Reema Moussa 0:00
Hey everyone. Reema here. I just want to level set for a bit. In case you didn't know this podcast actually started a few years ago from the efforts of the second class of Foundry Fellows, with the likes of Emory Roane, Joe Jerome, Pinal Shah and others. Once their fellowship term ended, the show sadly fell off the map. But in March of this year, 2022, by the way, for anyone tuning into a digital time capsule, we restarted the show. It's crazy to think that we're now 21 episodes deep into this season of The Tech Policy Grind. We're constantly brainstorming ways we can improve and innovate the show. So we're starting a new segment where my dear friend and Foundry Fellow Lama Mohammed and I are going to cover some headlines in the world of tech policy. Today, we chat about new programs and orders at the White House, the dynamics at the FTC, and then we'll turn it over to Foundry Fellow, Dyllan Brown-Bramble for the bulk of the episode to talk Web3 with Gabrielle Hibbert, and Hilary Brill of the Decentralized Future Council.

Hey Lama, you're ready to talk news?

Lama Mohammed 1:41
Yes, I am super excited to be talking about the news for this episode this week. The goal of this segment is to kind of just have a conversation about some of the top headline segments that are happening in tech policy this week. And just give us our opinions. Full disclaimer that this has nothing to do to reflect the universities, institutions and organizations that we work with. This is simply just an oversight about what's going on and what we think about it.

Reema Moussa 2:09
You're gonna make a great lawyer, Lama. Look at that disclaimer.

Lama Mohammed 2:13
Thank you.

Unknown Speaker 2:14
[Laughter]

Reema Moussa 2:16
Well, let's dig into it. There's some exciting news coming out of the White House these past couple of weeks. You want to start with ENERGY STAR?

Lama Mohammed 2:30
Yes. So just yesterday, representatives from Congress met at the White House to discuss the future of cybersecurity labeling, which is something that the Cyber Solarium Commission had recently started before their departure. The program was supposed to launch next spring. And they're sort of using the EPA's and the Department of

Energy's STAR program as a model. And they will sort of reward
companies for investing in cybersecurity while also supporting
consumers to find safer products. Personally, I think this is a great
step forward, the use of cybersecurity labeling of cybersecurity
metrics, is a really good form to keep a standard for companies to
follow because cybersecurity, as you know, is super broad, very
confusing, very complex. And it's difficult to sort of follow a
standard certification for that. And I think this is a step in the
right direction to do that.

Reema Moussa 3:26
Yeah, and it's interesting that this seems really in line with CISA's
approach to cybersecurity management and focusing on practical
implementation, especially through public private partnerships. So
it's interesting to see the White House starting to follow that
approach.

Lama Mohammed 3:48
Yeah, it's exciting. And the nice thing about this is that they're
getting input from not just Congresspeople but think tanks and
nonprofits. Who are basically working together to help develop this.
And so I am manifesting good things, especially as it's Cybersecurity
Awareness Month.

[Laughter]

Reema Moussa 4:05
In other White House news, that new AI Bill of Rights, huh?

Lama Mohammed 4:12
Yes, this is something that AI ethics advocates have been hoping for a
really long time. And it's very exciting. Do you want to walk us
through a little bit of what's of what's been drafted in the
blueprint?

Reema Moussa 4:28
Yeah, I think this is just really exciting because it's the first time
that we're seeing addresses issues of algorithmic bias, civil rights
in the AI sphere. Apart from ADPPA per work has a really interesting
section on that. As we know, ADPPA is dead in the water at the moment.

Lama Mohammed 4:55
Unfortunately

Reema Moussa 4:55
Waiting for imminent resuscitation if you're optimistic. So this is
exciting and has been in the works for some time coming out of a
vision from about a year ago, introduced by the Office of Science and
Technology Policy, but now we're seeing it in the flesh. And it's just
a matter of whether it'll be implemented on on any real level.

Lama Mohammed   5:32
Yeah, I completely agree. I think this is a big win for civil rights
as well. I don't think it's unknown, that AI unfortunately, does still
carry a lot of harm in regards to creating bias and even physical harm
to communities of color and other marginalized groups. And so this is
this blueprint is a step in the right direction for starting the
protection of those particular communities. We need to do for it next
is to sign this into law. And make sure that every policy moving
forward in relation to technology is grounded in civil rights because
we know technology is not neutral. It does have social and political
costs.

Reema Moussa   6:17
100%. So moving on to another big player in this tech policy sphere,
our good old favorite regulatory agency, the FTC.

Lama Mohammed   6:33
FTC!

Reema Moussa   6:34
Some exciting news this week as well.

Lama Mohammed   6:38
Yes. So just actually, just a couple of days ago, FTC Commissioner
Noah Phillips, Phillips, ended his tenure and returned to his law
firm. Cravath, Swaine and Moore, I pretty sure I butchered one of
those names. So as we know, the fromer FTC commissioner is a
Republican, which leaves Lina Khan, the agency's chair with a three
one Democratic majority. But this also means that there is an open GOP
seats to fill. And so it's sort of interesting, because there's a
greater uncertainty of who Biden will appoint, in regards to working
with Senate Republicans to identify the right person. It's very
interesting, because Commissioner Phillips was a very pro business
figure. And as we know, the FTC has sort of taken a more antitrust and
crackdown of big companies. So it'll be interesting how those two will
debate. And it also be interesting to see how this may change in
priority in regards that we're coming towards an election season, how
it might reflect what's going on over at the FCC, Gigi Shon is still
not, you know, elected right now, there's a lot of contention over
there. And so it's clear that there are two parties have differing
priorities and how it's beginning to impact what both Commission's can
do, but it's an interesting time.

Reema Moussa   8:11
Yeah, these agency dynamics are fascinating. And I think there's been
a lot of discussion in the field about what's going on at the FTC, not
just in and of itself, but between commissioners, between attorneys
and other staff at the commission. They're sort of sentiment about the
prioritizations being spearheaded by Chain Kahn. So it's been

interesting to see. And something I want to do is start doing like a spicy tweet of the week because privacy Twitter and tech policy Twitter just feel like absolutely explodes whenever one of these spicy tweets, especially from, from the FTC, comes comes into the foray. So everyone's talking about this tweet from Commissioner Wilson. I quote, said, "Yes, I'm declining lots of invites to speak. There are not enough hours in the day to 1) address the barrage of misguided policy ideas and procedural high jinks, 2) push for languishing good cases that should be brought. "Should" is bolded, may I add. And 3) identify/air new ways the @FTC is abusing its power.

Lama Mohammed 9:58
There are a lot of words and feelings here.

Reema Moussa 10:02
Procedural high jinks is just my new favorite legal phrase of all time.

Lama Mohammed 10:08
I know and procedural high jinks it like it's like a combination of legal language but also like Scooby Doo. Like I feel like high jinks is a word you hear in Scooby Doo.

Unknown Speaker 10:17
L[aughter]

Reema Moussa 10:22
Let's just say, this is spicy, and leave it at that.

Unknown Speaker 10:32
[Music]

Dyllan Brown-Bramble 10:43
Hillary and Gabrielle welcome. And thank you so much for having this conversation with me.

Gabrielle Hibbert 10:49
Thank you for having me.

Dyllan Brown-Bramble 10:52
So this conversation is all about web3 , what it is and why early career law and policy professionals should get into it. So I think the first question is defining it right? We if you're anywhere in tech law and policy news, you hear about web3 and blockchain and crypto and how it will revolutionize the future. But I think for a lot of us, it's like, okay, that's really cool. But like, what does it mean? What does that look like? So the first question is, what is the decentralized web or web3? Is a Bitcoin? Is it a blockchain? Is it a cryptocurrency? How would you define it?

Gabrielle Hibbert 11:26
Yeah, definitely, I can go ahead and take this. So I like to tell
people that there are roughly three iterations of the web or the
Internet as we know it. So the first iteration or web1, we can define
as kind of the the read or write only web, this is kind of the web
that most people grew up with, including my generation. This is static
web pages, there's not a ton of social media happening. This is around
the 90s, early 2000s kind of era, We get to web2 after the dot com
crash around 1999, 2001ish. And with that, we see a huge boom, going
from static webpages to having browser windows, we also have a lot of
social media, and a lot of software as sales coming up within this
iteration. And we are now kind of in this transitionary period, where
web3 is being talked about, right. But to define it very succinctly,
it's the web of peer to peer technologies. So instead of having a
centralized kind of provider, there are various blockchains that
comprise of the decentralized web. And with that individuals have
greater autonomy and sovereignty to move and go where their data wants
to go. In terms of it relating to Bitcoin and blockchain, I would say
you can kind of think of web3 as the all encompassing term. But
Bitcoin is separate. It pertains to the first cryptocurrency that was
founded in 2007 2008. And the technology which underlies both
blockchain as sorry, both web3 and Bitcoin, which is blockchain. And I
can get into the more technical details with that a little bit later.
But that's, that's how we can kind of break it down.

Dyllan Brown-Bramble 13:30
Sure. Yeah, Hillary, what do you have to add to that definition?

Hillary Brill 13:37
Well, Gabrielle, is always someone that I enjoy having any of these
conversations with, because not only is she an expert in what she
does, and fantastic speaker these issues, but I feel sometimes she's
my ying to my yang, she is a true computer science expert so you get
an angle from someone who actually can go into detailed description of
the science that is the behind what is web3, and I come from the lens
of a technology policy expert, for lack of a better term and someone
who has worked on new technologies, the balance of innovation and
regulation for quite since since Internet technology policy became
something we started regulating. So I look at web3, and I don't always
see ones and zeros say why not that that's what you see Gabrielle, but
I see it as, first of all, somewhat of a buzz term. But we do need a
term to describe a movement or an evolution. Some people might say a
revolution, whatever way you want to describe it. But web3 is a
catchphrase in my personal opinion, that really defines this evolution
of technologies and how we use it on the Internet. So Gabrielle said
it very well. Someone put it in a tweet, someone said web1 was read,
web2 was read write, web3 someone said read, write, own. This concept
of ownership is a big force in web3 technologies. Web3 technologies,
as Gabrielle said is, is technologies that are generally placed on the
blockchain and how we use them about the internet. So this concept of

owning is the new part of web3. But you also mentioned before this decentralized versus centralized, and I know we'll get into, why is web3 good? You know, why is web3 potentially bad without normative judgments? There is a true concept with centralized and decentralized. And I don't know if that's a different question Dyllan, but I will say here, the idea of decentralization seems revolutionary again. But it really harkens back to the beginning of the web, and the creation of the web. And a lot of the web is based on decentralization, we've just moved towards centralizing a lot of our information, a lot of our content. And the discussions that we hear today on all of the key tech policy issues, whether it's antitrust, whether it's social media, and content, moderation, a lot of that has to deal with centralization. So people are looking at decentralization, and web3, as one of those movements to address some of these problems. So when people say web3, it's not just, it's not just "read, write, own" that's a good basis. But there's so much more involved in it.

Dyllan Brown-Bramble 16:38
Thank you so much for that. And I think that's an excellent segue into the next question, I think you guys highlighted a really interesting trajectory from web1 to web3. And it almost sounds like web1 was really decentralized just by the nature of it being this burgeoning technology. And in web2, we kind of — not "we", all these conglomerates were created. And they enacted all this control over content and who can use what where, and so maybe web3 can be seen as a harkening back to the wild, wild west, a web of web of web1. But I think the difference between web2 and web3 is something that people are really interested in, I think that is the best way that people can visualize this. We're mostly in web2 today. So what is the difference between the web2 and web3? How will people's experience change between these iterations? What it becomes better? What becomes worse? Or just the same?

Gabrielle Hibbert 17:28
I feel like this is a really good question. First of all, because I believe that, you know, I've been in a space for quite some time now. And I've seen the different iterations of a user's experience across the years. And a couple of things that I think will change dramatically, from the user's perspective, is the entire concept of having your digital identity goes from having all of your information on these various websites that you can't really take with you to potentially having that data move with you, and you have the autonomy to say, okay, this company can have access to my personal information, this company can't, etc, etc. And there are some challenges to that, logically speaking. For one, I still do believe and this is my personal opinion that it is still a developer's playground, we haven't gotten to the point yet where the lay man can just onboard onto web3 without a little bit of assistance. So on the usability front, there needs to be a lot more progress with that we need more user researchers and designers and product developers to join the web3

movement, as well as more education on how this how people can
interact with web3 technologies because there are a vast array of
products out there that people can engage with so.

Hillary Brill 19:14
I enjoyed this question, because you're asking, you know, how is it
how is web3 different from web2? What makes it one point or more
right? How are you moving forward? And I think that always begs the
question of how is it not different first, like, how is it the same
and I I find the entire evolution of the Internet following this very
similar arc. I enjoy the fact that we talked about web3 and we need to
explain a concept like Bitcoin is not blockchain, right? Like we have
to explain concepts of what is blockchain we have to explain what is
web3, in order to understand web2, whereas back in 1995, and I kid you
not because I had a quote, oh not a quote, a video for my class,
Dyllan, you'll appreciate this. And it had Katie Couric talking to Al
Rokur about this crazy new thing called email. Like, I'm not talking
about the internet, right? Like just just the concept of like email.
And then they no joke, went to an expert and said, Could you explain
the Internet to us? Right? Like, it's worth a laugh because that's
kind of what we're doing right now. And I love the fact that 20 years
from now, this conversation will be quaint because we'll look back and
say, Could you explain what blockchain is good to explain what web3
is, and who knows, maybe we'll be on web27 or maybe we won't even have
the internet. We don't know exactly what we're going to have. But
anything new comes across as something potentially confusing,
difficult, you said it Gabrielle, it's a developer's playground. I
find it similar to the concept of I still could not Gabrielle could do
this, but I still could not put up a website with code by myself.
Okay, now Gabrielle's laughing. She's like to do that in my sleep.
Like she could do that. But I can go to Wix right now I can go to
square right now I can go to Weebly right now, there are so many
services and enable someone like me to put up a website, I've done it
now. Probably a dozen times. So I envision the pain point that we have
with adopting certain positive uses of web three technologies to
eventually go through those iterations that people can use them in the
promise and hope that they have to be used. So I was just say, How is
it the same? I think it's the same in the sense that it's a new
technology that people are trying to figure out just like web2. I
think it's the same that the same problems we had with web2 are the
same problems we have as web3 if not exacerbated, or more confusing,
because we're trying to figure out and explain to policymakers, what
is web3 or 4, or your listeners. In fact, I joined the Decentralized
Future Council because I think it's so important to explain basic
concepts to people like me, who are not computer scientists, but more
importantly, to people who are policymakers and have to make decisions
on what kind of laws we're going to use to regulate the innovation
that is behind web3 and appropriately regulated, because we know now,
lessons that we learned about not regulating web 2.0. And the issues
that we're dealing with right now, the fallout. But I think you've

explained to answer your question, how are they different? Clearly, some of it isn't that different, and that there are different ways of doing some of the same things, things that the promise of web3 is the promise of what I was saying before about owning your information, the promise of taking away some of the centralization of information, the promise of transparency, higher protection of privacy. Those are things that web3 has that currently isn't the highest value right now in web 2.0.

Dyllan Brown-Bramble 23:02
I think that those are both excellent points. And I think the two things that really stood out to me, were the need to get people educated and up to speed, and how this parallels to the creation of the internet. I think part of all this interest about the subject matter is that all these people were like, well, last time I missed the boat. Last time, I was like I have a beeper. I don't need to learn how to use email, or whatever people were saying, I think that was like if I was a fetus at that time, so I don't remember it personally. But people saw them missing the boat and saw how all this opportunity didn't go to them because they weren't those first adopters. So I think that there's this rush of excitement that there's like this new thing. I can be a first adopter this time if I learn it. And so I would like to hear a little more about the Decentralized Future Council on what role you feel like they play you spoke a little bit about it in educating policy, but like what are the steps that we need to do other than obviously, podcast episodes like this, to get people up to speed and educated about these so that we can be prepared to meet these technologies head on and not kind of like catch up like we're still doing with the Internet.

Hillary Brill 24:15
It's interesting Dyllan, because you said there's this rush of excitement because some people want to be part of a new technology and clearly that happened with cryptocurrencies. And again, web3 is not Bitcoin. It is beyond crypto, which is actually the basis of so much of the Decentralized Future Council which is, it is not an organization that is dedicated to explaining all the inner workings and issues with cryptocurrency. It is about the technologies behind web3, and how it can be, how it is being used, how it can be used, how, as communities and policymakers, we can support the innovation that's behind it with an understanding of the concerns and the problem. that truly do exist, and can be more troubling. So beyond a podcast, what can you do? Gabrielle said, let's tell show people, let's make it tangible. This conversation is so intangible. The minute I say web3 to people like outside of our listeners, or they just look at me like what I didn't know, we had a web one or two. I just taught web3 in my class and they looked at me like, before this class, I had no idea that was web one and two, and that is a very small community, that people that took a tech policy class and want to know about tech policy class at in law school. So the fact that they haven't heard of

it. So there's so much groundwork that needs to be done, particularly with regulators and policymakers and everyone else, but it's funny, you said the excitement, there's also this, someone, someone in my class said it so I don't want to take credit for it. This kind of get off my lawn concept of, I don't need this newfangled web3 thing when my page, you know, my, my paper still works, right? Like they're saying, my internet still works, there is no market for this. Why do we need this? This is ridiculous. So that is the same mentality that happened again, parallel to the earliest age of the internet, when I told my friends and family, I bought a ticket online, they thought I was insane. And that I would never get on an airplane, right? Like, there was no way I was gonna get that ticket, like I just threw my money into some strange universe again, and ones and zeros. And it's still and it was rife with some problems. I mean, the Internet back in the early days, had a wild west field, like you said, and the e-commerce had a lot of wild west feel. And that is a lot of what we can talk later about. But that's going on right now, too. There's this e-commerce of NFTs, which I'm sure we can talk about. That is, you know, creating a lot of skepticism and concern with web3. But but that is not very different than early days of the internet, and all of the ringing out, so to speak, that had to come to say, okay, these are trusted sites, which, by the way, led to the centralization that we had in web2 so it's something to keep in mind. We talk about decentralization as a value. But there is a value in centralization, too. So there is this push and pull and tension between it.

Gabrielle Hibbert 27:18
And I also wanted to say that a lot of the technologies that we're talking about blockchain, this idea of a decentralized web aren't necessarily new topics. The first kind of iterations of blockchain were developed around the 70s. So even before we get the web1 that most people grew up with technology iterates, and we're getting to the point at which we are finally using them in an operational sense. So it's kind of funny from a technological perspective to hear other perspectives from people saying that, you know, this is technology that we don't need when in reality, these technology stacks have been developed for quite some time. And these aren't necessarily new concepts.

Reema Moussa 28:19
We'll be right back.

For a Cybersecurity Awareness Month, the Internet Law and Policy Foundry, as well as the Women in Cybersecurity, Privacy, Law and Policy affiliate, are excited to present Cyber Con, the Foundry's first ever virtual cybersecurity convention. Cyber Con will take place on Friday, October 28, starting at 11am Eastern, and run until 2:30 Eastern, we have a fantastic agenda planned including a fireside chat with Josephine Wolf, who's an associate professor of cybersecurity policy at The Fletcher School of Law and Diplomacy at Tufts

University. On her latest book, Cyber Insurance Policy: Rethinking Risk In An Age of Ransomware, Computer Fraud, Data Breaches And Cyber Attacks. You can register for Cyber Con now on the Foundry's Eventbrite page, or just check out the show notes for the link.

Dyllan Brown-Bramble 29:18
There's two buzzwords that I feel like float around a lot. And that's web3 versus metaverse, and I think even I am struggling with the difference. I want to shout out that the Foundry has done some web metaverse webinars and we're doing our hackathon this year on the web metaverse. And in each session of that we have to start with what is the metaverse and we got the different answer for it from each professional because a lot of these concepts seem kind of nebulous. So how would you distinguish metaverse from web3? Are they the same? Is one a part of the other are they unrelated?

Gabrielle Hibbert 29:52
Yeah, I think that with anything technology related, they can be related to one another but not be the same. And this is how I would position web3 in the metaverse for the for I would say web3 specifically, you're dealing with that tech stack, with blockchain underlying it and then building other products from there. The metaverse is something that I would put more into the category of augmented reality, the use of maybe even a AI within that and creating worlds and environments for particular use cases, whether that be in the science side, so like working on, possibly like students, like, you know, med students trying to work on operating on a person to the more gaming side of the metaverse where you have, you know, video games like Second Life, which was also a very old video game that uses the metaverse to newer games. So you could have both, and there are a lot of web3 based metaverses that do exist, but they are not one in the same. It's kind of like relating Bitcoin to blockchain.

Dyllan Brown-Bramble 31:33
Great answer that makes a lot of sense. So to pivot a little bit, I think, part of this series and the Foundry is focused on young, early career tech law and policy professionals. And I think as one of them, I graduated law school a year ago, it is an exciting and scary time to be entering the tech law space, so much is happening. To those for those listening and for those who are maybe distantly interested in web3 kind of want to get their feet wet and know what they're doing, what should they be looking forward with the emergence of these new technologies? And how can they prepare themselves to enter the profession as soon to be experts on web3, or even people who web3 as a part of their practice or their work?

Gabrielle Hibbert 32:19
And to kind of go off of that, I think one thing that I would love to hit home, especially getting into such a new space, technology wise, is do not be afraid to start from layer zero, as we say, in the

engineering world, and actually learn, okay, what is what is a blockchain not, you know, beyond the, I would say, generalized definition that we've given the podcast and other kind of more public facing events, but the technical definition of it, build that knowledge base, before going into the more advanced topics, because with that knowledge, you can take that, and if you use it to the best of your abilities, when engaging with policy and legislation. And don't be afraid to talk to developers and engineers, we want to talk to you all. [Laughter] And we can provide insights that, you know, might make why certain things work more and more lucid, more, more, you know, more interesting.

Dyllan Brown-Bramble 33:32
So, as a lawyer, I think another thing I deal with a lot is skepticism. And I'm sure Hillary as a policy person, you deal with a lot of skepticism. And I think a lot of it has worked. And I think part of our jobs as lawyers and policy people and technologists, too, is to be skeptical, what can go wrong? How what are the bad you can use cases? How can this be abused? And I think there is such a loud voice of skepticism surrounding web3 in these circles. What is that about? Is the skepticism warranted? What are the things that are making people feel so skeptical about this technology?

Gabrielle Hibbert 34:08
Yeah, I mean, I can take that from a privacy perspective. So in terms of where a lot of the skepticism within my own circles comes from, is this idea that the data is transparent across blockchains. And that begs a you know, a really interesting privacy question. Right. Okay. So if your data is public, in a sense, what does that mean for privacy across the web3 ecosystem? And there are ways to work with that in a way that kind of protects civil liberties while also engaging with the technology side. But there are a couple of questions that are integral to the web3 space that you bring about a lot of that skepticism. In addition to that, I also think it's partially on the side of crypto, I think that's the part of the space that gets a lot of the skepticism, partially because of its, I would say, relative newness, it started in 2008. And the fact that it is an entirely different iteration of a financial system. But beyond those two things, I think, kind of going back to what Hilary was saying, this is kind of like being a part of a new group of people on the cutting edge. You may not want to let go of your pager or beeper, you know, might want to stick with what you have and what you're familiar with.

Dyllan Brown-Bramble 35:54
Right, that makes sense. Um, so I think how they have the skepticism, and I think for different reasons, you just highlighted stuff and Hillary in a second, you can get to some other skepticisms that web3 people have. But I guess what can technologists do, Gabrielle? Because I think you're more on the technology side to address some of these skepticism, is it dealing with the skepticism in the design of the

technologies before it gets to consumers so that they can feel more comfortable? Is it education for consumers? So they know, and they can be more comfortable with the exchange? Like these are the risks versus benefits of the technology?

Gabrielle Hibbert 36:32
Yeah, I think it definitely comes down to showing people how to use these particular products that do exist in the ecosystem. Just like how I, you know, was sat down in my primary school and learned how to type on a keyboard and learn how to use email and PowerPoint and things like that. We need to do the same things with policymakers and the public. Because a lot of people who are not native to the web three ecosystem might not know the things you need to keep in the back of your mind as you're interacting with the ecosystem. So I would put a lot of my time and energy on, you know, doing these whiteboard sessions showing people this is what this new web3 space looks like. And this is how you engage with it. Outside of just kind of discussing and talking about it.

Dyllan Brown-Bramble 37:30
And Hillary yeah, what tell us about the skepticism you're seeing in the policy space, is it warranted?

Hillary Brill 37:36
Well, I don't want to put a judgement on whether it's warranted or unwarranted. But I do think that basic psychology, there's something new and it's confusing to everyone except Gabrielle, I'm joking, Gabrielle, but it's confusing to most people that are not developing and working on these issues. So when faced with confusion, the majority of people will say, the following: either I don't want to hear about it. I'm gonna pretend it doesn't exist. And that happens as one response, I call that like the apathetic response. Or, or flat out dismissive. Like, that's stupid. Why would you do that? No one wants that. That's just crazy, right? And then the third, which is anger, right, like some people are antagonistically against web3 like, they'll say, I hate that that's, that's a horrible thing. It's going to, you know, like, ruin the world. And then you get the other extreme on the other side, because we're talking about skepticism, there is this Pollyanna, almost religious ideological, joy and optimism in the fact that web3 is going to literally change and make the world a utopia that we don't have it. And, you know, if we only went all things, decentralized, everyone would get along, and the world to be an amazing place, which, again, is just another extreme. And I'm open and honest about where I fall, I like to say, I'm a cautious optimist. I am not afraid of technology. I think technology can do wonderful things. But I'm extraordinarily cautious. And I want to understand the technology. First and foremost, Gabrielle was saying talk to people that understand it, and to think about what we can do and try to, to the best of our abilities, flag potential landmines and work our way around them, but we don't know what they are until they happen. I

mean, nobody's gonna know what they want to happen, but is eventually or is it warranted? Well, there have been a lot of fraudulent uses of web3. I mean, this is no joke. It is another way to do money laundering. And as it is being used in dark corners, it is, on one hand it is being used positively to help refugees, or are people in Ukraine right now. On the other hand, is it being used to go around economic sanctions, right? Like it? It is a tool that can be used for good and a tool that could potentially be used In ways that do cause reason to be skepticism to be skeptical. In fact, there is there's such a movement of skepticism. So when you go online and try to learn about web3, I think you're inundated potentially, I'd like to see this as being an interesting study of like, how many negative versus positive articles are out there. But there's this one celebrated woman, and I'm happy to mention her name is Molly White. And no, she has a website that "Web3 Is Just Going Great". It's like literally the most sarcastic title because then you go to it. And it is almost like a ledger, pun intended, of all these articles that have been going on that are saying, here's the scandal, here's the scandal, here's another scandal, even Kim Kardashian, and yes, I'm throwing that into our conversation, she was just all over the news for a potential cryptocurrency scandal. And now hers had to do with the SEC and whether or not she was promoting a cryptocurrency and she was breaking different SEC rules, not really about the technology behind it. But there are so many crypto scandals that get mixed in too much with the promise of blockchain, which is different. And there's so so much going on with crypto crypto founders being investigated. There also is pure silliness going around with even names of like "Board Apes", so people say, what is this? And why are people spending literally hundreds of like, thousands of dollars for this little avatar? And so you'll get someone saying, well, that's gonna that's a flash in the pan, that's a pet rock, like that's going to be over. But frankly, I just saw pet rock at CVS the other day, so like, I'm not sure it's going to be over for that soon. But also, we just because it's, you may not value it doesn't mean I, I can't tell people why they value all sorts of things, or why certain things are more valuable than an antique store. So because people have different judgments about what they want their life and what they don't. They, they put that out there and they create this kind of skepticism. But there are fraudulent trades with we were kind of mentioning it and NFTs, which, in and of itself is creating a lot of skepticism. People think that that is just rife with problems. So and the fact that the market busted, I mean, Bitcoin went from super, super high amount to a bust. And I think back to the dot com, right, the bubble burst in 2000. But look where we are with the internet, look at it, look at your valuation if you have kept, you know, some of these companies from 2000. So I can't say all that skepticism is warranted. But I I think it's strange if it wasn't there. Frankly, I think it'd be strange if it wasn't there.

Dyllan Brown-Bramble 42:53

Right. I think I really like cautious optimism as the approach—

Hillary Brill 42:56
Thank you!

Dyllan Brown-Bramble 42:56
I think that hit the nail on the head, right? Web3 is a tool, the internet as a tool, tools are neutral. It's how they're used. If I want, I could write a 10,000 page book on all the horrible uses of the internet. But then people also fundraise for charity on the internet, they build communities on the internet, they do beautiful things. So I think that it's important that people approach this with a balanced perspective, like there will be bad. And then the question is, how do we regulate to avoid the bad? How do we design these technologies to avoid the bad? How do we teach about these things to avoid the bad, but there will also be good. And we want to make sure when we're doing all those things, we're not doing them in a way that makes the good, impossible. And so to dovetail off of that, I think to get a little bit more specific to what are some of these goods and bad's what are the pros and the cons? What are things? We've talked about privacy and identity? We I think cybersecurity has been mentioned a little bit people using it to enact fraud, but like what are some of the positives and issues that you've seen coming up in web3 thus far?

Gabrielle Hibbert 43:59
Yeah, so I mean, one of the best things that is coming out of web3 is the fact that you can transact data from peer to peer, I think just that alone is something that is so close to how we operate in real life, that it's it's something that we just haven't had yet on the internet, right? So that alone is probably my biggest pro for the use of web3. And I might stay a little more cons just because I work in the cybersecurity space. So I see this come across my desk all the time. But a lot of the blockchains that are being built, they're being built with a lot of newer programming languages. And with that comes unanticipated events that may happen or occur. So it's not as battle tested as other programming languages that have been around for a lot longer. But with that, that comes a lot of experimentation that can occur on the technical technology side, right? But all in all, I do think that web3 will be the iteration of the internet that allows people to broker their data how they want. And that in and of itself is incredible. We haven't really seen or gotten to that part of history yet so.

Hillary Brill 45:37
I think that the, the promise of web3, definitely falls into the pro, the pro category of, of web3, clearly. And I am somewhat ashamed to say this, but I think this is one of the cons of web3, if you are a person who is interested in technology and not afraid, like myself, the entry point to using some web3 technology, or most web3 technologies is high, it is not a part of my daily life. I am not

presented with it. And I am not using it that I know of. Now Gabrielle might say I'm wrong and I don't realize that I'm using it. When I'm doing other things. Like I can say I know that all day long I'm bombarded with, for example, algorithms, right? Like I know that's happening constantly. But web3 technology and and blockchain, I'm not sure I'm bombarded with it every day. But I could be and I'm not aware of it. So I think one of the cons, frankly, of web3 is adoption by like the general public and making it more commonplace. And Gabrielle hit it spot on. A lot of that comes from demos, and how does this work and making it more mainstream and and easier for people to accept. But, do you know, long it took us to get so many people to use the internet? I mean, it basically took us a pandemic to have like telehealth be a real thing, right. So I don't know what that trajectory looks like for adoption with web3. But I frankly, think that's one of the hard things about web3. But to me, when I think of web3, and the pros, I think of its promise, and some of the things that I have heard it being used for, but I have not personally participated in. So I think this concept of you own your own information, and it is decentralized. And I can possibly use that as like a personal identity. If I want to go into different metaverses, I have my own identity in my own hands and it's not centralized and in the hands of, frankly, in the hands of Meta if it's if I'm in Horizon, it's in my own hands. And it's portable, and I can take it with me. And it's not, it's supposed to be encrypted and something that's there I think that is a pro. One pro is in a blockchain for good basically, this concept of the fact that some information can be out there and you can't get rid of it can be a good thing, it can be a difficult thing. But to enable information to not be taken down from some kind of centralized server can be a positive use. Blockchain we can use it for access to information, and we can use it to ensure the information stays there. There is a iconic figure in access to information, his name is Brewster Kahle started the Internet Archive most people have heard the Wayback Machine. He had this vision ages ago about archiving the internet and the information that's out there. And making sure that people can't take things off the internet and say it never happened gaslight people. So what I think is most interesting about Brewster is that back in 2015, he was having these web3 I call them like Burning Man, right? Like they were out in the woods, these web3 conferences to talk about the future of web3 before we were all talking about it, and it's still going on. But the idea is to make sure that you can get access to information and information is controlled by you and not by some other that could use that information against you or omit that information. There are tangible good uses of blockchain. I mentioned before getting money to refugees. The The United Nations has a World Food Program that they have invested quite a bit to track supply chain and where food is going. You can track all sorts of efficiencies, whether it's climate control, whether it's agriculture in a way that you couldn't as easily with web2 technologies. And I also love the the innovation, whether you think it's silly or not. I love this sort of disruptive concept. We

haven't even talked about DAOs we haven't talked about again in detail NFT's but this idea of doing things differently, is always good. It's always a positive. And there's a lot of community building that has gone around web3, and and even the whole idea of DAOs, or communities that are growing around it. And I think that that's just the start of breaking the mold and thinking differently. So I think that's another positive aspect of web3.

Dyllan Brown-Bramble 50:29
One thing I had a few conversations, and I wish I heard more, maybe I'm just not tuned into the right communities. But it's something Hillary you mentioned earlier, is that there is some value in having centralized institutions, whether it's consistencies of rules, whether it's having a singular place to go. And I feel like I haven't heard enough conversations in the web3 about like, what do we lose when we move away from the centralized authorities? Like, yes, there's definitely problems. We could do a whole series of episodes about the problems of centralized authorities. But there's safety built in, there's trust built in, there's consistency of the rules built in, if there's an issue, there's an accountability structure built in. And it seems like a lot of those things may maybe not, I'm not a web3 expert, that's what I'm here for. So how are those things kind of lost in the shift to web3? Maybe, how are, how does web3 replace those things? And how do we deal with rebuilding these kinds of institutions? In a web3 context?

Gabrielle Hibbert 51:29
Yeah, I think it's still a valid question to ask. I will say that I think that at the technical level of conversations, you can still have those safety features built in, will you be talking about what arbitrage off chain looks like in your kind of daily personal conversations, probably not. But those instances do exist. And they are built into a lot of the platforms that are being built today. There's also interoperability that's being built between blockchains. So it's not just one blockchain over here and one over here. It's becoming easier to work between chains, as well as kind of making it so that if there is an issue, there is a person to talk to. So I think there's a little bit of a misconception when it comes to, you know, what are we losing, because centralization and decentralization is a scale, there's really no total, decentralized, or even distributed system that is incredibly theoretical. And it's, we're not going to reach a point where everything is perfectly decentralized or distributed, it's going to be something along that scale. So in, in most of my circles, the reason why people are pushing for the decentralization of these bigger systems is due to the security and the relative ability of it to stay secure. So what I mean by that is, with, say, a big named internet company that we all use, I will not name but you kind of deduce if their servers go down. What, you know, who are you going to call what's going to happen to your data, right? And if you were to decentralize, take apart the data that does exist

on those servers called sharding, that can help build in some security to your data so that if one server goes down, it's not the end of the world for you and your data. So that's a little bit of a high level of why there's such a push to decentralize. But with that, there will obviously be a lot of kind of roadblocks to get to that point. But that's all with technology and building within this, this new areas about is kind of experimenting and finding out better, better ways to to help secure people's data and have people interact with I would say more autonomy and more sovereignty.

Dyllan Brown—Bramble 54:45
That is an excellent answer could not have been said better. Thank you so much. So I think I have Hillary, did you have something to add or like okay, I have two more questions. I think one is I want to get a better understanding of like, who should be tuned into these conversations who can benefit most from a user perspective? One conversation I've seen a lot and kind of tried to tune in is how web3 will improve the creator economy. I think we've been seeing a lot of these platforms, there's stuff about Netflix pay structure, Twitch just changed their monetization rules. YouTube does. I'm calling on a lot of people on this podcast right now. Oh, my God. YouTube does that often. And I think creators want to feed have a space where they can circulate content, but not feel as controlled. And not even to get into the pros and cons of that, and what people will be saying, but I think people want to feel like they're able to take more power back. So I know that the creator community, not generally, but a lot of voices are very excited about the idea of having a platform where they can create and circulate and reach their fans in a different way, outside of the purview of the large platforms, that kind of the handful of large platforms that control all these conversations. But are there other communities that you think have maybe unique problems that should be tuned into the web3 conversation that they may be able to solve through decentralization?

Gabrielle Hibbert 56:11
Yeah, I so I'm gonna go back to one of the research topics that I've been working on for a while, but the, the need for us in the US specifically to have a decentralized self sovereign identity system, our identity systems currently are, aren't as secure as they could be. And if we are to kind of move forward in how kind of intense the cybersecurity risks for our, our spaces becoming, and the movement of individuals, I think investing in infrastructure that can help build self sovereign identity systems would be a great use case, a very practical use case that focuses on building up the infrastructure of our, you know, very, very personal systems. And in building it out privately, in a way that protects users data, while also creating a potential fallback in case you lose your ID, or you lose your birth certificate. So that's kind of the example that I always go to. But I'm sure that Hillary has tons of other more fun, [laughter] let's technical use cases.

Hillary Brill 57:43
At the end of the day, when you say, what, you know, what communities should tune in, or a community should benefit, I mean, the hope, I think the hope is that lots of communities that aren't necessarily benefiting from web 2.0 will, right, like the hope of disruptive technology, or a new revolutionary technology or an evolutionary technology. And again, I'm using general terms, because there's so many different parts of web3 that I could answer there, right. And you touched on the creator community, I think that's an obvious community, because you are now using Blockchain to create an asset and the digital economy, which wasn't created able to do before. For example, you couldn't really resell a song without violating copyright laws. So everything was licensed right? Now, you might be able to have a chain showing who has ownership and create a whole new system of ownership. So I think it's so clear, but what I'm hoping is that different communities can, you know, get access to needs more easily, like we were talking about before, whether it is a way to transfer money and have less fees, and less middleman. Whether it's a way to transfer assets and get rid of fees and pain points in international transfers. Obviously, there's always a dark side to that as well. I think one of the things we need to be tuned in, frankly, is how web3 might hurt communities that aren't paying attention to this, this evolution of the Internet. And I think the problems that we had, and we're dealing with right now, with design of algorithms, for example, and bias, or just general technology and bias, the same thing is going to happen in web3 when you think of who is actually using web3 and the demographics of it, first of all, like I'm aged out, like I'm woefully aged out of like web3, I'm involved in it, but I'm like a unicorn, right of like my age group dealing with the apps I want to do the technology I want to you know, get in there and do it. So I don't know Gabrielle maybe you know better but I swear I'm thinking the average age for web3 is like 20 to 25. And like I'm thinking that's like your key demographic but but generally is going to be between 15 and 30. And I'm not the first to do this. I mean, there's studies of who is like using these new technologies more. And when you think of what's it then when you break into more demographics of what those communities look like, those are the people that are making these products, designing these products, creating the products, who's investing money into the e-commerce of web3? And what does that look like? And how is that going to potentially hurt certain communities create certain barriers, create new biases, we have to we know better now, like, we know that this is all over policy circles. How do we deal with mistakes in the past of design of technology, hardware or software without thinking of its effects on all sorts of people? So I'm hoping moving forward, that the people that are designing these new uses, or these new technologies are thinking beyond just hey, this is a great idea. Our great idea for my limited community. Let's let's let's think of how it will affect everybody else.

Dyllan Brown-Bramble 1:01:07
Agreed the classic Jurassic Park "we can doesn't we should problem"
that every one month I read a technology that I was like, why did you
decide to do that? Should have done that. But anyway, one last
question. As a lawyer who deals with problems all day, I like to
always try to finish conversations on a light note. You may have
mentioned this in the conversation, but just to reiterate, what is
something about web3, the decentralized web that you're hopeful for?
[long pause] Come on, I know you'll have some hope. [Laughter]

Gabrielle Hibbert 1:01:42
I thought, I thought the lawyer was supposed to go first. [Laughter]

Hillary Brill 1:01:47
Yeah, I didn't know if I Gabrielle is going to speak first. I didn't
want to interrupt as being so. Um, well, I there's gosh, there's so
many things. I mean, I truly am hopeful that there will be new uses
with web3 technologies that I haven't thought of, and it's going to
make my life better and everyone else's in a positive way. I know
that's as vague as possible. But I look to the potential of these
technologies, not how they're just being used today. I think there is
such positive potential and any type of creator that is looking at
things differently. So I again, cautious optimism, that is how I see
it. I'm cautiously optimistic that for example, we're going to learn
through the Bored Ape and NFT experience that wow, NFT's can be really
useful in such in such a way that I am not envisioning right now. But
in the future, it's going to be beyond trading cards and just
necessarily, you know, Board Apes or kitties, right. So I think we
never thought of some of the uses of technologies that we use them
now. Like, just think of NASA and all the different things that were
created for space. And we use them like in our toothpaste, right? Like
there's just all these things we don't realize can affect positively
our future. So I am hoping that when we look at this 20 years from
now, we'll think it's such a cute conversation. And there'll be all
these amazing things that we've learned and grown from using
blockchain and using web3 technologies.

Gabrielle Hibbert 1:03:19
And I am hoping that there with this new iteration that there is a
renewed interest in closing the digital divide, because that is, as
we've said before, one of the biggest barriers to getting all
communities involved with emergent technologies, whether we're talking
about web3, whether we're talking about augmented reality in the
metaverse, there needs to be a significant push for investing in the
development and infrastructure for broadband for everyone. So I am
hoping at the very least that that is closed and that we get more
people onboarded onto the internet and get comfortable with using the
Internet so that we can have better safer communities online. And in
addition to that, I am very hopeful that peer to peer technologies and
the use of privacy preserving technologies will also continue to gain

interest and gain widespread use as we continue this kind of journey into a web3 ecosystem.

Dyllan Brown-Bramble 1:04:35
Amazing Love it finishing a conversation with hope. Thank you so much Gabrielle and Hillary for making the time to have this discussion. It was great extremely informative. I know that our listeners will really enjoy it. This episode has been brought in partnership with the Decentralized Future Council. So everyone listening you should follow the Internet Law and Policy Foundry and the Decentralized Future Council on our socials to keep up with the latest and greatest in these conversations. And subscribe to the Tech Policy Grind podcast to be notified when new episodes are released. Thank you so much for listening.

Reema Moussa 1:05:08
That's it for this episode. Huge thank you to Lama Mohammed, our social coordinator and Allyson McReynolds our accessibility coordinator for all their help in making this episode.