April 22, 2002

The Honorable Donald L. Evans
Secretary
Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C.  20030

VIA FACSIMILE:  2 Pages Total

Dear Secretary Evans:

The United States Council for International Business (USCIB) is a founding member of ICANN's DNSO's Business Constituency and was very active in the formative stages of ICANN. We continue to work to inform the larger business community about ICANN and its important work. The technical coordination of the Internet is of critical importance to all of our members given that an increasing amount of their business is conducted over it. Consequently, we continue to support the private sector leadership as embodied in ICANN.

ICANN is now well into its fourth year of operation and is at a critical juncture. It is important to note that ICANN's efforts to introduce competition into the domain name registration business and to create uniform dispute resolution mechanisms to resolve domain name trademark disputes are widely viewed as positive evidence of the private sector's ability to oversee a resource that crosses national boundaries, economic systems and legal jurisdictions.

USCIB is currently studying Dr. Stuart Lynn's Report: "ICANN-The Case for Reform" and other proposals for ICANN's evolution. To the extent possible, we will convey to you our views once our review is complete. However, given the importance of the technical coordination of the Internet to our members, we would like to offer a few key observations that we believe should drive decisions regarding ICANN to ensure its successful evolution.

1. **Stability**: The overriding objective must be to ensure the operational stability of the Internet.

2. **Policy Development**: Private-sector led, bottom-up consensus policy development should be preserved.

3. **Stakeholder Participation**: Participation in the decision-making process of the technical coordination of the Internet should include all stakeholders and should maintain geographic diversity.
4. **Mandate:** The mandate should continue to be the technical coordination of the Internet (e.g. names, numbers, protocols, root-servers) and policy matters directly related to such coordination and the continued stability of the Internet and should not be expanded beyond that role.

5. **Market-Forces and Competition:** Wherever possible, the technical coordination of the Internet should respect market forces and promote competition and the protection of trademarks.

6. **Funding:** Increased and properly sourced funding is critical. It is essential that any funding mechanism:
   - maintain the independence of the decision-making process; and
   - ensure the necessary resources to fulfill its mandate.

7. **Evolution Process:** ICANN must ensure that the evolution process is considered, transparent and efficient.

We hope that this input is helpful and we look forward to working with you to ensure the successful evolution of ICANN.

Please do not hesitate to contact me if you would like to discuss this in more detail.

Sincerely,

Thomas M.T. Niles

Cc: Philip Bond, Chief of Staff and Undersecretary for the Technology Administration  
    Ted Kassinger, General Counsel  
    Bruce Mehlman, Assistant Secretary for Technology Policy  
    Nancy Victory, Assistant Secretary for National Telecommunications and Information Administration  
    Richard Russell, Chief of Staff, Office of Science and Technology Policy, White House  
    Hon. Ernest F. Hollings  
    Hon. Conrad Burns  
    Hon. John McCain  
    Hon. W.J. Tauzin  
    Hon. John D. Dingell  
    Hon. Fred Upton, Chairman  
    Hon. Edward J. Markey