

ICANN CONFLICT OF INTEREST ENFORCEMENT AND COMPLIANCE REPORT  
3 JANUARY 2014

Pursuant to Section C.6 of contract SA1301-12-CN-0035 between the U.S. Department of Commerce and the Internet Corporation for Assigned Names and Numbers (ICANN) (“IANA Functions Contract”), the following report has been developed and provided to NTIA and will be published on ICANN website..

Section C.6.1 – ICANN maintains a written, enforced conflicts of interest policy. The policy is distributed to all applicable parties at the time of engagement (e.g., start date) and is redistributed on an annual basis.

ICANN staff are required to acknowledge and certify that they have read and agree to abide by ICANN’s Conflict’s of Interest Policy, Confidentiality Policy, and Outside Business Activities Policy (including disclosure of any outside business activities). This is done both at time of hire as well as on an annual basis.

ICANN’s COI policies and related policies, practices and procedures continue to be maintained in numerous documents (many of which are publicly posted):

- ICANN’s Employee Conflict of Interest policy, which is also applicable to subcontractors
- ICANN’s Conflict of Interest policy applicable to ICANN’s Board of Directors, Officers and Key Employees
- ICANN’s Code of Conduct
- ICANN’s Expected Standards of Behavior
- ICANN’s Corporate Governance Guidelines
- Summary of ICANN’s Rules for Staff Interactions with the Community after the Approval of the New gTLD Program

Section C.6.2 – ICANN has appointed a Conflict of Interest Officer (COIO). The current COIO is Steve Antonoff – Director of Human Resources Operations. The COIO has regularly reviewed the applicable policies, practices and procedures and updated as appropriate.

Section C.6.2.1 – The COIO ensures distribution of the conflict of interest policy to all employees, directors and subcontractors upon their election, re-election or appointment and annually thereafter.

Section C.6.2.2 – The COIO has taken all steps necessary to ensure that each of ICANN’s employees, directors and subcontractors has completed a certification with disclosures of any known conflicts of interest upon their election, re-election or appointment, and annually thereafter. Each certification is reviewed by the COIO, or other appropriate party depending on who has made the disclosure, to determine if there are any disclosures of known conflicts of interest and what actions, if any, need to be taken based on any disclosed known conflicts of interest. The COIO is responsible for ensuring a record is kept of the date each certification is received back and reviewed.

All potential conflicts of interest disclosed on completed certifications were reviewed by the COIO and/or by other relevant staff such as the Office of the General Counsel and/or other executive staff. Any potential conflicts were resolved to ensure appropriate mitigation.

Section C.6.2.3 – The COIO requires that each of ICANN’s employees, directors, and subcontractors promptly updates the certificate to disclose any interest, transaction, or opportunity covered by the conflict of interest policy that arises during the annual reporting period. Appropriate reminders regarding reporting and compliance are sent out during the annual reporting period.

Section C.6.2.4 – As required by the IANA Functions Contract, ICANN hereby represents that no major events have occurred, no problems were encountered, and no changes are required no C.6.

Section C.6.2.5 – In accordance with Section H.5 [sic] {Section H.9}, ICANN warrants that, to the best of ICANN’s knowledge and belief, it has not received or otherwise been exposed to any nonpublic source selection or competing contractor information, and there are no relevant facts or circumstances which would give rise to an Organizational Conflict of Interest. To the best of ICANN’s knowledge and belief, there are no impediments to ICANN’s ability to do the following: (i) render impartial assistance or advice; or (ii) objectively perform work under the IANA Functions Contract. Further, to the best of ICANN’s knowledge and belief, there is nothing that would provide ICANN with an unfair competitive advantage because of access to non-public government information. Moreover, there is nothing in the statement of work in the solicitation that would entail access to proprietary information of a competing contractor.