



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Telecommunications and**  
**Information Administration**  
Washington, D.C. 20230

November 18, 2005

Ronald G. London  
Davis Wright Tremaine LLP  
Suite 450  
1500 K Street, N.W.  
Washington, DC 20005

RE: Freedom of Information Act Request (CRRIF 06-068)

Dear Mr. London:

On October 20, 2005, the National Telecommunications and Information Administration (NTIA) received your request under the Freedom of Information Act (FOIA), as amended, 5 U.S.C. § 552. You requested documents from the Department of Commerce, including documents from March 1, 2005 regarding approval by the Internet Corporation for Assigned Names and Numbers (ICANN) and/or its Board of Directors of a .xxx sponsored top level domain or of ICM Registry's contract to operate the .xxx domain. You also requested documents from the Department of Commerce, including documents from March 1, 2005 between Departmental personnel and the ICANN Board, its staff, its Governmental Advisory Committee (GAC), any GAC member country, or individual or agency of a GAC member country regarding the .xxx domain. Your request excluded documents submitted to the Department by the general public as part of any mass mailing campaign or similarly duplicative emails or documents.

Documents responsive to your request are enclosed. NTIA has withheld certain documents in whole or in part under 5 U.S.C. § 552(b)(5) as predecisional or privileged. NTIA also identified certain documents from other agencies which may be responsive to your request and is in the process of coordinating with those agencies to accord them proper treatment under FOIA. We will forward those documents to you upon successful completion of that coordination.

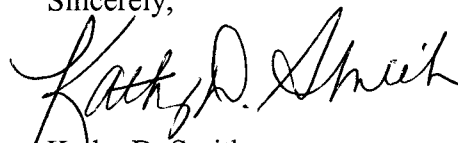
In accordance with the Department of Commerce's FOIA regulations, fees associated with the processing of your request are \$ 4,956.51.00, which includes the cost of the agency's search and review (\$2,481.51.00) and duplication (\$ 2,475.00). Please make your check payable to the U.S. Treasury and forward it to our office at the U.S. Department of Commerce, National Telecommunications and Information Administration, Office of the Chief Counsel, 1401 Constitution Avenue, N.W., Room 4713, Washington, DC 20230. See 15 C.F.R. § 4.9.

This concludes the initial determination by the Department. You have the right to administratively appeal this decision within 30 calendar days of the date of this letter. The appeal must include a copy of your request, this letter, a statement of the reasons why the records

requested should be made available, and why the initial denial was in error. This appeal must be addressed to the Assistant General Counsel for Administration, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Room 5898-C, Washington, DC 20230. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." 15 C.F.R. § 4.9. Your appeal may also be sent by electronic mail to FOIAAppeals@doc.gov or by facsimile to (202) 482-2552.

If you have any questions regarding the processing of your request, please contact Denise Marshall at (202) 482-1030.

Sincerely,



Kathy D. Smith  
Chief Counsel

Enclosures

**From:** "Suzanne Sene" <ssene@ntia.doc.gov>  
**To:** "Clyde Ensslin" <CEnsslin@ntia.doc.gov>, <JKneuer.NTIAHQ.NTIA@ntia.doc.gov>, <MAttwell.NTIAHQ.NTIA@ntia.doc.gov>, "Ranjit deSilva" <RDesilva@ntia.doc.gov>  
**Date:** 8/24/2005 1:54 PM  
**Subject:** Special Meeting of the Board

fyi, the preliminary report/minutes of the August 16 board meeting were just posted:

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Special Meeting of the Board  
Preliminary Report

16 August 2005

[Special note from ICANN Secretary: A transcription of the board votes was taken and will be posted when the Board Minutes for this meeting are posted.]

The meeting was called to order by Vinton Cerf at 2:08 PM, Pacific Daylight Time.

Approval of Minutes for the 28 July 2005 Special Meeting of the Board

Resolved [05.\_\_\_\_], the minutes of the meeting of the Board on 28 July 2005, are hereby approved and adopted by the Board.

The board approved the resolution by a voice vote of 13-0, with one abstention from Alejandro Pisanty. Mr. Pisanty abstained because he was not present for the subject meeting. Michael Palage was not present for the vote.

Development of Global Policy Proposal on IPv6

Whereas, ICANN has been advised that a Global Policy Proposal on IPv6 is in development in the addressing community.

Whereas, the Board's Review Procedures for Global Internet Number Resource Policies <<http://www.icann.org/general/review-procedures-pgp.html>> provide that the Board is responsible for directing the President to monitor and report to the Board on such global addressing policies as such policies are under development.

Resolved (05.\_\_\_\_), the ICANN President is directed to assign staff for the purpose of reporting on development of the Global Policy Proposal on IPv6 in accordance with Article 1 of the Board's Review Procedures for Global Internet Number Resource Policies, and instructs the ICANN President to assign staff for the purposes of informing ICANN's Supporting Organizations and Advisory Committees; establishing an ICANN web page to be kept up-to-date, and compiling a background report to be kept up-to-date on the global policy development. This status will be recorded in the monthly report to the ICANN Board by the ICANN President.

The board approved the resolution by a unanimous vote of the Board Members present, 14-0. Michael Palage was not present for the vote.

Other Matters