

November 25, 2013

Vernita D. Harris

Deputy Associate Administrator | Contracting Officer Representative
Office of International Affairs | NTIA | U.S. Department of Commerce
1401 Constitution Avenue, NW, Washington, DC 20230
(via email)

Dear Ms. Harris,

This email adds detail to my recent inquiry regarding section C.2.9.2.d of the IANA contract.

First, I recognize that monitoring a contract guiding a global development process must be a challenging stewardship, especially considering your broad portfolio of responsibilities. Also, I recognize that addressing this issue might be aided through collaboration with an entity actively engaged with the subject, and offer our assistance as needed.

By way of background, my official involvement with the .nyc TLD began in 2001 when the community planning board on which I served passed an Internet Empowerment Resolution. The Resolution called for the acquisition and development of the .nyc TLD as a public interest resource. In 2006, with ICANN's activities indicating that follow-through on that Resolution might prove fruitful, I participated in forming Connecting.nyc Inc., a NYS nonprofit education organization, to facilitate .nyc's development. In 2009 the city of New York endorsed the TLD's acquisition and in 2012 submitted an application to ICANN for the .nyc TLD.

To date, stakeholder engagement in shaping that application has been negligible. And while the formation of a [.NYC Advisory Board](#) in early 2013 offers the prospect of broad public engagement, significant stakeholder participation remains only on the horizon.

However, as a member of said Advisory Board with a decade plus involvement with our city's TLD, I've come to appreciate the complexity of a TLD's introduction into a city's social, economic, and administration practices, and recognize the value stakeholder engagement in the TLD's planning and introduction would bring. Therefore, I would like to see the whole process, stakeholder participation included, move forward.

Observing the requirements of section C.2.9.2.d of the IANA contract, we are concerned that, following the current path, our city's endeavor to bring an important digital resource to our city will be endangered in two regards.

- First, important contributions by city stakeholders will not be considered in shaping our TLD.
- Second, that as per C.2.9.2.d of the IANA contract, the paucity of stakeholder engagement will result in the delay or rejection of the city's .nyc application.

I believe a clear path for compliance with C.2.9.2.d will aid our city in planning and recognizing the value of stakeholder engagement. To achieve that goal we'd like to collaborate with responsible parties at NTIA, ICANN, and IANA to establish a path of suitable engagement.

A new administration is arriving in city hall on January 1, 2014. It has indicated an interest in broad engagement and is looking to the .NYC Advisory Board for guidance on the level of stakeholder engagement suitable for our city's TLD. The Applicant Guidebook provides scant detail in that regard and I turn to you for assistance.

In shaping an appropriate path I offer the following for your consideration.

This is the first time New York City has been consulted on the introduction of an Internet resource, and legislative guidance is lacking. While precedent is scant, the introduction of cable TV to the city in the early 1980s involved the circulation of the proposal to the city's local community planning boards for their consideration. Circulating the city's TLD proposal through the city's most grassroots official channel might be appropriate for reaching individual Internet users and civil society.

For business stakeholders, Connecting.nyc Inc. has begun working on a pilot project with one of the city's Business Improvement Districts (BIDs). Perhaps extending this effort to the city's other 68 BIDs and its chambers of commerce might prove suitable for industry stakeholders.

It is my belief that these actions would put NYC on track to meet the explicit language in C.2.9.2.d. A supportive response from your office would assist the Board in advising the City on a responsive outreach plan that gathers "input from relevant stakeholders."

Beyond the needs of New York City, your opinion on the efficacy of activities of this sort in meeting the intent of the IANA contract will prove beneficial to this important global effort. While our activities to comply with C.2.9.2.d are not appropriate globally, guidelines such as "lowest available official review level" should prove useful to others.

I would be happy to talk with you or someone on your staff if this e-mail is not sufficiently self-explanatory.

Sincerely,

Thomas Lowenhaupt

Thomas Lowenhaupt, Founder & Chair
Connecting.nyc Inc.

tom@connectingnyc.org
Jackson Hts., NYC 11372
718 639 4222