

To: Esther Dyson, Interim Chairman  
ICANN Initial Board of Directors

From: Eric E. Menge, Assistant Chief Counsel for Telecommunications  
Office of Advocacy, U.S. Small Business Administration

Date: August 25, 1999

Re: ICANN Independent Review

The Office of Advocacy of the United States Small Business commends the Advisory Committee for Independent Review on its thorough work and supports the a vast majority of the principles recommended. However, in response to Principle 21, Advocacy recommends that IRP be given the power to stay a Board action. The IRP's stay then can be overruled by an affirmative vote of a supra-majority (6 members) of the ICANN board. The 30-day time period would be sufficient for the Board to respond to an IRP stay.

Advocacy does have one other question in response to the Final Report. Is there a procedure for removing an IRP member for malfeasance? It may be necessary at some point in the future to have such a procedure in place.

Thanks you for consideration of these issues.