



The Internet Corporation for Assigned Names and Numbers

11 January 2013

TRANSMITTED VIA ELECTRONIC MAIL, FACSIMILE AND COURIER

Pamela Hill  
USA Webhost, Inc. (IANA ID# 439)  
5 Bragdon Lane  
Kennebunk, ME 04043

E-mail: [phill@usacsp.com](mailto:phill@usacsp.com)  
Fax Number: +1 207 467 9007

**RE: NOTICE OF BREACH OF REGISTRAR ACCREDITATION AGREEMENT**

Dear Ms. Hill,

Please be advised that as of 11 January 2013, USA Webhost, Inc. ("USA Webhost") is in breach of its Registrar Accreditation Agreement ("RAA") with the Internet Corporation for Assigned Names and Numbers ("ICANN") dated 24 October 2011 ("RAA"). These breaches result from USA Webhost's failure to timely respond to ICANN's Contractual Compliance Audit Program ("Audit") notices, specifically:

1. Failure to provide documents and information as required by the terms of Section 3.14; and
2. Failure to maintain records relating to USA Webhost's dealings with Registry Operator(s) and Registered Name Holders and to make such records available to ICANN for inspection, pursuant to Sections 3.4.2 and 3.4.3 of the RAA.

Please refer to the attachment for details regarding these breaches.



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ICANN requests that USA Webhost cure the breaches by 1 February 2013, 15 working days from the date of this letter, by taking the following actions:

1. Complete the Audit Request for Information (RFI) Phase, by:
  - a. Contacting [complianceaudit@icann.org](mailto:complianceaudit@icann.org) to receive your registrar's login credentials for the ICANN Compliance Site ("Site"); and
  - b. Completing the RFI and providing all supporting documentation through the Site.

If USA Webhost fails to timely cure the breaches and provide the information requested, ICANN may commence the termination process.

If you have questions or require assistance, please contact Owen Smigelski at [owen.smigelski@icann.org](mailto:owen.smigelski@icann.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "M Serad".

Maguy Serad  
Vice President  
Contractual Compliance

Cc: John O. Jeffrey, General Counsel and Secretary



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## ATTACHMENT

### Failure to Provide Documents and Information for Audit and to Make Records Relating to Registered Name Holders Available to ICANN

Section 3.14 of the RAA requires USA Webhost, as part of any reasonable contractual compliance audit, to timely provide the documents and information known by USA Webhost necessary to demonstrate compliance with the terms of this Agreement. Section 3.4.2 of the RAA requires USA Webhost to maintain registration data and records relating to its dealings with Registered Name Holders and with the Registry Operator(s) for every domain name under USA Webhost's management. Section 3.4.3 of the RAA requires USA Webhost to make these records and data available to ICANN upon reasonable notice.

As detailed in the chronology below, since 13 November 2012 ICANN sent USA Webhost six notices regarding the requirements of ICANN's Audit Program. To date, USA Webhost has logged into the Site, but has not completed and submitted the RFI and has not provided the supporting documentation.

#### Chronology:

Date of Notice	Deadline for Response	Details
13 Nov 2012	N/A	ICANN sent all Registrars and Registries a Pre-Audit Notification Letter with dates of future notifications. This letter was immediately published on icann.org
26 Nov 2012	17 Dec 2012	ICANN sent 1 <sup>st</sup> Notice via email to <a href="mailto:phill@usacsp.com">phill@usacsp.com</a> . In addition, the notice was faxed to: 207 467 9007.
4 Dec 2012	N/A	Reminder Email sent to <a href="mailto:phill@usacsp.com">phill@usacsp.com</a> reminding registrar to login and comply with the RFI.



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Date of Notice	Deadline for Response	Details
10 Dec 2012	N/A	ICANN sent Frequently Asked Questions to <a href="mailto:phill@usacsp.com">phill@usacsp.com</a> , which included dates for compliance. The FAQ was published on icann.org.
10 Dec 2012	N/A	ICANN published the Contractual Compliance Newsletter for November. This newsletter outlined the due dates, as well as the phases for the audit program. <a href="http://www.icann.org/en/resources/compliance/newsletter/newsletter-nov12-en.htm">http://www.icann.org/en/resources/compliance/newsletter/newsletter-nov12-en.htm</a>
17 Dec 2012	27 Dec 2012	ICANN sent 2 <sup>nd</sup> Notice via email to <a href="mailto:phill@usacsp.com">phill@usacsp.com</a> . In addition, the notice was faxed to: 207 467 9007.
28 Dec 2012	07 Jan 2013	ICANN sent 3 <sup>rd</sup> (FINAL) Notice via email to <a href="mailto:phill@usacsp.com">phill@usacsp.com</a> . In addition, the notice was faxed to: 207 467 9007.
<b>Other:</b> 26 Dec 2012	N/A	Multiple emails exchanged with Eric ( <a href="mailto:ebw@abenaki.wabanaki.net">ebw@abenaki.wabanaki.net</a> ) regarding login credentials. Confirmed successful log in.
<b>Other:</b> 27 Dec 2012	N/A	ICANN notes that 27 December 2012 was the last login date by registrar within compliance.icann.org