

Vint Cerf
Chairman
Internet Corporation for Assigned Names and Numbers
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601

August 30, 2002

Dear Dr. Cerf,

As one of the Internet's most successful domains, .org's redelegation will implicate millions of registrants and affect the core of the Internet's non-commercial community. We commend the hard work done by many to date, and we view the recently-published staff report as a useful document for the Board's consideration. We therefore offer this open letter to you and the Board, urging that the broad interests of the non-commercial community be kept in mind as the staff report is finalized and the redelegation decision is taken.

Finding the Right Priorities in .org Bidder Evaluation

The .org domain has always benefited from its unique position as a home for non-commercial activity amid the Internet's many commercial enterprises. CDT appreciates the Board's request to the Non-Commercial Constituency for a report evaluating the eleven registry applicants on certain criteria – largely touching on the .org registry's relationship with the non-commercial community¹ – and note that report's excellent evaluation of the applicants on those criteria.

However, the final impact of the .org redelegation on the non-commercial Internet community will extend from all aspects of the registry's operation, not just its administrative structure or advisory practices. As many in the ICANN community know, technical capability, financial stability, and competency in customer service are critical considerations. For many, perhaps most, non-commercial domain name holders, these concerns come first and foremost. As such, we wish to underscore the following metrics and priorities for the evaluation of .org applicants:

- **The .org registry must exist on a strong technical foundation.** Redelelegation cannot be considered a success if names do not resolve quickly, accurately, and reliably. Any other benefits that non-commercial organizations would receive from the new registry would have little value if this basic technical mission is not

¹ The Board asked that the NCC evaluate the applications on three of the Board's eleven published criteria: differentiation of the .org TLD, inclusion of administrative mechanisms to promote synchronicity in the registry's operation and the interests of the non-commercial community, and the overall level of support from .org registrants. The complete list of criteria is available at <http://www.icann.org/tlds/org/criteria.htm>.

fulfilled. Registry applications should offer ample evidence of their technical plans' robustness, scalability, adaptability, and, above all, workability.

- **The .org registry operator should have a workable financial model.** The eleven applications before ICANN encompass a wide variety of approaches to funding the registry's operation. Even a cursory review of the domain names market will reveal that operating a major registry is a non-trivial undertaking; it is unlikely that every one of the eleven proposed approaches will succeed. A bankrupt registry operator will not be able to fulfill the registry's basic technical requirements, and the non-commercial community should make identification of workable financial models a high priority. The new registry will have a very short start-up time, and must be able to demonstrate its ability to be financially and technically stable on January 1, 2003. Several bidders have also expressed their intention to apply for the \$5 million endowment offered by VeriSign to a non-profit registry operator. It is not yet clear whether all those bidders will qualify for the endowment, nor when or how the money will be paid out. Registry applicants' positions would be enhanced by publishing their plans in the event that the money is not immediately forthcoming.
- **The .org registry requires rapid, effective customer support.** Although the .org registry operator will not be involved in the retail sale of domain names, high-quality support for .org registrars will bring benefits to the .org registrant community as well. The ability of .org registrants to have their problems resolved and maintenance performed quickly and effectively would be a major benefit for the non-commercial Internet community.
- **The .org registry operator's activities at ICANN should reflect its registrants' unique interests.** As one of the world's five largest registries, .org constitutes a major slice of the international domain name community. Its operator will have significant influence in the gTLD Constituency (and any successor body) and in ICANN as a whole. The direction in which that authority is exercised are of great interest to registrants in .org. Registry applicants' plans for supporting registrants' interests at ICANN are a key aspect of their applications.
- **When the registry operator addresses questions of registry policy, consultation with the registrant community should be a priority.** Historically, the ICANN Board has assumed authority over questions of gTLD policy. Where the registry operator has sole discretion over a policy decision affecting registrants, however, it should be prepared to make such a decision only after substantial consultation with the registrant community. Structures of outreach, input, and advice should be outlined ahead of time.
- **Applicants' creativity in posing new ways to support and expand the non-commercial community's use of .org should be recognized.** The eleven applications have shown an impressive diversity of proposals for using .org to

bring new benefits to the Internet's non-commercial community, providing a valuable indicator of the registry's potential. Such creativity should be acknowledged both by the Board and the community, and any ideas that cannot be implemented in the new .org should certainly be remembered for the future.

Finally, as the Board approaches its decision on the .org redelegation, it is of paramount importance that it continues to employ open, transparent, and objective decision-making processes. Such a key decision should not be tarnished by appearances of arbitrariness, and a strong commitment to openness can prevent such misconceptions.

CDT hopes the Board and the entire ICANN community will keep these priorities in mind as they continue their review of the staff report and the eleven applications. It is our continued belief that only applications achieving excellence in *all* of these areas would adequately serve the non-commercial Internet community.

We look forward to the Board's progress on this important issue.

Sincerely,

Alan Davidson
Associate Director

Rob Courtney
Policy Analyst

cc: ICANN Board of Directors