March 23, 2018

RE: EDITED REMOTE PARTICIPATION COMMENT

To whom it may concern,

Since joining the ICANN community in 2011, I have always been amazed at the access and ability to participate remotely in ICANN meetings and work groups. I find this ICANN offering to be a tremendous benefit and fully support all efforts to maintain this level of access into the multi-stakeholder process.

Due to conflicting work related meetings and activations that kept me in New York during the dates of ICANN61, I made best efforts to participate remotely where possible. Even when Adobe was taken offline, ICANN did a brilliant job of informing remote participants and finding solutions to avoid interruption. This effort made for a seamless experience and should be applauded.

During the week, both before and after the Adobe issue, I exercised my opportunity to submit questions and comments into multiple sessions. My comments and questions were read aloud into the sessions and responses were either offered, or promised to follow in writing.

In one instance however, my comment appears to have been edited before it was read aloud during Public Forum #2. The edit resulted in only a portion of my comment being delivered to the Board. The full comment submitted to engagement@icann.org has been included below and a screenshot of my email follows at the end. Only the portion in red was spoken into the transcript.

> *First I'd like to thank and congratulate ICANN's tremendous effort for keeping the remote participation active over the past few days. Bravo!*
>
> *I'd also like to take a moment to address something with the Board that we feel important to clarify in the larger picture of our ongoing accountability efforts at ICANN.*
>
> *To simplify things, the claim we have before the Board is that .GAY was treated in a discriminatory manner during CPE in relation to other community applicants. Acknowledging that the word "discrimination" can be a trigger for many, we'd like to be certain that the Board is interpreting our use of the word properly.*
>
> *To be absolutely clear, dotgay's claim of discriminatory treatment is not related to any belief that ICANN or its representatives are anti-gay or that discrimination has occurred because we are gay. It is however directly linked to the promise of non-discrimination for our application according to the ICANN bylaws.*
>
> *dotgay's focus has always been on bringing attention to the discriminatory treatment that resulted from how the CPE providers executed the CPE process among the various community applicants, and which has ultimately kept our application from achieving community priority.*
>
> *Evidence from numerous sources has underscored the unequal application of CPE standards and scoring among applicants, and many stand with us in the belief that this behavior is not in alignment with ICANN's commitments to non-discrimination.*

Knowing that the FTI investigation offered only a narrow scope, we look forward to seeing how the ICANN Board is considering the evidence provided in reports and expert opinions it has received on .GAY, and how it plans to reconcile these findings with ICANN's commitments to non-discrimination.

We hope this clarifies any misunderstanding or public misperception about our efforts.

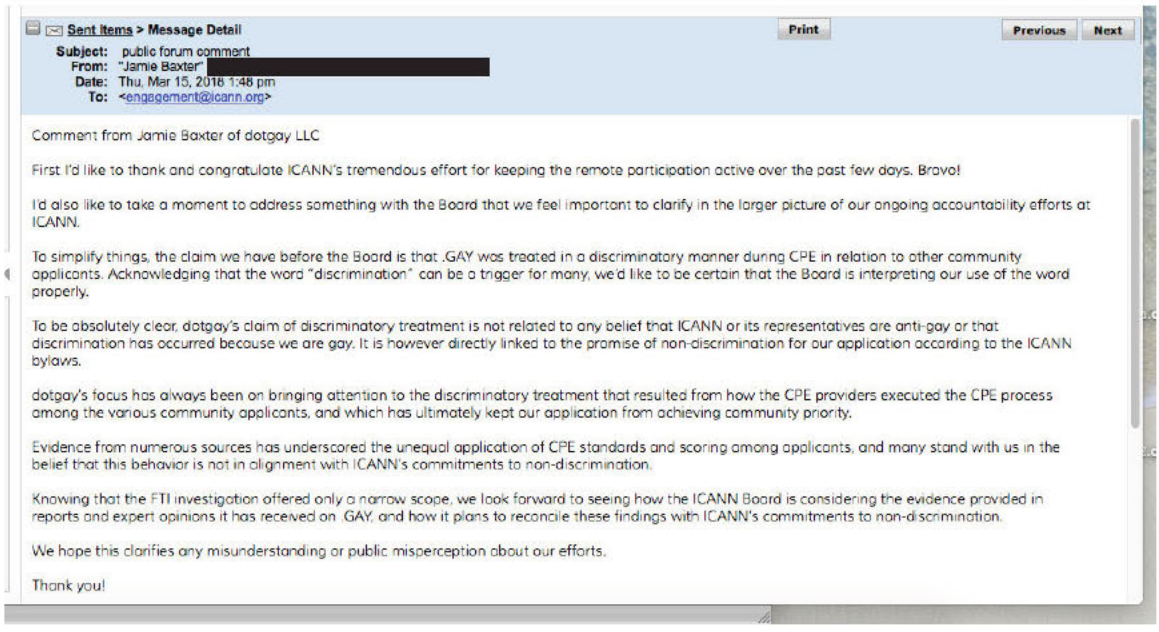
I reviewed the audio recording posted online and can confirm that the portion of my comment that was read aloud took 1 minute & 11 seconds. It was noted at the beginning of the Public Forum that each individual was permitted up to 2 minutes to speak.

Additionally, I do not believe my comment was in conflict with ICANN's expected standards of behavior. In fact, following the submission of my comment I received no notification that there may have been a problem with my comment, or that only a portion would be read aloud during the Public Forum.

In light of this occurrence, and in line with ICANN's commitment to transparency, I would like to understand why my comment was edited and to seek clarity on what expectations remote participants should have when submitting comments and questions during such engagements at ICANN.

Cheers

Jamie Baxter
dotgay LLC



Sent Items > Message Detail

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Subject: public forum comment
From: "Jamie Baxter" [redacted]
Date: Thu, Mar 15, 2018 1:48 pm
To: <engagement@icann.org>

Comment from Jamie Baxter of dotgay LLC

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To simplify things, the claim we have before the Board is that .GAY was treated in a discriminatory manner during CPE in relation to other community applicants. Acknowledging that the word "discrimination" can be a trigger for many, we'd like to be certain that the Board is interpreting our use of the word properly.

To be absolutely clear, dotgay's claim of discriminatory treatment is not related to any belief that ICANN or its representatives are anti-gay or that discrimination has occurred because we are gay. It is however directly linked to the promise of non-discrimination for our application according to the ICANN bylaws.

dotgay's focus has always been on bringing attention to the discriminatory treatment that resulted from how the CPE providers executed the CPE process among the various community applicants, and which has ultimately kept our application from achieving community priority.

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Thank you!