

Response to Documentary Information Disclosure Policy Request

To: Padmini Baruah

Date: 30 December 2015

Re: Request No. 20151130-1

Thank you for your Request for Information dated 30 November 2015 (Request), which was submitted through the Internet Corporation for Assigned Names and Numbers' (ICANN) Documentary Information Disclosure Policy (DIDP) on behalf of The Centre for Internet & Society (CIS). For reference, a copy of your Request is attached to the email forwarding this Response.

Items Requested

Your Request seeks the disclosure of the following documents relating to the National Telecommunications and Information Administration (NTIA) extension of the IANA Functions Contract, announced on 17 August 2015:

all transition documents submitted by ICANN, from March 14, 2014 through August 17, 2015, relating to the IANA transition including those that were requested in May 2015 according to NTIA's blog dated August 17, 2015.

Response

On 14 March 2014, NTIA announced its intent to transition its stewardship of the Internet Assigned Numbers Authority (IANA) functions to the global multistakeholder community. (*See* NTIA Announcement, *available at* <http://www.ntia.doc.gov/press-release/2014/ntia-announces-intent-transition-key-internet-domain-name-functions>.) In the announcement, NTIA asked ICANN to convene an inclusive, global discussion to determine a process for transitioning the stewardship of these functions to the multistakeholder community. (*See id.*) NTIA specifically stated that the transition proposal must have broad community support and address the following four principles:

- Support and enhance the multistakeholder model;
- Maintain the security, stability, and resiliency of the Internet DNS;
- Meet the needs and expectations of the global customers and partners of the IANA services; and,
- Maintain the openness of the Internet.

(*Id.*) Shortly after the NTIA Announcement of 14 March 2014, at the ICANN 49 Meeting in Singapore, ICANN [launched](#) a multistakeholder process and discussion to

gather community views and input on the principles and mechanisms for transitioning NTIA's stewardship of the IANA functions. (See <https://singapore49.icann.org/en/schedule/mon-iana-accountability>.)

Reflecting the open and global nature of the Internet, the IANA Stewardship Transition process represents all Internet stakeholders. The organizational structure of the process calls for direct input from those communities that have working relationships with the IANA functions – Domain Names, Numbering Resources and Protocol Parameters – with additional opportunities for public feedback at each level of proposal development.

- **The IANA Stewardship Transition Coordination Group (ICG):** The ICG has 30 members representing 13 Internet communities, including those direct stakeholders (e.g., operational communities with direct operation or service relationships with the IANA functions) and indirect stakeholders, such as civil society, governments and Internet users.
- **Domain Names - Cross Community Working Group (CWG-Stewardship):** A Cross Community Working Group was formed to develop an IANA Stewardship Transition Proposal on Naming Related Functions. The group was chartered by, and represents five communities.
- **Numbering Resources - Consolidated RIR IANA Stewardship Proposal Team (CRISP TEAM):** The CRISP Team was formed by the Number Resource Organization (NRO) – a coordinating body for the five Regional Internet Registries (RIRs) that manage the distribution of Internet number resources, including IP addresses.
- **Protocol Parameters - IANAPLAN Working Group (IANAPLAN WG):** The Internet Engineering Task Force (IETF) formed the IANAPLAN Working Group.

Additionally, in response to a public session at ICANN 49 in Singapore and the community's call for broader accountability mechanisms, a Cross-Community Working Group (CCWG-Accountability) was formed to facilitate the process of developing enhancements to ICANN Accountability. The CCWG-Accountability, chartered by and comprised of both Supporting Organizations and Advisory Committees, also provides meaningful opportunities for participation and comment from outside voices that may not participate in the daily workings of the group.

In May 2015, in anticipation of the upcoming 30 September 2015 expiration of the base period of the current IANA functions contract, NTIA asked the multistakeholder community for input regarding how much more time was needed to complete the proposal, have the plan reviewed by NTIA and then implemented if it is approved. According to the announcement from NTIA on 17 August 2015 (17 August 2015 NTIA IANA Transition Update), “[a]fter factoring in time for public comment, U.S. Government evaluation and implementation of the proposals, the community estimated it could take until at least September 2016 to complete this process.” (See 17 August 2015 NTIA IANA Transition Update, available at <https://www.ntia.doc.gov/blog/2015/update-iana-transition>.) Also in the announcement, NTIA announced its plan for a one-year

extension of the IANA Functions Contract to allow for the evaluation and implementation work to proceed:

In response to their feedback, we informed Congress on Friday that we plan to extend our IANA contract with ICANN for one year to September 30, 2016. Beyond 2016, we have options to extend the contract for up to three additional years if needed.

This one-year extension will provide the community with the time it needs to finish its work. The groups are already far along in planning the IANA transition and are currently taking comments on their IANA transition proposals.

(Id.)

Your Request seeks the disclosure of documents relating to NTIA's extension of the IANA Functions Contract. While the Request itself is broadly worded, we note that the Request focuses on the 17 August 2015 announcement of the plan for a one-year extension of the IANA Functions Contract as the subject line of the Request states "[d]ocuments submitted to the NTIA relating to the postponement of the IANA Transition," and the first line clarifies that you are requesting "information on the postponement of the IANA Transition." Accordingly, ICANN interprets that the Request is limited to seeking documents submitted by ICANN to NTIA, relating to NTIA's decision to extend the IANA Functions Contract.

ICANN also notes that the term "submitted" is a very broad term, which when undefined (as here) lends itself to multiple meanings. In responding to this Request, ICANN understands the term "submitted" to mean "to formally submit to a person or body for consideration".

As noted in the 17 August 2015 NTIA IANA Transition Update, NTIA asked the multistakeholder community developing the transition documents for input as to the length of time that would take to finish and implement their proposals. As ICANN understands it, the multistakeholder community (through the ICG, CWG-Stewardship, CRISP Team, IANAPLAN WG and the CCWG-Accountability) directly submitted responses to NTIA on this topic.

In its request for information from the multistakeholder community, NTIA did not specifically ask ICANN itself for its input on the length of time needed to finish and implement the community proposals. Nor did ICANN submit a response to NTIA on this topic. As such, ICANN does not have any documents responsive to the DIDP Request.

About DIDP

ICANN's DIDP is limited to requests for documentary information already in existence within ICANN that is not publicly available. In addition, the DIDP sets forth Defined Conditions of Nondisclosure. To review a copy of the DIDP, please see <http://www.icann.org/en/about/transparency/didp>. ICANN makes every effort to be as

responsive as possible to the entirety of your Request. As part of its accountability and transparency commitments, ICANN continually strives to provide as much information to the community as is reasonable. We encourage you to sign up for an account at MyICANN.org, through which you can receive daily updates regarding postings to the portions of ICANN's website that are of interest because, as we continue to enhance our reporting mechanisms, reports will be posted for public access.

We hope this information is helpful. If you have any further inquiries, please forward them to didp@icann.org.