

28 March 2024

RE: Community Consultation on Public Interest Commitments/Registry Voluntary Commitments

Mr. Jeff Osborn
Chair
Root Server System Advisory Committee (RSSAC)

Dear Jeff:

I am writing to follow-up on my [7 December 2023](#) letter, requesting that RSSAC provide written input to the community consultation on Public Interest Commitments and Registry Voluntary Commitments (PICs/RVCs) in relation to the New gTLD Program: Next Round.

The ICANN Board acknowledged that RSSAC decided not to provide input to the proposed implementation framework, as communicated in your correspondence on [14 February 2024](#). However, I am writing to strongly encourage RSSAC to reconsider this request and please provide input to the questions, particularly regarding the consultation topic 2 concerning the ICANN Bylaws.

The purpose of this consultation is twofold:

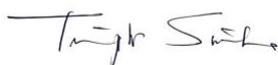
1. To solicit community feedback on a proposed framework for the implementation of these recommended commitments in the New gTLD Program: Next Round.
2. To ensure the Board understands whether the broader ICANN community supports ICANN's enforcement of contractual terms that could be argued to regulate content in gTLDs and, if so, whether the community also supports an amendment to the ICANN Bylaws to clarify ICANN's ability to do so.

Cross-community input is critical for the Board to understand the full community's views on this important issue. The Generic Names Supporting Organization (GNSO) has recommended that ICANN proceed with implementing these commitments, which relate to the ICANN Bylaws, in the next round. As the ICANN Bylaws govern us all, it is critical that the Board understands all community views on this issue. Sharing your position on this more general question would also help inform the Board's understanding. I appreciate that RSSAC might not have a specific position on the use of PICs/RVCs within gTLD contracts. However, all parts of the ICANN community are likely to have a position on where ICANN's role regarding content starts and stops under the Bylaws, and whether the proposal is aligned with or outside of ICANN's role as defined in the Bylaws.

At ICANN79, there was a [plenary session](#) on this topic, which you may find helpful in forming your thoughts on this matter.

The original requested deadline for written input is 31 March 2024. However, the Board is willing to extend the deadline to 12 April 2024 to receive written input from RSSAC in the event that you reconsider this request. Thank you for your contribution on this important topic. The Board looks forward to hearing from you.

Sincerely,



Tripti Sinha, Chair
ICANN Board of Directors