

March 31, 2011

Fiona M. Alexander  
Associate Administrator  
Office of International Affairs  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue, N.W.  
Room 4701  
Washington, DC 20230  
IANAFunctions@ntia.doc.gov

RE: Request for Comments on the Internet Assigned Numbers Authority Functions

Thank you for the opportunity to comment on potential enhancements to the IANA function. As the Internet evolves and matures, so should its governance and oversight.

The IANA function is currently performed by ICANN, with administrative oversight by the NTIA, a U.S. Government body, under an eleven-year-old contract. The global adoption and vast expansion of the Internet must be considered when planning for the allocation of responsibilities at IANA, which should be consistent with the private-sector-led, multi-stakeholder, bottom-up policy development model enshrined in the Affirmation of Commitments recently signed between ICANN and the U.S. Department of Commerce. The truly global nature of the Internet requires that IANA have inputs not only from stakeholders in different sectors of society, but also from different countries – a U.S.-only oversight is no longer indicated.

As the organization that best embodies the international, multi-stakeholder model, and which has deep experience with IANA, we urge the Department of Commerce to finalize the hand-over of the IANA functions to ICANN. For the global public to believe in the security and stability of the Internet, the IANA contract must be modified to a long-term, cooperative agreement that requires transparency for every process.

Trust in ICANN, the organization that was created to fulfill the US Government's mandate for a multi-stakeholder, bottom-up, consensus-based policy development body, has been undermined by the threat of the NTIA not renewing the IANA contract, or ignoring ICANN-requested changes to the root. All parties involved in Internet policy creation and implementation have been aware of the U.S. Government's ultimate power to override what painstakingly constructed community consensus has created through the ICANN process.

Private-sector groups, NGOs, and other governments are wary of investing resources and energy into working toward a community consensus when they know that a last minute “veto” by the U.S. government is possible. The ICANN Board, which approves community policy recommendations, is hobbled by the threat of non-renewal of the IANA contract if they approve a global policy that in all its particulars may not be fully consonant with U.S. government wishes. Changing the IANA contract from a yearly procurement agreement to a long-term cooperative agreement relieves the uncertainty around ICANN’s authority and will encourage all the different interests that provide input into Internet policy to work through their differences within the ICANN model, rather than seek alternate, competing venues. Just as the Internet works best with one interoperable root, Internet policy will work best when there is one place where all parties can gather. We see ICANN as the only credible candidate for this role, and therefore urge that ICANN be given responsibility for the IANA function.

The new cooperative agreement should not be intricate or complex. It should be a loosely termed overview of the required IANA functions, which will allow for flexibility in accommodating the changes that come as rapid technological development continues to evolve the Internet.

The interdependent technical functions performed under the IANA should continue to be treated as interdependent. The current structure allows for economies of scale and cross-utilization of expertise. Decoupling the functions will cause unnecessary duplication of efforts and an increase in tension and error. ICANN’s interactive role with the IETF, RIRs, ISOC, and other policy making bodies with which it regularly collaborates, should be acknowledged and encouraged but not strictly defined in the agreement. These organizations each contribute to the smooth operation of the Internet. Maintaining the current cooperative, decentralized, policy making community that depends on each party’s recognition of interdependence will allow for accountability, flexibility and rapid response to the explosive growth and evolution of the Internet.

We appreciate the chance to comment on this important decision.

Sincerely,

Antony Van Couvering  
Chief Executive Officer