

Chair's comments; Celebrating the Ending of the JPA
Washington DC, October 1, 2009

Thank you Paul.

Good evening honoured guests, ladies and gentlemen, members of the press.

This is an historic event – the ending of a relationship between ICANN and the US Department of Commerce, which began in November 1998, with the signing of an MoU.

The story of course begins a little earlier... with the formation by ISOC in late 1996 of the International Ad Hoc Coalition, and its proposal in early 1997 to transfer control of the root to Geneva...as part of the IAHC gTLD MoU – my favourite acronym.

The US response to that was the Green paper in early 1998 then, on 3 June 1998, the White Paper.

The White paper called for a NewCo to be set up to coordinate the Internet. Its key principles were to be:

- Private sector leadership
- Bottom up processes;
- Industry self-regulation;
- Transparent;
- Geo-diverse;
- Government-free;
- A role for WIPO
- Competition promoted

On October 2, 1998, ICANN submits proposal to be the NewCo of the White paper.

On October 7, Amendment 11 to DoC's contract (CRADA) with NSI operator of dot com since 1992. This amendment sets the scene for NewCo;

“providing for recognition by NSI of NewCo when recognized by the USG in accordance with the provisions of the Statement of Policy”

November 10 1998...NTIA announced it was reviewing a submission by ICANN on its bylaws... there had already been community feedback on some aspects, and some modifications....

November 25 1998 The Memorandum of Understanding was signed, noting;
“Before making a transition to private sector DNS management, the DOC requires assurances that the private sector has the capability and resources to assume the important responsibilities related to the technical management of the DNS.

Further aspects included;

the parties will jointly design, develop, and test the mechanisms, methods, and procedures to carry out the following DNS management functions:

- a. Establishment of policy for and direction of the allocation of IP number blocks;***
- b. Oversight of the operation of the authoritative root server system;***
- c. Oversight of the policy for determining the circumstances under which new top level domains would be added to the root system;***
- d. Coordination of the assignment of other Internet technical parameters as needed to maintain universal connectivity on the Internet; and***
- e. Other activities necessary to coordinate the specified DNS management functions, as agreed by the Parties.***

Principles

Stability – no harm to current functions

Competition – consumer choice

Private, bottom-up co-ordination

Representation - reflecting the interests of all affected parties

February 28, 1999 ICANN was designated as NewCo. ICANN was then conducting its first international meeting, in Singapore.

28 September 1999 – A New Registry agreement signed between ICANN and NSI, also providing for multiple registrars in dot com, net and org...the original monopoly was broken.

At the time we all began this project, we thought it would be concluded in 2000. However, it was extended many times – the scale of building a not for profit capable of achieving the lofty goals was so much greater a challenge than we had envisaged.

There were a series of reports by ICANN to US DOC on progress 13 (all told).

The next major change I want to highlight occurred on 29 September 2006... formation of the JPA.

Responsibility shifted to the performance by ICANN of resolutions adopted by the ICANN board.

February 2008; Mid-term Review of the JPA occurred as scheduled. I said, as Chair, that we will not need to extend at the end of the term; ICANN is on track.

September 30 2009... the JPA came to an end.

This is indeed a huge result- the contributions of all those in the ICANN community who built the GAC, the ccNSO, the GNSO – Registrars, Registries, Non Commercial, Commercial, Intellectual Property and ISP constituencies- the ASO and its NRO operators, the RIRs, members of the Technical Liason Group Etsi, WWW Consortium, IETF, ISOC, the At Large community representing all the users of the world, the councils, the Board, the staff – (Louis Touton... Andrew McGlauchlan) all the bodies, temporary and permanent – the committees, working groups, study groups and all those late night conference calls, the corridor conversations.. the deals.. the disappointments, the victories as we all built the body that is ICANN.

It really is now that entity that we envisaged in 1998.. a global entity, using transparent, bottom-up processes, involving in its debate all the parties affected by its decisions, supported by the governments of the world, and led by the private sector.

Ending the JPA means the concern of the first MOU has been resolved:

“Before making a transition to private sector DNS management, the DOC requires assurances that the private sector has the capability and resources to assume the important responsibilities related to the technical management of the DNS”

ICANN has shown, and the DoC has agreed, that it has that capability and those resources.

It has earned the trust of all those involved – all those groups mentioned above now participate in ICANN and rely on it to accept the responsibility of this extraordinary mandate – coordinating, at a global level, the crucial resources of the Internet – the Names- the DNS, the Addresses, and the protocols that make this extra ordinary invention work.

I want to pay special tribute today to the United States, and the DoC in particular. Singularly happy event for the world that Internet was invented in the USA

Not patented

Open source

Global uptake

Access to the Internet via IP addresses is not monetized..

With it came a culture of entrepreneurship – we see today in the vibrant Registrar and Registrant communities.

It came with a value on the rule of law.. ICANN operates via a system of contracts, not treaty or statute

It came with a value on transparency of process... this is the country that has promoted Freedom of Information more than perhaps any other.

It came with a concept of open and inclusive process, of redress for wrongs, and of procedural fairness – as the inheritor of the legacy of Magna Carta.... these things are strong in this country's DNA.

It is a model ICANN has made strong – exported to other bodies, such as to the UN's Internet Governance Forum.

What a different result if the Internet had been invented in many other countries we can think of.

I also want to pay tribute to the several US Administrations that have promoted and supported this model, and this concept of transitioning management of the Internet to the private sector.

I want to congratulate this Administration for the successful conclusion of a far sighted programme a predecessor Administration conceived of and worked hard to establish.

I want to close by acknowledging some key members of the huge team whose work has brought us this far; previous Board Chairs; Esther Dyson and Vint Cerf- giants on whose shoulders I have stood in the past two years.

Mike Roberts, Stuart Lynn as the first 2 CEO's... who faced a hugely hostile environment in which to nurture the infant ICANN.

I want to pay special tribute to our longest-serving CEO, Paul Twomey, who brought ICANN through a major period of Reform from 2003, and who negotiated and co-signed the JPA itself.

Ending the JPA is not the end of our warm and successful relation with the US – we are headquartered here – nor with the DoC.

Far from it. We have signed a whole new agreement, that places the long term success of ICANN much more firmly in the hands of ICANN itself.

We have increased our accountability – we are now accountable to the whole Internet community, and we are directly accountable to that community which for so long the DoC acted as proxy.

We are more than ever dependent – on the governments, on the industry, on the registrants, as we take this new step.

I am delighted to say that we are in very safe hands as we take these brave new steps. The hand on the tiller of ICANN now is that of our new CEO Rod Beckstrom.

Rod arrived on 1 July 2009 and was immediately thrown in to negotiating the first drafts of the text of the Affirmation. His personal integrity, technical skill and industry knowledge perfectly prepared him for this new challenge. He and his team worked hard and successfully to close the deal on the Affirmation.

The Board, and from the global outpourings in the media of comment from world and industry leaders- everybody else... is very pleased.

The future of the Internet is bright, and under Rod's leadership, the future of ICANN looks secure.

Ladies and gentleman, - the CEO and President of ICANN:
Rod Beckstrom

Thank you