



January 17, 2020

Board of Directors  
ICANN  
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Dear Board of Directors of ICANN:

I write on behalf of the Board of Directors of the National Association of State Charities Officials (“NASCO”) to express our increasing concern regarding the proposed acquisition of Public Interest Registry (“PIR”) by Ethos Capital, and respectfully urge ICANN to allow sufficient time to consider these concerns in its review of the proposed transaction.

NASCO is an association of state charities officials, including state Attorney General offices, Secretary of State offices, and other state offices charged with preventing the misuse of charitable assets, ensuring that trustees of charitable trusts fulfill their fiduciary duties, and enabling donors to make informed choices about which charitable causes to support.<sup>1</sup> NASCO regulators work toward the goal of upholding the integrity of the charitable sector through ensuring transparency and accountability.

We are concerned about the implications of the conversion of PIR to a for-profit LLC (“PIR LLC”) controlled by Ethos Capital and undisclosed minority investors. As a charitable nonprofit, PIR has been a regulated entity subject to federal and state oversight of its charitable assets, governance and tax-exempt status. This conversion would remove these important layers of transparency and accountability. Further, in maintaining the ‘.org’ registry, PIR has historically been obligated to act in furtherance of its charitable mission (i.e., serving the public interest online through operating and managing the ‘.org’ domain). The ‘.org’ registry provides an important public benefit to charitable organizations throughout the world. For-profit control over the ‘.org’ registry would shift PIR’s objective from offering a public benefit to one focused on deriving the greatest amount of profit from its subscribers. PIR LLC would have an interest,

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<sup>1</sup> This letter reflects the views of the NASCO board. It does not necessarily reflect the views of any individual Attorney General, Secretary of State, or other state official.

indeed an obligation, to maximize profits for its members. We have significant concerns about how domain price increases and availability may affect charitable organizations that rely on their domain and inhibit access to new entrants.

We are also concerned about the potential impact this transaction may have on consumers and donors who place an added layer of confidence in websites with a '.org' domain name. To many, the '.org' designation signifies that the people or entities behind the webpage are publishing information for reasons other than profit. The conversion of PIR from a charitable to a for-profit enterprise, and the possible impacts it could have on the '.org' landscape, has the potential to undermine public faith in the charitable sector.

We appreciate the opportunity to convey our concerns regarding this transaction, which, as a charity focused on promoting the global public interest in the operational stability of the internet, we expect you may share. We respectfully urge you to consider these concerns and allow appropriate time for regulatory authorities to review the impact of this proposed transaction.

Sincerely,



Yael Fuchs, President

National Association of State Charities Officials

cc: John Jeffrey, Esq.  
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