Would anyone like to ask questions?

Somehow -- oh, Avri Doria. What a surprise. Avri.

LARRY STRICKLING: We should let the government go first.

BILL DRAKE: Stefano. No, no, no. Ladies first.

AVRI DORIA: Thank you. Avri Doria. My first time at the microphone today, but I said

it was fun to come to the mic.



The question I wanted to ask was about the AoC, and you did invite people to talk about it and I'm really glad to see that it's not one of the things that's....

There's been various conversations about getting other governments to sign an AoC. Now, there's specific roles for the U.S. specifically in the AoC that's written. So if other governments were brought into sort of an AoC mesh as it were, is that something that you're also willing to talk about how that specific role that you have and that you've -- you know, I've been on the ATRT with you fulfilling that role, that that's something that could be shareable among other governments if they did sign into an AoC?

LARRY STRICKLING:

I don't have fully formed views on this but I have a big concern, which is that I view the commitments made by ICANN in that document not to be made to us. As Fiona mentioned they're basically what's laid out in the bylaws. These are commitments ICANN has made to the community, not just governments. They've made it to civil society, to businesses, to technical experts.

If this simply becomes an issue of let's get more governments to sign the AoC, are we starting to lose that notion of ICANN having obligations to the entire community or the idea that somehow by the governments or the representatives of all of that community.

So I see a concern if the only focus is on getting other governments to sign because I do think the commitments are broader than commitments to governments. They're commitments to every one of



you. And I worry that somehow we weaken that bond if all of a sudden it simply becomes let's get more governments to sign the same document. Because, as I say before, these commitments are broader than that.

AVRI DORIA:

Thank you.

STEFANO TRUMPY:

Okay, Larry. I appreciated a lot your speech, and especially when you say that what we were actually doing was mostly clerical work, let's say. But it's not so clerical only because there are a number of problems, difficulties, agreements around that and so on.

But I think what you say is just right. Then you, before reaching the end of the contract, hopefully, that we will find an agreement, ICANN and the other ISTARs that you mentioned, has to work very heavily, and trying to avoid something that in the papers I already read about this action will involve perhaps a doubt about the future of ICANN or will involve the fact that there should be something more close to ITU models and things like that.

So there will be an effort needed to explain while doing things, while reaching this possible agreement, just to make it possibly simple, because I think this is not something that is so difficult to be done. But there are critics and enemies that want to make this more difficult.



LARRY STRICKLING:

So on that point, I mean, again, all we have teed up by our announcement is how do you transition out the United States from its role. We haven't suggested that the ICANN role needs to be reexamined. We have not suggested that the VeriSign role needs to be reexamined. We've simply looked at the question of the U.S. role. And so I think it's important that the focus remain on that.

The other question is that is the U.S. somehow saying there needs to be a new organization created to replace the role we perform? And we are by no means saying that has to be an outcome here.

Again, when you look at exactly what it is that the U.S. does in the course of being in the chain of root zone updates or root zone changes, I don't know why it couldn't go to machine to machine and people might conclude that with appropriate transparency, you don't need any entity in that chain. I'm not saying that's a good outcome or a bad outcome, I'm just saying it's a possible outcome and it doesn't mean that people have to start out saying, yes, we have to start figuring out what the body is that has to be formed to replace what the U.S. is doing. But that's for you all to decide. I'm just saying we're not insisting that there be some new organization formed for that.

BILL DRAKE:

Is that it? Seriously?

[Laughter]

Are you that desperate to have a drink?

[Laughter]



LARRY STRICKLING: Everybody arrived like I did at 1:00 a.m. this morning.

BILL DRAKE: Yes, jet lag for all and thirsty is for all.

If there are truly no more questions, you can ask Larry questions probably at the reception. I think that he'd probably be willing to deal with them there, too.

So all right. Thank you very much, Larry, for your time. Really appreciate it.

[Applause]

And just for closing, we thought we would just have a couple of quick observations from a couple of members who are -- including some new members of NCUC, because we are all about outreach and bringing in new people into the process. And so I just wanted to bring up Pranesh Prakash and Stefi are you feeling okay? Stefi Milan has been coughing a bit. And Robin, is Robin here? Robin has stepped out for a moment.

So just a couple of quick closing thoughts from new members, what they observed coming into this process.

Anywhere you want.

And then we will have a drink.



STEFANIA MILAN:

Hello everyone. First of all, I really apologize for the coughing. It's not intended. I don't have any scary disease. Don't worry.

So I was asked to just suggest bringing the perspective of a newby, so a sort of view from outside the bubble. And as I don't want to be the one who stands between you and the wine I will be very quick and I have only three minor points.

First of all, why am I here? Well, there's very simple idea that I think keeps coming back throughout the day, which is the idea that the infrastructure is not neutral. And so I come from a sort of an interest on perspective of ethics in cyberspace. Now, I know it's not very easy to talk ethics with engineers. I work in a computer science department so I am very aware of that, but this is what we have been doing here today.

So my three points relate more or less to that. And they are very different nature, but I'm not going to propose any principle. I have a lot to learn from this crowd. So just some points of departure from what I've heard, and go a little bit further.

We have heard Marilia saying that we have to put people at the center, and I couldn't agree more, but then the question is who are these people? And to continue with the roadmap metaphor that someone else used before, so whom do we want to have next to us on the bus? And I said bus instead of car because I am not American and because bus sounds more multistakeholder and a little bit more inclusive.

And I tell you I spend a lot of time with hackers who are deeply concerned, actually, about the nature -- the political side of the DNS, for example. Are these people part of the community? And if so, how?



So who is the community, at the end of the day? And how do we translate diversity in practice? Because we have heard a lot about diversity, what does that mean, when to come here you need resources, not only financial resources but also of course you need quite some knowledge and it's very difficult for me to actually follow these acronyms that float around the room, just to mention something that has already been mentioned today.

And the second point I want to make is very related to this and it is how do we communicate what happens in the world garden of Internet governance and the ICANN in particular. We have heard someone saying -- I don't remember who that someone was, apologies for that, but that people, and he said "my mother," is getting interested in the behind the scenes of Internet governance. Is this good for ICANN? Is it dangerous? Is it an opportunity? And if it is an opportunity, is it an opportunity for what exactly? That's also something we should think about. And I understand this is not the mission of ICANN, but we keep discussing the multistakeholder model. We keep thinking we are really multistakeholder. What does inclusion, then, mean?

And then finally, third point. I am an educator. I spend a lot of time with students and I form the future interaction designer computer scientists and social media, whatever, blah, blah. And I really do believe that we have generational challenge ahead of us, because these people, they are brought up using these tools but they do believe that they're some sort of magic subtle devices and platforms that just happen, and they have no politics, they have no culture. They exist in isolation. And this is actually very similar to what their parents think. And I think this is



something that we should steal slowly start worrying about. So they're really in the dark. Is it good for us? I don't think so.

So how do we make this relevant, what we were discussing here today relevant to them? How do we convey the knowledge and the history of a space like ICANN, which is very specific, while at the same time look at enlarging the community, looking into the future?

And finally, we have heard Avri saying quite optimistically that we are the stewards in this process of Internet governance evolution. So I do think we should somehow take these issues seriously for the future.

Thank you.

BILL DRAKE:

Thank you, Stefi. It's good --

[Applause]

Yes.

It's good to remember that ICANN is only a part of the Internet world.

Pranesh.

PRANESH PRAKASH:

Good evening. This is actually my first ICANN meeting ever, so --

[Applause]

And so I'm bringing a bit of an -- even more of an outsider perspective than Stefi is, having only looked at ICANN from the intellectual property



lens earlier and from very far away, and now to actually look at the inner workings is something. But I realize that the more I learn about ICANN and Internet governance in general, the murkier things seem to be. It's actually not getting any clearer because one -- today we've heard very divergent views about how multistakeholder ICANN is. For instance, some insisting that it's actually calling itself multistakeholder while being a very top-down process, being led by a board that's not necessarily all that transparent, whereas others are we found vehemently defending ICANN's multistakeholderism and asking for better examples out there.

So we have, for instance, other kinds of paradoxes. Some -- for instance, for many years people have been insisting that the U.S. oversight or stewardship of the IANA is actually not that very important, whereas now with this decision, it's a momentous decision, it's a very important decision. So I'm not clear which one or the other it is.

And there are so many processes that we touched upon earlier today in the first session, and some that we didn't. Everything from WSIS+10, NETmundial, ICANN's new process for, you know -- which NTIA has asked it to commence on the issues before us right now, the Global Commission on IG that Chatham House and CG are working on, ICANN strategy panel, high-level panel, WGEC, ICANNN CCWG, 1net, and it actually goes on.

But how do all of these actually feed into one another?

So while we were talking about clearinghouses for general IG, I think we need some kind of clearinghouse for these kinds of clearinghouse processes, even. It's a never-ending thing. Everyone wants to be the



place where decisions are made or where certain kinds of things get done, but it's just increasing the number of processes that are going about and that's increasing cost.

And I'll just narrate one very short anecdote which is one line, that until very recently, I did not own a domain name, and the primary reason for that was cost. For me, being in India, it would cost me around 15 lunches to own a domain name, whereas for an American it might cost around one lunch or a bit more. So -- And I think that there is a big difference; okay? And for developing countries, if you're talking about how do we get developing countries, it's -- a lot of it boils down to cost, cost of participation in DNS policy-making, cost of domain names, cost of developing capacity around these issues, et cetera.

So -- And that's something that I think we do need to focus on if you're serious about being more inclusive about developing countries and not just in terms of symbolism but actual participation of folks from the developing world in this.

And one lost thought to put out there, something that Stefi also mentioned about, who is the community that we are talking about? For instance, are those people who are working on ideas such as alternative naming systems, are they also part of the community? Because obviously that kind of talk is not tolerated here in ICANN. Those who have been talking about alternative DNS roots, that kind of talk is also not permitted here. So are they also considered part of the community, though? I'm not very sure about that.



BILL DRAKE:

Thanks, Pranesh. I actually think I can answer that last one, but -- Robin, closing thought?

ROBIN GROSS:

Thank you, Bill. I will be very brief. I know it's me standing in the way of the cocktail, so I just want to quickly tie together a few of the key points that we heard today that I think really stand out.

One of the things that really stood out for me is we heard representatives from the business community, we heard representatives from civil society, and they were saying a lot of the same things, which doesn't happen very often. So it might be worth paying attention to here. And what we've heard is that there are great concerns about accountability and transparency with respect to Internet governance.

Lip service is not enough anymore when it comes to accountability and transparency. We need to see it in practice. And so I think that's something that we've heard a number of times today and need to take seriously as we continue to evolve this discussion, come up with some solutions for.

Some of the key principles that we heard today really stood out for me. The principles of Internet governance, what kinds of ideals we should be holding out as we come up with these new rules and regulations. First is democracy, the importance that these principles embody, democratic principles. Openness, the need for the Internet to remain open. Freedom to innovate without permission. The importance of human rights values being infused into Internet governance policies.



We heard suggestions regarding a structural separation of operation and policy of the DNS. We heard a lot of talk about the need for bottom-up to truly be bottom-up and not just a fig leaf. And we also heard that multistakeholderism takes time, and we shouldn't be shortcutting the time just to get a quick result.

Two different perspectives that we heard today that I kind of want to hold out in terms of a juxtaposition against each other. I think they both need to be taken into very serious consideration. And one is be careful what you ask for. And on the other hand, we also heard that this is an opportunity to evolve.

And so we need to take both of these, both of these concepts into our formulations going forward, because I think they both are right.

So with that, I will turn it back over to Bill.

Thank you.

BILL DRAKE:

Thank you very much, Robin.

Okay. Everybody is tired. Everybody wants to go have a drink. I want to thank you all. It's very -- it's very unique to see a room stay packed all the way through from beginning to the end of the meeting, particularly a discretionary meeting at the front end of a long week. So I think that's a testimony to your interest in these issues.

We really welcome the opportunity to have this kind of crosscommunity dialogue with you all. And so we thank you for your



participation, and we look forward to engaging with you the rest of the week. And now let's have a drink.

[Applause]

[END OF TRANSCRIPTION]

