



Dear Chris Disspain and the Board Governance Committee,

dotgay LLC would like to address the BGC regarding the recent CPE determination by the EIU. We are asking the BGC to draw on their own experience and not to accept this determination, as it is not an accurate interpretation of the gay community in all its diversity.

The EIU has approached this review in a more granular way than any other community application. They have clearly over-reached their position as “experts” by denying the multi-stakeholder approach used by our community and its organizations to protect the larger gay community. The EIU misuses their responsibility and duty to present a balanced interpretation of dotgay’s application by not acknowledging that 90% of the world is straight and that their institutions and news most commonly refer to gay. The EIU goes on to ignore the experience of millions of people who continue to be repressed and subjected to discrimination in **emerging** countries under the broader term of GAY.

While we appreciate that this has been a learning process for the EIU, it has clearly been one sided. It is indeed unfortunate that the same organization that claims dotgay is overreaching to include transgender under the GAY umbrella ironically continues to utilize the term **GAY** in the same fluid manner as media, the gay community and the dotgay application.

<http://www.economistinsights.com/pride-and-prejudice>

Attitudes towards lesbian, gay, bisexual and transgender (LGBT) people have changed with remarkable swiftness across much of the Western



world. **Gay marriage**, a bellwether of progress towards equality, is increasingly being written into law. Businesses see competitive advantage in creating a reputation for inclusiveness. Yet global acceptance of LGBT people is not evenly distributed. Worldwide, the situation ranges from mild intolerance to hostile rejection and violence. In many businesses, the “glass closet” remains a formidable barrier to advancement or authenticity. Discussion about same-sex relationships is controversial in many countries, but in a globalized world, **gay rights** are now a significant issue.

<http://www.economist.com/events-conferences/emea/pride-and-prejudice>

***Pride...** In many developed countries particularly, the mood is one of celebration. **Gay marriage**, a bellwether of progress, is increasingly being written into law. Attitudes broadly are shifting, as social and religious mores change. The corporate world too has embraced **LGBT rights**. On the face of it, indeed, there seems much to be positive about. Yet, “look beyond the welcome signs”, The Economist urges, and much remains to be done. In business, the ‘glass closet’, when **gay employees** choose not to reveal their sexual preferences, remains a powerful force. Across liberal societies more broadly, the challenge now is to take the positive achievements and consolidate and deepen them. What comes next is necessarily more complex and subtle. The **LGBT world** is struggling with what this might be.*

Note: the original has been altered with red highlights and correction of a spelling error for *globalized*

Community can be explained, but that does not ensure understanding. Experience leads to understanding, and experience is what we bring along with our 250+ community organizations, that is, the real experts.

GAY continues to be the broadest term used globally by the internal diversity of LGBTQIA community (“well-known short form or abbreviation”) and it is also the most globally understood (“is commonly known by others”). Other acronym’s are being used by more educated countries and those involved in legal and political community efforts, while GAY is used more locally. The term GAY



is also the most utilized starting point for Internet searches, including for the most vulnerable individuals just beginning to investigate why the world perceives them or their loved ones as different. Countries with fewer civil rights are least likely to use terms like LGBT or the varied acronyms, yet they prosecute and punish equally based on perceived sexual orientation and gender identity.

Despite the emergence of more politically adopted acronyms that capture the full spectrum of the gay community, they are only relevant, known and understood where our community's diversity is being acknowledged through policy and law. As a reminder, "political correctness" is not referenced or scored as part of the Applicant Guidebook requirements.

The EIU is also over-reaching by subjecting the .GAY community application to Western and urban centric criteria, disregarding the power of the umbrella word GAY in countries where being gay is criminalized. GAY in these unsafe locations does not distinguish between LGB and TIA.

On the matter of numbers, according to the Williams Institute in countries with the highest reported numbers of gay people living openly, 93% of the LGBTQIA population is LGB and 7% of the LGBTQIA are trans. No numbers are available to even track Intersex or Ally ⁽¹⁾. Since a portion of the trans community DOES identify with gay, conservatively one could argue adding 3%, increasing the potential known LGB population to over 96%. By forcing 96% of the gay community to suffer socially and

(1) As defined by our application, Corporations do not have a gender identity or sexual orientation, allies are defined as those organizations that meet strict criteria established by the supporting organizations for high rating as gay friendly organizations. (eg. Human Rights Campaign, equality index; National Gay Lesbian Chamber of Commerce (NGLCC) certified vendor)



economically because the EIU believes that some portion of this 4% may only identify with transgender never “gay” is “substantially” over-reaching by the EIU. The definition of GAY community was never meant to include those who do not identify as being members of that community.

Experience leads to understanding. Globally internalized homophobia is rarely seen as a double standard and is often committed by well intending gay and straight people alike. The innovation of the dotgay application is to take an active role in changing that, by investing in and increasing the safety and visibility of the community in ways other applications would not even consider. We will weigh community and business benefit differently, cost benefit of community issues and involvement will make a significant difference in operations and function.

It is our assertion that no other community application has been subjected to such discussion over words and dictionaries, while at the same time no other community has achieved the global outreach and community endorsement as dotgay. No other application has had its stakeholder groups scrutinized so stringently, and then completely ignored for their contributions and achievement. Arguably, the LGBTQIA stand to be harmed more than any other community because of the actions of ICANN and the EIU.

In order for the LGBTQIA community to be fully engaged in the social and economic benefits being generated from the Internet, it must participate in the overall operations and policy development of the Domain Name System (DNS). With the increased amount of GDP being derived from the Internet (The EU alone estimates over



\$38 billion US dollars in 2015) preventing political, social and economic access to the community would be damaging. All this despite warnings from the LGBTQIA, GAC, cTAG and CoE, not to mention the elevated mistrust and potential for danger the LGBTQIA will be subjected to if ICANN gets this wrong.

We ask the Board to overrule this discriminatory grading. We deserve and want the credit for at least 3 points for Nexus (2-A), 2 points for Community Support (4-A) acknowledging ILGA and our 250 endorsers for their leadership role as a global protectors of our community (as per the AG) and 2 points for Community Support (4-B) as there was no meaningful global opposition; giving a total of at least 15 points. We continue to serve our community and to work transparently with our stakeholders to prove our just claim to this our community name. The EIU, on the other hand, hides in vagueness and employs double standards when it comes to defining the term GAY, one standard for judging our application and another when marketing themselves to our community.

Respectfully,

Scott R. Seitz

CEO

dotgay LLC

Contact Information Redacted