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June 8, 2009

Suzanne R. Sene  
Office of International Affairs  
National Telecommunications and Information Administration  
1401 Constitution Avenue, N.W., Room 4701  
Washington, DC 20230

Re: Docket No. 00420688-9689-01

Dear Ms. Sene:

Thank you for providing the opportunity to comment on the upcoming expiration of the Joint Project Agreement between your department and the Internet Corporation for Assigned Names and Numbers. This is a matter of critical importance to our membership, which includes many of the world's leading Internet companies.

The Internet Alliance is the leading Internet trade association operating in the United States. Our members include AOL, VeriSign, Comcast, AT&T, eHarmony, IAC, Expedia, Experian, Match.com, Yahoo! and others. Members of the Internet Alliance are involved in many different aspects of the online world, but all of them depend on the critical resources that ICANN manages. In 2008, during the Commerce Department's last review of the JPA, we recommended that the agreement between your department and ICANN be continued. Although more than a year has passed, the core issues we raised in those comments have yet to be adequately addressed. For that reason, we urge you to seek an extension of the JPA with an aggressive focus on helping ICANN establish stability, accountability and global legitimacy it needs to stand on its own.

The success of the Internet as a medium for global commerce, expression and communication, has been built on a remarkably stable and flexible infrastructure. That stability is paramount. Without it, the Internet industry could not have invested the hundreds of billions of dollars needed to develop the tools, services and technologies that have reshaped our world. At the very core of that stable infrastructure is the Domain Name System, on which all Internet communication depends. Overseeing that DNS is ICANN, an organization that must live up to the highest standards of stability, security, transparency and accountability. Until ICANN achieves those standards, the U.S. Government -- specifically the National Telecommunications and Information Administration -- remains a critical source of protection, support and guidance.

In our 2008 comments, we noted that the ideal governance structure for the DNS would be independent of any one government's oversight and control. We continue to believe

that this is the case. Although not perfect, the private-sector management model developed by ICANN has proven effective, and is certainly more appropriate for the Internet than any government-run bureaucracy. We believe that the Internet community remains committed to this private sector model, and to helping ICANN to realize its full potential.

But ICANN has not yet achieved the stability, accountability and global legitimacy envisioned when it was created in 1998. If ICANN walks away from the support and protection provided by the U.S. Government before achieving those goals, it risks inadvertently undermining that stable infrastructure on which more than a billion global users rely. As we said in our last comment, ICANN needs a plan that lays out a clear path to independence. As an organization, it must find a way to ensure long-term procedural transparency, protect against outside interference from governments or corporations, and ensure that stakeholders have clear, reliable mechanisms for resolving grievances.

We had hoped ICANN would establish and execute that plan prior to the expiration of the JPA, but it seems that timeline may have been overly optimistic. Now, with the existing agreement expiring, the NTIA and ICANN have a unique opportunity to replace it with a new, targeted agreement designed specifically to complete ICANN's progress toward its ultimate goal. We encourage you to work with ICANN to develop that agreement and look forward to working with your department and ICANN to help in any way possible.

Sincerely,

Emily Hackett