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April 13, 2009

**Submitted electronically**

Mr. Peter Dengate Thrush  
Chairman of the Board  
Internet Corporation for Assigned  
Names and Numbers  
1875 I Street, NW, Suite 501  
Washington DC, 20006

**Re: Request for Public Comment on expansion of generic top-level domains**

Dear Mr. Thrush:

The American Bankers Association (ABA)<sup>1</sup> appreciates the opportunity to comment on the Internet Corporation for Assigned Names and Numbers' (ICANN) second draft of the Applicant Guidebook which details the process of applying for new generic top level domains (gTLDs). We also thank ICANN for your efforts in addressing the concerns expressed in the first version of the guidebook.

ICANN has identified four overarching issues raised in the comment process that require further work and so remain unchanged in the second version of the guidebook. Those issues are trademark protection, security and stability, malicious conduct, and demand and economic analysis. Many of the concerns ABA expressed in our December 15, 2008 comment letter fall within the "overarching issues" identified by ICANN and thus remain unresolved in the second guidebook. ABA agrees with ICANN that it is very important to take the time to resolve these issues before the guidebook is finalized and the next application round for gTLDs opens.<sup>2</sup>

ABA requests that the financial services industry be given time to craft an international effort to secure a *sponsored* financial gTLD. Through ABA, BITS, the technology arm of the Financial Services Roundtable, the Financial Services Technology Consortium, and the Financial Services Information Sharing and Analysis Center, the financial services sector has established a process to address these issues on a sector-wide and global basis. We appreciate ICANN's willingness to work toward a resolution that achieves ICANN's goal to provide diversity, choice and innovation in gTLD distribution while at the same time maintaining confidence in online financial transactions during these challenging times.

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<sup>1</sup> The American Bankers Association (ABA) brings together banks of all sizes and charters into one association that works to enhance the competitiveness of the nation's banking industry and strengthen America's economy and communities. Its members – the majority of which are banks with less than \$125 million in assets – represent over 95 percent of the industry's \$13.3 trillion in assets and employ over two million men and women.

<sup>2</sup> ABA's initial comment letter can be found at: <http://forum.icann.org/lists/gtld-guide/msg00101.html>.

### **Financial Services Sector Recommendations**

ABA recognizes that there may be potential long-term value in the development of differentiated gTLDs, including gTLDs devoted to and managed by the financial sector. At the same time, ABA has specific concerns and recommendations regarding launching a series of financial services domains. Our recommendations are based on our continued belief that generic domains such as “.bank” which could be construed by consumers as officially representing financial institutions present a potential public policy as well as global concern. While many of the new generic domains will pose no threat to trusted transactions over the Internet, any domain name associated with financial services should be restricted to financial services companies, with substantial restrictions, guidelines and proof of eligibility.

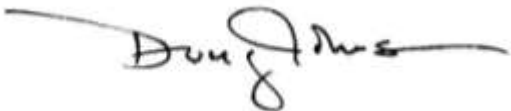
The Federal Deposit Insurance Corporation (FDIC), in their December 15, 2008 comment letter to ICANN, expressed concerns similar to those of the financial services industry and the ABA. As one of the primary Federal bank regulator, the FDIC’s principal role is to insure the deposits in US banks. The agency’s comment letter contained a number of recommendations for a financial gTLD, including:

1. That ICANN include industry representatives such as the ABA in its deliberations regarding the value of financial sector specific gTLDs
2. That a financial sector gTLD be implemented from a top down approach to ensure that no unsponsored gTLDs are issued, and that if issued, such gTLDs are managed within an industry and regulatory framework
3. That the financial sector gTLDs process not permit "open applications" and that any applications include explicit endorsement of the financial industry community
4. That financial sector gTLDs be subject to community-established governance rules

ABA endorses these strong recommendations on the part of the FDIC, not only due to their value but also for their demonstration of the seriousness with which the agency takes the issue of financial sector gTLDs. The FDIC has specifically offered to meet with ICANN representatives and any community or industry group to develop a workable solution to their concerns and recommendations, and ABA is willing to participate in such a meeting.

Recognizing that the issues surrounding a financial gTLD are global, ABA is reaching out to the international financial sector to assist in developing the appropriate community, composed of professional financial industry associations or regulatory agencies associated with the financial services industry, to make decisions regarding the approval of any gTLDs whose names suggest they offer financial services or to endorse any applicants of such gTLDs. ABA looks forward to working with ICANN to resolve the significant issues that this initiative represents, in order to preserve our industry’s and our customer’s trust in online transactions and other financial services.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Johnson", with a long horizontal line extending to the left.

Wm. Douglas Johnson