

REPORT ON THE TRANSITION OF THE STEWARDSHIP OF THE INTERNET ASSIGNED NUMBERS AUTHORITY (IANA) FUNCTIONS

Fourth Quarterly Report

The Consolidated and Further Continuing Appropriations Act, 2015, Public Law 113-235, directs the National Telecommunications and Information Administration (NTIA) to report on all aspects of the proposed transition of the U.S. government's stewardship role over the Internet Assigned Numbers Authority (IANA) functions. NTIA's previous reports and detailed background can be found at NTIA's web site.¹ This third report covers activities from July 1, 2015 to September 30, 2015. As required by Public Law 113-235, NTIA will update this report on a quarterly basis.

I. Status Updates of Multistakeholder Process to Develop Transition Proposal

A. IANA Stewardship Transition

The multistakeholder community continues its efforts to develop a plan for the transition of NTIA's stewardship of the IANA functions. As noted in our initial report, the work is divided into three parts: (1) protocol parameters; (2) Internet numbering resources ("numbering"); and (3) naming-related functions.² The IANA Stewardship Transition Coordination Group (ICG), established to compile and ultimately submit a consolidated transition plan to NTIA, received the protocol parameters and Internet numbering related proposals in January 2015. The Cross Community Working Group (CWG) on naming-related functions released its third draft proposal in June 2015. The proposal was approved by the CWG chartering organizations (ccNSO, gNSO, SSAC, and GAC) during ICANN's June meeting in Buenos Aires.

The ICG has since drafted a consolidated proposal incorporating input from the three primary functions working groups and conducted a public consultation on the draft, which concluded on September 8. Approximately 150 comments were submitted on the draft consolidated proposal, reflecting a wide cross section of the broad, global, multistakeholder community. The ICG met face to face in Los Angeles on September 18 and 19 to review and discuss the comments received, and posed questions and/or requests for clarifications from the operational communities. The ICG requested responses from the community by mid-October to allow the ICG time to prepare for the ICANN 54 meeting in Dublin scheduled for October 18-22.

¹ These reports and other NTIA publications on this topic can be found at: <http://www.ntia.doc.gov/category/iana-functions>.

² NTIA, "Report on the Transition of the Stewardship of the Internet Assigned Numbers Authority (IANA) Functions" (Jan. 30, 2015), available at: http://www.ntia.doc.gov/files/ntia/publications/iana_report_013015.pdf.

B. Enhancing ICANN Accountability

In addition to the IANA Stewardship Transition efforts, work continues on a parallel process to enhance ICANN's accountability to the global Internet community and to strengthen accountability mechanisms prior to the IANA transition.³ The Cross Community Working Group on Accountability (CCWG), which is composed of appointed representatives from ICANN's Supporting Organizations (SOs) and Advisory Committees (ACs) as well as other interested parties, is examining accountability mechanisms regarding the entirety of ICANN's operations.⁴ The CCWG charter establishes two work streams. The first work stream identifies accountability measures that need to be in place before the IANA transition occurs, and the second addresses accountability measures that should be adopted and implemented by ICANN in the longer term.

The CCWG met in Paris on July 17-18 and published a proposal for public comment on August 3, 2015. More than 90 parties submitted comments by the September 12 deadline. A subsequent meeting was held on September 25-26 to review all of the comments received. The CCWG also held two briefing sessions with the ICANN Board, on August 31 and September 2. The CCWG is scheduled to meet again at the October ICANN meeting in Dublin.

C. NTIA Engagement

On September 23, NTIA posted a blog reflecting on the substantial consensus support for goals and principles the two working groups have established and highlighting next steps with regard to the process.⁵ NTIA noted that there is consensus on many of the specific elements of the plans that were presented for comment to the global Internet multistakeholder community; however, the comments also revealed that stakeholders have not reached consensus on all the specific tools that have been proposed to enhance the accountability of ICANN. There are many questions still to be answered, both about the substance of the overall plan as well as its implementation, before the community will be ready to submit a final proposal that ensures NTIA's criteria are met and institutionalized over the long term.⁶

In the blog, Assistant Secretary Strickling urged stakeholders to focus on bridging their differences; clearly documenting proposed tools, practices, and procedures; analyzing risks and consequences; conducting a gap analysis; and ensuring the proposal meets the NTIA criteria. These

³ See Enhancing ICANN Accountability, "Opportunity for public dialogue and community feedback" (May 6, 2014), available at: <https://www.icann.org/resources/pages/enhancing-accountability-2014-05-06-en>; see also, Enhancing ICANN Accountability: Process and Next Steps (Revised Oct. 10, 2014), available at: <https://www.icann.org/resources/pages/process-next-steps-2014-10-10-en>.

⁴ See ICANN Announcements, "Proposed Charter for Enhancing ICANN Accountability Cross Community Working Group (CCWG) Submitted for Consideration" (Nov. 5, 2014), available at: <https://www.icann.org/news/announcement-2014-11-05-en>.

⁵ Reflections on the IANA Stewardship Transition Process, Assistant Secretary for Communications and Information and NTIA Administrator, Lawrence E. Strickling (Sept. 23, 2015), available at: <http://www.ntia.doc.gov/blogs>.

⁶ "NTIA Announces Intent to Transition Key Internet Domain Name Functions" (Mar. 14, 2014), available at: <http://www.ntia.doc.gov/press-release/2014/ntia-announces-intent-transition-key-internet-domain-name-functions>.

two multistakeholder processes – the IANA stewardship transition and enhancing ICANN accountability – are directly linked, and NTIA has repeatedly said that both sets of issues must be addressed before any transition takes place. ICANN has indicated that it expects to receive both the ICG and CCWG proposals at roughly the same time and that it will forward them promptly and without modification to NTIA.⁷

On September 18, the U.S. Government Accountability Office (GAO) released report entitled, *Internet Management: Structured Evaluation Could Help Assess Proposed Transition of Key Domain Name and Other Technical Functions*. In its report, the GAO recommended that NTIA review relevant frameworks, such as the Committee of Sponsoring Organizations of the Treadway Commission framework and the International Organization for Standardization quality management principles, and use the relevant portion of the frameworks to help evaluate and document whether and how the transition proposal meets NTIA’s core goals.⁸ NTIA has concurred with this recommendation.

D. Transition Timing

In May 2015, it became clear that the community needed more time beyond the September 30, 2015 contract end date to complete its transition plans. Given the status of the various work streams, the input received from the community on the time needed to develop the proposal, the time necessary for the U.S. Government to evaluate the plan, and the effort needed for the community to implement the proposal, the community recognized that NTIA would need to extend the IANA contract. In May 2015, NTIA sent a letter to the chairs of the transition and accountability working groups requesting input on the status of the transition planning and associated timeframes, including the community’s views as to how long it would take to finalize the transition plan and implement it if it were to be approved.⁹ The response to that inquiry indicated that more time was required. Thus, NTIA executed a one-year contract extension of the IANA functions contract, which now expires on September 30, 2016.¹⁰

II. Next Steps

In the next quarter, NTIA will continue to monitor the work of the stakeholder community to complete a proposal that fully meets the criteria NTIA established. Specifically, we have said

⁷ ICANN, “ICANN 52 Board Statement on ICANN Sending IANA Stewardship Transition and Enhancing ICANN Accountability Proposals to NTIA” (Feb. 12, 2015), available at: <https://www.icann.org/news/announcement-3-2015-02-12-en>.

⁸ U.S. Government Accountability Office, *Internet Management: Structured Evaluation Could Help Assess Proposed Transition of Key Domain Name and Other Technical Functions* (Sept. 18, 2015), available at: <http://www.gao.gov/products/GAO-15-642>.

⁹ Report on the Transition of the Stewardship of the Internet Assigned Numbers Authority (IANA) Functions, Third Quarterly Report, June 2015.

¹⁰ Amendment Modification No. 0004 to the IANA Function Contract, available at: <http://www.ntia.doc.gov/page/iana-functions-purchase-order>.

that the proposal must support and enhance the multistakeholder model of Internet governance, *i.e.*, it should be developed by the multistakeholder community and have broad community support. We will not accept a transition proposal that replaces the NTIA role with a government-led or intergovernmental organization solution. The proposal must maintain the security, stability, and resiliency of the domain name system; it must meet the needs and expectations of the global customers and partners of the IANA services; and it must maintain the openness of the Internet. Upon receipt, NTIA will work within the interagency process to provide a thorough review of the proposal across government agencies. NTIA is also organizing internally to undertake a rigorous review of the community proposal.

III. Conclusion

The Internet community is undertaking truly historic work. NTIA believes that engaging the global Internet community to work out these important issues will strengthen the multistakeholder process and will result in ICANN becoming even more directly accountable to the customers of the IANA functions and to the broader Internet community.

NTIA is cognizant of the directive from Congress to inform the relevant Committees in advance of any decision related to the transition. As the proposal continues to take shape, we will update Congress on any progress through these reports. NTIA appreciates the interest of Congress in this important topic and thanks Congress for its continued support for the multistakeholder model of Internet governance.

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