



March 10, 2015

SPECIAL COMMUNICATION BY EMAIL

The Honorable Senator John Thune
Chairman
US Senate Committee on Commerce, Science, and Transportation
United States Senate
114th Congress
Washington DC, 20510
Phone: (202) 224-2321
Email: dcschedule@thune.senate.com

The Honorable Senator Bill Nelson
Ranking Member
US Senate Committee on Commerce, Science, and Transportation
United States Senate
114th Congress
Washington DC, 20510
Phone: 202-224-5274

The Honorable Greg Walden
Chairman of the House Sub-Committee on Communications and Technology
United States House of Representatives
114th Congress
2185 Rayburn House Office Building
Washington D.C. 20515

Dear Senator John Thune, Senator Bill Nelson, and Congressman Walden,

Subject: *Note of Appreciation and Call for the Establishment of a New Body – ‘The United States Internet Regulatory Authority (USIRA)’ that will work in cooperation with the NTIA to exercise supervisory control over ICANN*

We write to acknowledge and commend the various ways that the US Congressional Leadership has taken proactive steps to properly oversight the public policy and technology governance of the Internet to satisfy both US national public and global public interests.

DotConnectAfrica has been a great supporter and public advocate of the US Congressional Internet Governance initiatives especially with respect to leadership oversight of the new generic Top-Level Domain internet expansion program of ICANN and the Multi-stakeholder model of Internet Governance that is centered on US-based institutions. DCA and its affiliated technology organizations, DCA Registry

Services Limited and the Internet Business Council for Africa (IBCA) are also active members of the ICANN-led Internet Community.

In addition to the update itemized below which we would like to formally communicate to your good offices, we also wish to bring to your attention, a public commentary that we published on CircleID, a key industry blog for Internet and ICANN matters, titled “[“Congress Will Oversight ICANN’: And You Can Take That to the Bank”](#)”.

In this article, we called for the establishment of a new body – ‘**the United States Internet Regulatory Authority (USIRA)**’. This body will have full Congressional mandate, and will work in cooperation with the NTIA to exercise supervisory responsibilities over ICANN. Another commentary that you may also find interesting can be found at [Wikileaks 2012, NSA 2013, and NTIA Mishaps & Global Cyber Crime 2014: U.S. Exceptionalism over IG 2015?](#)

Recalling the following key communications which we previously sent to Congress at different times:

- **August 13, 2014:** We wrote to acknowledge the oversight letter that you communicated on July 31, 2014, to the Chairman of ICANN Board of Directors, Dr Steven Crocker regarding specific recommendations, made as an input towards “*Enhancing ICANN’s Accountability*” to the Internet governance community and its stakeholders, including its careful transitional restructuring.¹
- **March 29, 2014:** DCA Trust reported our progress and communicated the status of our Independent Review Panel (“IRP”) proceeding with ICANN to the House Judiciary Subcommittee in accordance with the request of the Subcommittee’s staff, at the time comments were being solicited in light of the NTIA announcement of the IANA Transition. We informed that the IRP is being conducted under the auspices of the International Center for Dispute Resolution (ICDR) of the American Arbitration Association (AAA) pursuant to Article IV, Section 3 of the ICANN Bylaws, which stipulates that any person materially affected by a decision or action of the ICANN Board may request that the decision or action be reviewed by an independent third party for consistency with the ICANN Bylaws and/or Articles of Incorporation. The Independent Review Panel (IRP) accountability proceeding with ICANN was instituted to challenge ICANN Board actions regarding our application for the .Africa new generic Top-Level Domain name string.² The current status of the DCA vs. ICANN IRP and associated documents may be found [here](#).
- **July 1, 2013:** DCA Trust became the first Organization to write to Congressional Leaders and hold F2F meetings in Washington on issues of Accountability and Transparency on ICANN's new gTLD program, and requested for a swift intervention by Congress to redress our grievances. As you may be aware, we wrote a joint letter to the Honorable Senator John ‘Jay’ Rockefeller IV, past Chairman of the United States Senate Committee on Commerce, Science and Transportation (113th Congress) and Honourable Congressman Greg Walden, Chairman of the House Sub-Committee on Communications and Technology (113th Congress), to explain the need for direct Congressional Oversight of ICANN’s new gTLD Program. We also recommended the appointment of a Special

¹Input to the Enhancing of ICANN Accountability Process

http://www.commerce.senate.gov/public/index.cfm/?a=files.serve&File_id=80ea52e6-a50f-434a-8e23-d8ccc3a3b711

²January 10 2014: DCA Trust to ICANN Amended Notice of Independent Review Process - See more at:

<http://www.dotconnectafrica.org/icann-related-2/independent-review-process-dca-vs-icann/#sthash.YutOFYPK.dpuf>;

<http://www.dotconnectafrica.org/wp-content/uploads/2014/01/DotConnectAfrica-Trust-Amended-Notice-of-Independent-Review-Process.pdf>

Independent Counsel as Congressional new gTLD Ombudsman who would investigate and report to Congress on issues of illegality and irregularities in the new gTLD Program of ICANN.³

- **June 4, 2012:** DotConnectAfrica Trust (“DCA Trust”) wrote an open letter to express our strong support in defense of the status quo of the global Internet governance model and reaffirmation of the multi-stakeholder process. Our communication followed the proposal that was made by certain countries that have been pushing for global Internet governance to be performed under the United Nations/International Telecommunications Union (UN/ITU) multi-lateral inter-governmental framework.⁴

Our organization, DCA Trust has been very proactive in our calls for improvements to ICANN accountability and transparency mechanisms and structures; and also proper policy governance and protection of the Internet as a global resource for advancing the collective good of the world.

Being an African non-profit trust that was formed with the charitable purpose, among other objects, to advance education in *information technology* in Africa and provide a *continental Internet domain name* to provide access to *Internet services for the people of African* for the public good, we have been victimized by, and greatly suffered from, the inherent and very many shortcomings in the existing ICANN accountability mechanisms⁵. It is therefore with keen interest that we noted your first comments regarding “Government involvement” in Internet matters. Indeed, we believe that DCA’s public advocacy is beginning to bear fruits, and we feel vindicated, and at the same time, quite encouraged to intensify our efforts.

We are glad that discussions are taking place at this crucial time when the cross-fertilization of ideas would be mutually reinforcing and advantageous. We commend your continued and keen leadership and oversight; and analysis of key Internet governance developments and increased honest critique of models of management of the Internet global resource. We therefore remain obliged and empowered to bring our ideas forward to you.

We thank you for your continued engagement and public service leadership.

Most respectfully yours,



Ms. Sophia Bekele, BS, MBA, CISA, CCS, CGEIT
Executive Director, DotConnectAfrica Trust
Former Policy Advisor to ICANN gNSO
For and on Behalf of: DCA Trust & DCA Registry Services Ltd. and
Internet Business Council for Africa

³ July 1 2013 New gTLD Program of ICANN –a follow-up on our previous letter and Recommendation for Direct Congressional Oversight and Appointment of an Independent Counsel as Congressional new gTLD Ombudsman <http://www.dotconnectafrica.org/wp-content/uploads/2013/07/DotConnectAfrica-Followup-letter-to-US-Senator-Jay-Rockefeller.pdf>

⁴ June 4 2012 Open Letter to Express Support in Defense of the Status Quo on Global Internet Governance Model and Reaffirmation of the Multi-Stakeholder Process library.constantcontact.com/download/get/file/1102516344150-278/Letter+from+DotConnectAfrica+to+US+Congress+on+Global+IG.pdf

⁵ DotConnectAfrica Trust <http://www.dotconnectafrica.org/>