

**United States Department of State***Washington, D.C. 20520*SEP 2<sup>nd</sup> 2005

Ms. Karen N. Mulberry  
Chairman  
Country Code 1 ENUM LLC  
c/o McKenna Long and Aldridge LLP  
1875 Lawrence St., Suite 200  
Denver, CO 80202

Dear Chairman Mulberry:

I received the ENUM trial delegation informational package you sent noting that the ENUM Country Code 1 LLC is pushing forward in an industry-led effort to implement ENUM in the United States and Country Code 1. I wish to congratulate the LLC on the progress it has made thus far. The United States Government has continued to be supportive of the work on ENUM, both internationally and domestically, recognizing that ENUM, through a globally coordinated domain, may provide efficiencies and opportunities for global interconnectivity and the potential to facilitate convergence of communications networks that could benefit both industry and users.

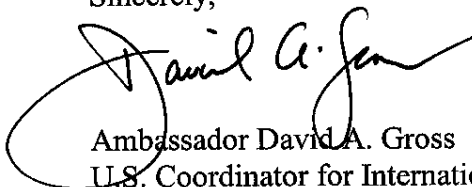
Because of the potential benefits associated with ENUM, the National Telecommunications and Information Administration (NTIA) noted in its 2003 letter that the United States should "seize this opportunity and take steps to participate in e164.arpa, consistent with the highest standards of security, competition, and privacy." NTIA further outlined eight principles that continue to form the policy basis for U.S. ENUM implementation (see attached letter).

It was based upon these principles that your informational package was reviewed by the Department of State, the Federal Communications Commission (FCC), the NTIA, and the Federal Trade Commission (FTC) and that the attached terms and conditions were developed. These terms and conditions are designed to ensure the appropriate use of numbering resources, the continued stability and security of the Internet and telecommunications networks, and the protection of U. S. consumers' interests during the trial. Thus, in order for the U.S. Government to approve the delegation for the U.S. ENUM trial, each of these terms and conditions must be met. When formally requesting delegation for purposes of this trial, please provide written assurances that each of these requirements are or will be met.

I encourage you to proceed with requesting the administrations of the various Country Code 1 countries to request the International Telecommunication Union (ITU) to temporarily delegate

the ENUM domain for Country Code 1 to the "Country Code 1 ENUM LLC" for the purpose of conducting an ENUM trial. I look forward to our continued cooperation on this important effort.

Sincerely,



Ambassador David A. Gross  
U.S. Coordinator for International Communications  
and Information Policy

cc: Chairman Kevin J. Martin, Federal Communications Commission  
Assistant Secretary Michael D. Gallagher, NTIA, Department of Commerce  
Chairman Deborah Platt Majoras, Federal Trade Commission

Attachments: Letter from NTIA Assistant Secretary Victory  
Terms and Conditions for a U.S. Trial of ENUM

## Terms and Conditions for a U.S. Trial of ENUM

1. When requesting the delegation for purposes of a U.S. ENUM trial, the ENUM LLC shall provide a trial plan framework that details the concepts and technologies that will be tested during the trial period. (It is recommended that this trial plan framework should accompany the delegation request to each country).
2. Prior to the commencement of the trial, the ENUM LLC must submit a detailed trial plan to the U.S. Government. The ENUM LLC may modify the trial plan, but must notify the U.S. Government of the modifications before it implements them. The trial plan and any modifications thereto are subject to modification or rejection by the U.S. Government.
3. Prior to the commencement of the trial, the ENUM LLC must provide a copy of the administrative procedures for the delegation of the trial telephone numbers.
4. Prior to the commencement of the trial, the ENUM LLC must apply to the Federal Communications Commission (FCC) for approval of an assignment of numbers from geographic Numbering Plan Area's (NPA's) in the U.S., for use in the U.S. ENUM trial. These numbers may be distributed appropriately to U.S. trial participants, but not to end users or consumers not affiliated with the trial participants. For example, trial participants may allow their employees to use the numbers on a temporary basis only. Use of any other U.S. numbers in this trial is prohibited.
5. The ENUM LLC is only permitted to apply for or use geographic numbers which have been approved by the FCC for the U.S. ENUM trial. Use of non-geographic numbers in this trial is prohibited.
6. The ENUM LLC will not permit the testing of carrier or infrastructure ENUM in e164.arpa during the trial period.
7. The ENUM LLC will provide, at a minimum, a monthly progress report. These monthly reports must include a list of trial participants and numbers distributed to them, any proposed changes to the trial plan (see number 2 above) prior to implementation, and test failures and successes. The report should also identify any adverse impact the trial may cause to the networks or the Internet, and identify actions taken to preserve the security and stability of the Internet and telecommunications systems. It is also recommended that these reports also note tests, if any, concerning the privacy and security of end user and consumer data and information, such as authentication, authorization and other methodologies or technologies. Periodic in-person updates are also encouraged. (It is recommended that this report be sent to each of the Country Code 1 countries.)
8. The ENUM LLC will provide a report within sixty days following the conclusion of the trial summarizing its findings and conclusions.
9. The ENUM LLC will promptly provide, upon request, information regarding all numbers contained in the Tier 1A database.

10. The trial delegation for Country Code 1 shall terminate no later than 365 days after the delegation has occurred at RIPE NCC.
11. The ENUM LLC will provide all U.S. trial participants with a copy of these terms and conditions and require that each agree to abide by these terms and conditions during the trial period.
12. The U. S. Government may terminate its support of the trial delegation at any time for failure on the part of any trial participant to comply fully with any of these terms and conditions.



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

The Honorable David A. Gross  
U.S. Coordinator for International Communications  
and Information Policy  
Department of State  
2201 C Street, N.W.  
Washington, DC 20520

Dear Ambassador Gross:

The convergence of telecommunications and computing technologies is once again presenting the United States with an important decision that will impact how our nation will maintain its world leadership in technology policy. We currently have the opportunity to participate or "opt in" to the new global domain set aside for electronic numbering (ENUM), e164.arpa. Because of the potential benefits of ENUM, the Department of Commerce through the National Telecommunications and Information Administration (NTIA) believes that the United States should seize this opportunity and take steps to participate in e164.arpa, consistent with the highest standards of security, competition, and privacy.

As a mapping protocol that links the Internet and telephony platforms through a single identifier, ENUM has the potential to facilitate convergence of communications networks by linking e-mail addresses, telephone numbers, fax numbers, and cell phone numbers for individuals or businesses. To date, thirteen International Telecommunication Union (ITU) member nations, including the United Kingdom, have opted into e164.arpa and are beginning to establish trials to provide ENUM services. The United States has been supportive of ITU work in this area, recognizing that using ENUM through a globally coordinated domain may provide efficiencies and opportunities for global interconnectivity that could benefit both industry and users. As you recall, during the September 2001 Study Group 2 meeting, the United States expressed our support for the ITU's work regarding RFC 2916, the proposed standard for ENUM, which designates e164.arpa as the top-level domain of the ENUM tree.

While NTIA recommends that the State Department continue to support work at the ITU to reach conclusion on the ENUM Recommendations and Supplement, the time has come for the United States to be more active on this issue. Specifically, the United States should move quickly to address certain key preliminary issues regarding U.S. implementation of ENUM and, if resolved satisfactorily, then formally opt in to e164.arpa.

On the domestic side, we must ensure that ENUM can be implemented in a pro-consumer, secure, and competitive manner. In August 2002, NTIA held a forum on ENUM at which industry and non-profit entities discussed the various benefits and challenges of this new technology. There was strong consensus among the forum participants in favor of the United States opting in to e164.arpa, but only if ENUM can be implemented in a way that ensures competition, interoperability, security, and privacy.

Keeping this view in mind, we have developed principles to guide domestic implementation of ENUM. The following principles have strong roots in proven telecommunications and technology policies and are intended to maximize opportunities for industry, while protecting the security and privacy of consumers in the United States:

- **Preserve national sovereignty:** Any participation by the United States in a coordinated, global approach must preserve the United States' national sovereignty. That is, the United States and every other participating nation should have the right to determine whether and in what manner ENUM or any alternative is implemented domestically.
- **Support competition:** Domestic implementation of ENUM must also allow for competition among providers and operators on as many levels as feasible.
- **Promote innovation:** Adoption of ENUM or ENUM alternatives must encourage innovation and promote advanced voice and data services through new products, services, and vendors.
- **Protect users' security and privacy:** Domestic implementation of ENUM must be done in a manner that maximizes the privacy and security of user data entered in the ENUM DNS domain. For example, ENUM providers should develop systems to ensure the authentication and authorization of users who enter and update their personal information.
- **Minimize regulation:** Governance of ENUM on the international and national level must be accomplished through the least regulatory means possible. For example, a coordinated, global approach to ENUM should not give rise to a new regulatory apparatus to govern international and domestic implementation.
- **Preserve opportunity for alternative deployments:** The implementation of ENUM within the United States must not preclude alternative deployments of ENUM or other solutions that may provide competitive alternatives to ENUM.
- **Allow for interoperability:** In order to support competition and the emergence of alternative technologies and networks, the implementation of ENUM within the United States should accommodate alternative deployments' interconnection with the ENUM tree.
- **Preserve stability and security:** Any implementation of ENUM must not diminish the stability and security of the Internet or telecommunications systems.

Before opting in to e164.arpa, we must ensure that ENUM can be implemented domestically in a manner consistent with the above principles. These factors also should play a role in the selection of Tier 1 operator(s). NTIA is committed to working with the Department of State and the relevant agencies, such as the Federal Communications Commission (FCC), to ensure that ENUM can be implemented in this manner.

Internationally, the ITU procedures to opt in require that each Member State enter its specific country code (or portion of a country code) into the ENUM tree. The United States will need to determine how best to coordinate this process with the nineteen nations in Country Code 1. Once these implementation issues are resolved, the Department of State would make any necessary notifications regarding the United States' decision to opt in. Industry can then establish trials and begin to provide ENUM services to U.S. businesses and consumers.

NTIA is committed to working diligently to resolve these implementation issues with the FCC and the Department of State. These three agencies are beginning a series of meetings to establish processes to determine how to resolve both the domestic and international questions. I look forward to working with you and Chairman Powell to ensure a successful multilateral and domestic review of ENUM so that we can soon begin to reap the benefits of ENUM within the United States.

Sincerely,

Nancy J. Victory

cc: Chairman Michael K. Powell

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