



UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Communications
and Information
Washington, D.C. 20230

JAN 6 2017

Dr. Stephen D. Crocker
Chairman of the Board of Directors
Internet Corporation for Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536

Dear Dr. Crocker:

I am writing in response to your letter of January 3, 2017 requesting mutual agreement to terminate the Affirmation of Commitments (Affirmation) between the Internet Corporation for Assigned Names and Numbers (ICANN) and the Department of Commerce. The key commitments contained in the Affirmation, including the regular bottom-up, multistakeholder community reviews of ICANN's work, have served as an important framework for the last seven years. With the October 2016 completion of the IANA stewardship transition and the incorporation of the Affirmation framework into ICANN's Bylaws, NTIA agrees that it is now appropriate to terminate the Affirmation. As such, I have countersigned the incoming letter per your request. (See enclosed)

The successful completion of the IANA stewardship transition proves that the multistakeholder model can work. One of its strengths is that it provides opportunities for all interested parties to have a voice in decision making, not just those most directly involved or impacted by ICANN. It is critical that as the multistakeholder community moves into this next phase at ICANN, this principle remains core and that decisions on items, such as the scope of review teams, be done in a transparent manner that affords the opportunity to participate for those not directly engaged in ICANN's supporting organizations and advisory committees.

NTIA is proud to have partnered with ICANN and the multistakeholder community for the last 18 years and looks forward to continuing to play an active leadership role in advocating for a free and open Internet and for U.S. interests within ICANN as a member of the Governmental Advisory Committee.

Sincerely,


Lawrence E. Strickling

Enclosure

cc: Göran Marby, CEO and President



The Internet Corporation for Assigned Names and Numbers

ICANN

03 January 2017

The Honorable Lawrence E. Strickling
Assistant Secretary for Communication and Information and Administrator,
National Telecommunications and Information Administration
United States Department of Commerce
1401 Constitution Avenue, N.W.
Washington, DC 20230

Re: Affirmation of Commitments

Dear Assistant Secretary Strickling:

Thank you for your continued commitment in support of ICANN and the multistakeholder model. The September 2009 Affirmation of Commitments was an important indication of the U.S. Government's upholding of both the multistakeholder model and ICANN's role as a private sector-led organization. As part of the Cross-Community Working Group on Enhancing ICANN Accountability's Work Stream 1 Report, the CCWG-Accountability recommended that the key parts of the Affirmation of Commitments be brought into the ICANN Bylaws, and that the Affirmation itself be terminated.

The ICANN Bylaws that went into effect on October 1, 2016 implement the CCWG-Accountability's recommendation. Each of the Affirmation reviews, including the Accountability and Transparency Review; the Security, Stability and Resiliency Review; the Registration Directory Services Review; and the Competition, Choice and Consumer Trust Review, are now incorporated into ICANN's Bylaws at Article 4, as well as an annual reporting requirement on those reviews. ICANN's obligation to support broad, informed participation is now part of ICANN's Core Values; the obligation to produce rationales for ICANN decisions is part of ICANN's Bylaws-mandated commitment to transparency. ICANN's commitment to remain a not-for-profit corporation, headquartered in the United States of America with offices around the world is embedded into ICANN's Articles of Incorporation, which require community agreement to modify, and in the Bylaws, which specify that ICANN's California office is its principal place of business.

With ICANN's key commitments from the Affirmation document now incorporated into the Bylaws, it is appropriate to complete the implementation of the CCWG-Accountability's recommendations and formally bring the Affirmation of Commitments to a close. To that end, I write to seek NTIA's mutual agreement to formally terminate the Affirmation of



The Internet Corporation for Assigned Names and Numbers

Commitments. If you agree to this mutual termination, please indicate so by signing and returning a copy of this letter.

The 2009 signing of the Affirmation of Commitments and NTIA's vision in securing commitments on ICANN's accountable and transparent operations helped make ICANN the entity that it is today. Thank you for all the support that you and NTIA have provided to the ICANN Community and Organization.

Best regards,

Dr. Stephen D. Crocker,
Chair, ICANN Board of Directors

Agreed on January 6, 2017:

by The Honorable Lawrence E. Strickling
Assistant Secretary for Communication and Information and Administrator,
National Telecommunications and Information Administration
United States Department of Commerce