

Ms. Suzanne Sene,
Office of International Affairs,
NTIA
1401 Constitution Ave., NW, Room 4701,
Washington, DC, 20230,
United States of America.

1st February 2008

Dear Ms Sene,

Re: Mid Term Review of Joint Project Agreement (JPA) between United States Department of Commerce (DoC) and ICANN

.au Domain Administration Ltd (auDA) is the Country Code Top Level Domain manager for the .au domain space.

Thank you for the opportunity to provide comments on the continued transition of the technical coordination and management of the Internet's domain name and addressing system.

In 1998 the United States government took a position that ensured that this vital part of the Internet would never be **controlled** by any one government, organisation or individual. It has held that position for over nine years.

The organisation tasked to **coordinate** the domain name and addressing system, on behalf of and with the participation of all stakeholders, is ICANN.

The early Memoranda of Understanding (MOUs) by which the DoC scrutinised and monitored ICANN's performance were necessary to ensure that the organisation reached stability and developed community confidence in the model of governance.

With the satisfactory completion of the tasks set out in the MOUs, the DoC and ICANN agreed to enter into the current JPA which is the subject of this Review.

In this submission, auDA does not propose to individually address each of the ten areas set out in the Request for Comment. However, we note that for each one, the question is asked 'could more be done by ICANN in this area?'. Given that each of the ten areas is, and always will be, an ongoing matter it would be extraordinary if the answer were 'No'. There is, and will continue to be, more that can be done especially given the nature of what ICANN is tasked with coordinating. Perhaps a better question for each of the areas would be, 'In respect to this area, does ICANN have the processes to identify, and the resources to undertake, what needs to be

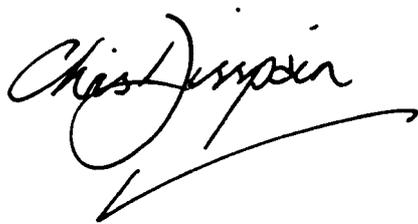
done'. In our submission, for each of the ten areas, the answer to this question is 'Yes'.

As ICANN's recent submission to this Review demonstrates, over the last nine years ICANN's Board and staff together with the Supporting Organisations, Advisory Committees and the community generally, have progressively evolved ICANN and developed the coordination and management of its responsibilities. Those responsibilities are undertaken in a manner that is satisfactory and that produces acceptable outcomes.

Thus, the MOUs and the current JPA have been a success and the time is now right to develop a transition plan to deal with the conclusion of the JPA in 2009. auDA believes that the United States government should continue the leadership it has historically shown and, as an outcome of this Review, establish a process with ICANN, its Supporting Organisations and Advisory Committees to finalise a transition plan for the end of the JPA in September 2009.

Finally, IANA and its management is an area of significant interest to ccTLD managers such as auDA. As it is currently governed by a separate contract, it is not a subject of this Review. However, auDA believes that any transition plan must take into account the future movement of IANA from that separate contract to the newly transitioned ICANN.

Your sincerely,

A handwritten signature in black ink, reading "Chris Disspain". The signature is written in a cursive style with a long, sweeping underline that extends to the right and then curves back down.

Chris Disspain
CEO - auDA