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Before the House Committee on Energy and Commerce,
Subcommittee on Communications and Technology
"Privatizing the Internet Assigned Number Authority"
March 17, 2016

Summary

As chair of the IANA Stewardship Transition Coordination Group (ICG), I thank you for the opportunity to testify. When the ICG was first formed we established a single goal: to deliver an IANA stewardship transition proposal to NTIA. After two years of intensive work involving hundreds of individuals and numerous entities from all over the world, we have achieved that goal. The IANA Stewardship Transition Proposal was developed in the image of the Internet itself – through bottom-up, consensus-based multistakeholder processes where anyone can participate and everyone has a say. The ultimate result is global consensus in support of a plan that is good for the Internet.

The transition proposal upholds a vision for the Internet that all of the communities represented on the ICG share, and that I believe this Congress shares as well. The proposal supports the multistakeholder model of Internet governance; maintains the security, stability, and resiliency of the Domain Name System; meets the needs of the customers and partners of IANA; maintains the openness of the Internet; and does not replace NTIA's role with a government or inter-governmental organization. In other words, it meets the criteria for the transition that NTIA established in 2014.

The key strength of the transition proposal is that it provides continuity with how the Internet has been operated for decades. The processes and structures developed and used to keep the Internet running smoothly over the past 30 years have proven their robustness, even as the Internet has grown and evolved. Approving and implementing the transition proposal will ensure that they will continue to work well going forward.

I. Introduction

Chairman Walden and members of the subcommittee:

As chair of the IANA Stewardship Transition Coordination Group (ICG), I thank you for the opportunity to testify. The ICG was formed in July 2014 to coordinate the development of a proposal to transition the stewardship of the IANA functions to the global Internet community. The group is comprised of 30 members and two liaisons representing all stakeholders affected by the transition – businesses, governments, civil society, users, and the technical community. I am an engineer by training, and I was named to the ICG as a technical community representative on behalf of the Internet Engineering Task Force (IETF). I currently serve on the IETF's 15-member Internet Engineering Steering Group, responsible for shepherding the standardization of Internet engineering efforts at the IETF. In that capacity, I interact with IANA staff on nearly a daily basis.

When the ICG was first formed we established a single goal: to deliver a transition proposal to NTIA. After two years of intensive work involving hundreds of individuals and numerous entities from all over the world, we have achieved that goal. The IANA Stewardship Transition Proposal is the result of thousands of hours of work, hundreds of calls and meetings, and tens of thousands of email exchanges. It was developed in the image of the Internet itself – through bottom-up, consensus-based multistakeholder processes where anyone can participate and everyone has a say. The ultimate result is global consensus in support of a plan that is good for the future of the Internet.

The transition proposal upholds a vision for the Internet that all of the communities represented on the ICG share, and that I believe this Congress shares as well. The proposal supports the multistakeholder model of Internet governance; maintains the security, stability, and resiliency of the Domain Name System; meets the needs of the customers and partners of IANA; maintains the openness of the Internet;

and does not replace NTIA's role with a government or inter-governmental organization. In other words, it meets the criteria for the transition that NTIA established at the outset of the process.

The key strength of the transition proposal is that it provides continuity with how the Internet has been operated for decades. It keeps the role of the IANA team intact and carrying out the same duties as it has today. The processes and structures developed and used to keep the Internet running smoothly over the past 30 years have proven their robustness, even as the Internet has grown and evolved. Approving and implementing the transition proposal will ensure that they will continue to work well going forward.

The Internet is a global resource that functions because a diverse set of organizations and individuals choose to cooperate to allow their networks to interconnect and interoperate with one another. Completing the IANA stewardship transition is an important step in aligning the oversight over IANA's operations with this collaborative approach to operating the Internet today, rather than relying on authority derived from a single government's contract.

This testimony provides a brief background about what IANA is and does (Section II), provides a summary of the IANA Stewardship Transition Proposal (Section III), explains how the proposal meets the criteria set out by NTIA (Section IV), and provides some concluding remarks (Section V).

II. Overview of the Internet Assigned Numbers Authority (IANA)

The Internet is a global network of networks. It is fundamentally a distributed system, where the operator of each local network chooses, by and large, how to run its network locally. This means that whether networks connect and allow for communications across them is fundamentally a voluntary choice. By choosing to interoperate, disparate networks and the users who connect to them experience the

benefits of the network effects derived from global interoperation and interconnection. Almost all of the technical operation of the Internet is undertaken without any centralized coordination or bookkeeping, performed by tens of thousands of independent operators.

Yet some of those involved in early Internet engineering efforts recognized that a minimal amount of bookkeeping would help the Internet run more smoothly, and that the easiest way to do this would be in a centralized fashion. The Internet Assigned Numbers Authority (IANA) provides that minimal bookkeeping. IANA is a name traditionally used to refer to the team of people who perform a small set of clerical tasks for the Internet. The set of tasks is often referred to as the "IANA functions." The IANA functions are currently performed by a small team of people employed by the Internet Corporation for Assigned Names and Numbers (ICANN). They fall into three largely distinct categories.

The first category is numbers. Data packets make use of Internet Protocol (IP) addresses in order to arrive at their appropriate destinations. To make this routing system work, networks need to be able to identify each other and they need to know which blocks of addresses are associated with each other network. On the Internet, numbers are used as unique identifiers for networks (for example, the network associated with the government of the District of Columbia is 14072). IANA maintains, at a global level, the list of which blocks of these numbers have been assigned as well as lists indicating to whom IP address blocks have been assigned. These kinds of lists are often referred to as "registries." Maintaining these registries is what comprises the numbers-related IANA functions.

The second category is known as "protocol parameters." The Internet works because the computers and devices connected to it use standardized patterns of communication known as "protocols." Many protocols rely on specific configuration settings known as protocol parameters that both parties to a communication need to use in order to communicate. It is convenient to have a single place to look up these

configuration settings. Therefore another set of functions that IANA performs is maintaining and publishing registries containing the protocol parameters.

The third category is names. While computers connected to the Internet can find each other using IP addresses, those addresses are not easy for human users to remember and use. The Domain Name System (DNS) provides a way to map human-readable names (like "energycommerce.house.gov") to IP addresses (like "23.59.123.42"), making the Internet easier to use. This map makes use of a tree structure, which like a real tree starts from a common root out of which are a variety of branches. The "root zone" is the place to start looking in order to find the IP address that corresponds to a particular domain name. It contains the names at the top level of the tree, like ".com," ".gov," and ".us". IANA maintains the root zone file – the registry of top-level domain names that are in the root zone.

Thus the IANA functions consist of maintaining and publishing registries containing numbers, protocol parameters, and names. Critically, IANA does not make decisions about which values belong in which registries. The policies used to decide which values get inserted, changed, removed, and published in each registry are developed outside of IANA, by specific interested communities. IANA simply carries out instructions based on those policies.

Over the course of the Internet's development, each of the three categories of IANA functions has developed a specific community of interest that has a direct operational or service relationship with IANA. These are sometimes referred to as the "customers" of IANA. For numbers, that community is organized around the five Regional Internet Registries (RIRs), which are not-for-profit organizations that manage and distribute numbers within each region of the world. For protocol parameters, the community of interest is organized around the Internet Engineering Task Force (IETF), the world's premier organization for the development of the technical standards that comprise the Internet. For names, the community of interest is organized around

ICANN's supporting organizations and advisory committees, including the Generic Names Supporting Organization (GNSO) and the Country Code Names Supporting Organization (ccNSO) that develop IANA registry policy for top-level domains. These are the entities that develop the policies that dictate which values belong in which registries. Within the context of the IANA stewardship transition, these three communities are known as the "operational communities." Notably, for the names functions ICANN is both the place where registry policy is developed and the administrator of the registries (via the IANA team).

The protocol parameters-related functions constitute the bulk of the registry requests that IANA receives. The IETF makes thousands of requests per year to create or update protocol parameters registries, and IETF participants have frequent interaction with IANA staff. Names-related requests may be numerous but not to the same extent as protocol parameters. There tend to be only a handful of numbers-related requests per year, as the RIRs themselves are already managing large blocks of numbers.

NTIA's role is limited to a procedural check during the process of making changes to the root zone. However, NTIA has no operational role and does not initiate changes to the root zone or the protocol parameters or numbers registries. Thus NTIA's role is largely symbolic. NTIA provides oversight by contracting with ICANN to perform the IANA functions. The ultimate consequence of failing to meet the performance standards or reporting requirements is understood to be a decision by the contracting party (NTIA) to terminate or not renew the contract with the current contractor (ICANN).

Structurally and operationally, the performance of the IANA functions has continued to evolve as the Internet has evolved. The team has grown in size since its inception and performance enhancements have been introduced to respond more quickly and accurately to community requests. IANA has also undertaken significant automation of the process used to update the root zone, streamling the change process.

The IANA stewardship transition represents a further step in the continuing evolution of IANA.

III. IANA Stewardship Transition Proposal

On March 10, 2016, the ICANN Board transmitted to NTIA a package comprised of two proposals: the *Proposal to Transition the Stewardship of the Internet Assigned Numbers Authority (IANA) Functions from the U.S. Commerce Department's National Telecommunications and Information Administration (NTIA) to the Global Multistakeholder Community* (the "IANA Stewardship Transition Proposal") and the *CCWG-Accountability Supplemental Final Proposal on Work Stream 1 Recommendations* (the "CCWG-Accountability Proposal"). The two proposals are interdependent and interrelated and are being jointly considered by NTIA. This testimony is focused on the IANA Stewardship Transition Proposal, as it is that proposal that the ICG shepherded to completion.

A. Process to develop the proposal

On March 14, 2014, the National Telecommunications and Information Administration (NTIA) of the United States Department of Commerce announced its intention to transition the stewardship of the IANA functions to the global Internet community. NTIA asked ICANN to convene global stakeholders to develop a proposal to transition the current role played by NTIA. As a result of community discussions, the IANA Stewardship Transition Coordination Group (ICG) was formed in July 2014 to coordinate the transition planning process. The ICG is composed of 30 individuals from around the globe appointed by and representing 13 communities, and includes both direct customers of IANA as well as indirect stakeholders. The ICG represents the full gamut of global stakeholders with an interest in IANA – businesses, individual users, civil society, governments, and the technical community.

On September 8, 2014, the ICG issued a request for proposals from the three operational communities. The request set out detailed requirements that each community addressed in its response, describing plans for transitioning each community's respective portion of the IANA functions.

In response to the ICG's request, each of the operational communities in turn created its own team to coordinate the development of a plan to submit to the ICG. The ICG received the numbers plan from the Consolidated RIR IANA Stewardship Proposal ("CRISP") Team in January 2015, the protocol parameters plan from the IANAPLAN working group of the IETF in January 2015, and the names plan from the Cross-Community Working Group to Develop an IANA Stewardship Transition Proposal ("CWG-Stewardship") in June 2015.

Hundreds of people from all across the world engaged in these operational community processes. These included people with technical, policy, business, and academic backgrounds, people in the public and private sectors and people working in civil society. They put in thousands of hours of work and joined hundreds of conference calls and meetings to produce the community plans.

Upon receiving the plans, the ICG assessed them individually and collectively in order to determine whether: (1) the community processes were open and inclusive and if consensus was achieved for the plans; (2) the plans were complete and clear; (3) the three plans together were compatible and interoperable, provided appropriate accountability mechanisms, and were workable; and (4) the plans together met the NTIA criteria. The ICG found that all of these criteria were met and proceeded to assemble the three plans into a single combined transition proposal.

On July 31, 2015, the ICG issued a call for public comments on the combined transition proposal. The call for public comments concluded on September 8, 2015 and resulted in 157 comments from a wide variety of stakeholders, including individuals,

operational communities, supporting organizations and advisory committees within the ICANN community, businesses and trade associations, civil society groups, governments, and others from all regions of the world. The ICG reviewed the comments received and sent questions for clarification to the operational communities. The final text of the transition proposal incorporates updates resulting from the public comment analysis and responses received to the ICG's questions.

After making these final updates, the ICG achieved unanimous support among its members for the transition proposal. The ICG completed its work on October 29, 2015 and finalized its proposal, with the exception of one item. The names plan was conditioned on the development of ICANN-level accountability mechanisms being developed in the CCWG-Accountability Proposal. That work was completed in February 2016, at which point the CWG-Stewardship confirmed to the ICG that its requirements had been met.

On March 10, 2016, the ICG sent the final IANA Stewardship Transition Proposal to the ICANN Board and the Board approved the proposal and transmitted it to NTIA, together with the CCWG-Accountability Proposal.

B. Transition proposal overview

Under the IANA Stewardship Transition Proposal, the global multistakeholder Internet community will replace NTIA's stewardship role. The multistakeholder community will provide oversight over the IANA functions using a collection of structures and processes, many of which have existed for years or decades, and some of which are newly proposed. Each operational community has proposed mechanisms to keep IANA accountable, review its performance, and take steps to remediate lapses in performance, including the ability for the relevant community to choose a new IANA functions operator if necessary. While each operational community will maintain its independence of process for considering or enacting a change of IANA functions

operator, all three communities have explicitly committed to coordinate with each other and ICANN to ensure the stability and smooth operation of the IANA functions in the event of such a change in the future.

The transition proposal recommends the formation of a new legal entity, the Post-Transition IANA (PTI), as an affiliate of ICANN ("affiliate" is the term used to describe the equivalent of a subsidiary in the for-profit world). The PTI will become the IANA functions operator, under contract with ICANN. The existing IANA functions, administrative staff, and related resources, processes, data, and know-how will be legally transferred to PTI from where they sit today within ICANN. PTI will perform all of the IANA functions currently covered by the NTIA contract, with the necessary staffing and resources to do so.

For the names functions, the proposal recommends that ICANN (in its role as the policy coordinating body for the names community) contract with PTI for operation of the IANA naming functions. The number and protocol parameter communities will contract with ICANN for the operation of their respective IANA functions and allow ICANN to sub-contract that work to PTI. This arrangement is designed for continuity, given that the RIRs and the IETF already work directly with ICANN.

ICANN currently owns certain intellectual property associated with the provision of the IANA functions, namely, IANA-related trademarks and domain names. The transition proposal includes a requirement that this intellectual property be transferred outside of ICANN to an entity that is not the IANA functions operator. The IETF Trust, which was created in 2005 to hold intellectual property in service of the advancement of the Internet, has been identified by the three operational communities as a suitable repository.

Under the transition proposal, ICANN will remain a not-for-profit public benefit corporation formed under the laws of the State of California, in the United States.

The following sections provide more detail about the specifics of each operational community's plan.

1. Numbers plan

ICANN currently provides the IANA functions related to numbers. The numbers community proposes that ICANN continue to serve as the IANA functions operator for numbers-related functions and perform those services under a to-be-established contract with the five Regional Internet Registries (RIRs). The numbers community proposes a contractual Service Level Agreement between the RIRs and the IANA functions operator and a Review Committee comprising community representatives from each region to advise the RIRs on the IANA functions operator's performance and adherence to agreed service levels.

2. Protocol parameters plan

ICANN currently provides the IANA functions related to protocol parameters. The IETF community expressed satisfaction with its present arrangements with IANA, proposing no new organizations or structures in its transition plan.

Over the past two decades, the IETF, ICANN, and Internet Architecture Board (the IAB, a leadership body of the IETF) have together created a system of agreements, policies, and oversight mechanisms that apply to the protocol parameters-related IANA functions. A memorandum of understanding (MoU) between ICANN and the IETF community has been in place since 2000. The MoU defines the protocol parameters-related work to be carried out by the IANA functions operator for the IETF. Each year ICANN and the IETF negotiate a service level agreement that supplements the MoU.

The IAB appoints the IANA functions operator for protocol parameters (which has been and will continue to be ICANN, with the work sub-contracted to PTI) and supervises the relationship. Another leadership committee, the IETF Administrative

Oversight Committee, works with the IANA functions operator to establish annual performance metrics and operational procedures, including public audits.

Based on the IETF community's satisfaction with the current arrangements, the IETF proposed that the IANA protocol parameters registry updates continue to function day-to-day, as they have been doing for more than a decade. The protocol parameters community proposes to continue to rely on the system of agreements, policies, and oversight mechanisms created by the IETF, ICANN, and the IAB. The IETF asks for three acknowledgements to be made as part of the transition: 1) That the protocol parameters registries are in the public domain; 2) that ICANN carries out the existing obligations established under the NTIA contract related to ensuring a smooth transition to a successor IANA functions operator, should such a transition be necessary in the future, and 3) that ICANN, the IETF, and subsequent IANA functions operator(s) work together to minimize disruption in the use of the protocol parameters registries.

3. Names plan

As explained in Section II, the numbers and protocol parameters communities are comprised of entities distinct from ICANN that define IANA registry policy (the RIRs and the IETF, respectively). This allows those communities to enter into agreements with ICANN to perform the IANA functions and to use those agreements as the basis for holding ICANN accountable. There is at present no such separation within the names community: ICANN is both the IANA functions operator and the body where IANA registry policy is made for names. This was the genesis of the PTI concept, as it allows for contract-based accountability to be applied to the names-related functions, similar to the other functions.

The names community therefore proposes that ICANN enter into a contract with PTI to serve as the IANA functions operator for the names-related IANA functions, including service level agreements for those functions. The proposal includes the

creation of a Customer Standing Committee (CSC) responsible for monitoring the IANA functions operator's performance according to the contractual requirements and service level expectations. The CSC would be a small committee primarily comprised of organizations that operate top-level domains.

The proposal establishes a multistakeholder IANA Function Review (IFR) process to conduct periodic and special reviews of PTI. The IFR will have the ability to recommend a separation process that could result in termination or non-renewal of ICANN's contract with PTI, among other actions.

The names community proposes to discontinue the authorization of root zone changes that is currently performed by NTIA. The names plan will give authority to the ICANN Board to approve any major architectural and operational changes in the management of the root zone. This approval is to be based on the recommendations of a standing committee of stakeholders and technical experts, the Root Zone Evolution Review Committee.

The names proposal relies on ICANN-level accountability mechanisms that are described in the CCWG-Accountability Proposal. These mechanisms are:

1. ICANN Budget and IANA Budget: The ability for the multistakeholder community to approve or veto the ICANN budget after it has been approved by the ICANN Board but before it comes into effect.
2. Community empowerment mechanisms: The empowerment of the multistakeholder community to have the following rights with respect to the ICANN Board:
    a. The ability to appoint and remove members of the ICANN Board and to recall the entire ICANN Board;
    b. The ability to exercise oversight with respect to key ICANN Board decisions (including with respect to the ICANN Board's oversight of the IANA functions) by reviewing and approving (i) ICANN Board decisions

with respect to recommendations resulting from an IFR or Special IFR and (ii) the ICANN budget; and

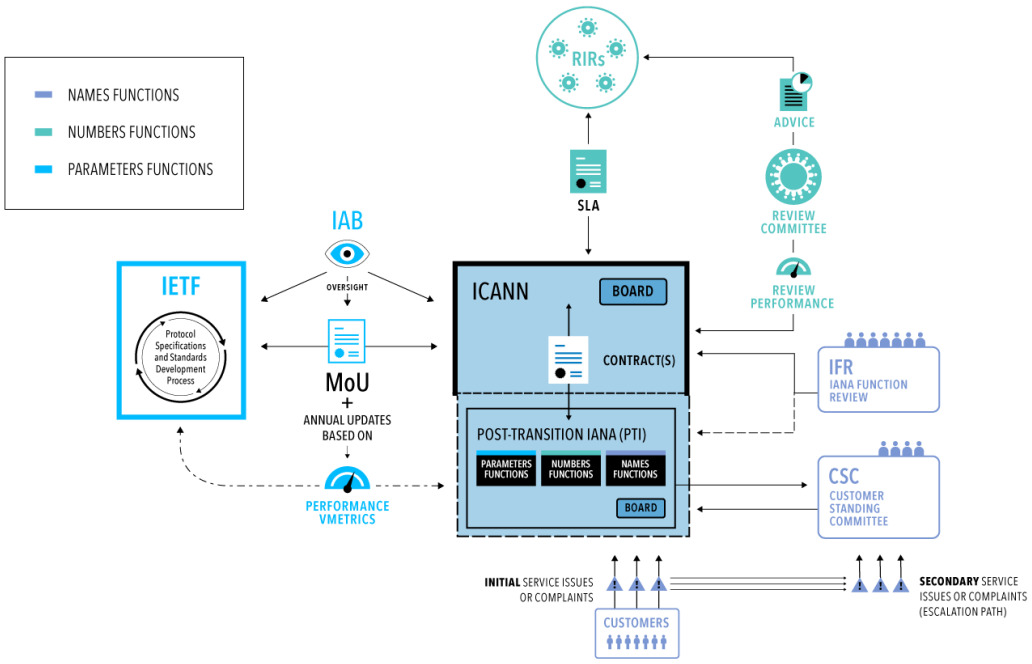
c. The ability to approve amendments to ICANN's "fundamental bylaws," as described below.

3. IANA Functions Review: The creation of an IFR which is empowered to conduct periodic and special reviews of the IANA functions relating to names. IFRs and Special IFRs will be incorporated into the reviews mandated by the Affirmation of Commitments as set forth in the ICANN bylaws.
4. Customer Standing Committee: The creation of a CSC which is empowered to monitor the performance of the IANA functions relating to names and escalate non-remediated issues to the ccNSO and GNSO.
5. Separation process: The empowerment of the Special IFR to determine that a separation process is necessary and, if so, to recommend that a Separation Cross-Community Working Group be established to review the identified issues and make recommendations.
6. Appeal mechanism: An appeal mechanism, for example in the form of an Independent Review Panel, for issues relating to the IANA functions relating to names.
7. Fundamental bylaws: All of the foregoing mechanisms are to be provided for in the ICANN bylaws as "fundamental bylaws." A "fundamental bylaw" may only be amended with the prior approval of the community and may require a higher approval threshold than typical bylaw amendments.

All of these are provided for in the CCWG-Accountability Proposal that NTIA received from the ICANN Board together with the IANA Stewardship Transition Proposal.

C. Summary

A visual summary of the IANA Stewardship Transition Proposal is provided below.



IV. Assessment of the Proposal

The Internet has been a huge success economically, socially, and technologically. The core strength of the IANA Stewardship Transition Proposal is that it provides continuity with how the Internet works today.

The transition proposal keeps in place the same operational realities that have supported the Internet's enormous growth since the 1990s. It keeps the role of the IANA functions team intact and carrying out the same duties as it has today. It ensures that the organizations and individuals involved in operating and overseeing critical Internet resources continue in their current roles, with enhanced transparency and accountability. This includes industry, technical experts, government, and Internet users around the

world. It relies in large part on time-tested, well-proven structures, processes, and bodies. On the day the NTIA contract expires, Internet users should notice no change.

When NTIA announced its intent to transition its stewardship, NTIA established 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.

NTIA also explained that it would not accept a proposal that replaces the NTIA role with a government-led or an inter-governmental organization solution.

The IANA Stewardship Transition Proposal meets all of NTIA's criteria. The record as reflected by public comments received by the ICG supports this finding.

Furthermore, vesting the IANA stewardship responsibility in the operational communities and using existing multistakeholder structures both help to ensure that the NTIA criteria will continue to be met over time. The communities have been working in support of the multistakeholder model, Internet openness, and DNS security, stability, and resiliency for years if not decades. Their structures provide the appropriate checks and balances to ensure that the stewardship of IANA will continue in this vein and will be protected against capture by any single interest.

A. Broad community support

Community support for the proposal is broad and deep and has been demonstrated at every stage of the process. Each operational community ran an open and inclusive process in which any interested individual was able to participate. These plans were made available for public comment multiple times and received wide

community review. Each community produced a consensus plan and no community felt the need to invoke voting procedures because each arrived at consensus without them. Together, the openness and inclusiveness of the processes and the consensus results indicate broad community support.

When considering the transition proposal as a whole, community support has been demonstrated in a number of different ways. A significant majority of commenters who submitted comments during the ICG public comment period support the proposal. These commenters included individuals, operational communities, supporting organizations and advisory committees within the ICANN community, businesses and trade associations, civil society organizations, governments, and others from across all regions of the world. Thus community support for the transition proposal is broad both in diversity of interests and geography of origin.

Furthermore, the consensus of the ICG in support of the transition proposal provides a powerful demonstration of the breadth of community support. ICG members serve on behalf of 13 constituencies that are all intimately concerned with the outcome of the IANA stewardship transition and that each encompass a wide swath of the community. That ICG members have full consensus in support of the transition proposal is a testament to the support in each constituency.

B. Support and enhance the multistakeholder model

The transition proposal supports and enhances the multistakeholder model because it leverages existing multistakeholder arrangements, processes, and paradigms in defining the post-transition IANA oversight and accountability mechanisms. Each component of the proposal has this feature.

The names plan maintains the existing framework of ICANN for continued multistakeholder oversight of the IANA functions operation. The names plan reinforces the multistakeholder model by retaining the functional separation between policy

development processes and IANA. The ICANN policy development process remains bottom-up, transparent, and inclusive of all stakeholders. IANA remains focused on the needs of the operational communities, with transparent oversight by the CSC and IFR, both of which include non-ICANN participants and the latter of which is explicitly constituted as a multistakeholder entity.

The numbers plan is based in the existing, long-established RIR structure. The RIRs are widely regarded as healthy examples of Internet technical organizations operating within the multistakeholder model of Internet governance. Structurally they are open, transparent and accountable not-for-profit organizations, with well-established governance mechanisms and open participatory processes for policy development in their respective regions. In addition, they and their communities are active participants in and supporters of multistakeholder processes of ICANN, the Internet Governance Forum, and others. Accordingly, the numbers plan supports the existing multistakeholder mechanisms of the RIR system, and enhances them (and hence the overall multistakeholder model) by introducing improvements in transparency and accountability related to the performance of the numbers-related IANA functions.

The protocol parameters plan is based in the IETF structure. Participation in the IETF is open to all individuals regardless of which stakeholder group or sector they may be from. The protocol parameters plan supports and enhances the multistakeholder model by relying on IETF processes and voluntary agreements between the IETF and ICANN for the performance of the IANA functions related to protocol parameters. IETF processes could be used to amend governance of the protocol parameters function in the future. Anyone may propose amendments to those processes, and anyone may take part in the decision processes.

C. Maintain the security, stability, and resiliency of the Internet DNS

The transition proposal calls for the IANA functions operator to be transferred to the PTI, which will be an affiliate (subsidiary) of ICANN. Hence operational roles are maintained. The proposal envisages the names aspect of the current NTIA oversight and contracting authority being transferred to ICANN. The separation of PTI as an affiliate will ensure the independence of that oversight role from the contractor providing the service.

This arrangement introduces minimum change and keeps the current IANA functions operation team intact and carrying out the same role that it has today. Only an organizational change is proposed to ensure that the independence of oversight is maintained.

The proposal sustains and enhances procedures for identifying and rectifying any potential performance degradations that may arise in the provision of the IANA functions. A shared commitment to remedy shortfalls in performance is inherently supportive of the security, stability and resilience of the DNS.

Each of the three operational communities either has already produced or is working to produce a clear set of service level expectations for their portion of the IANA functions. Establishment and ongoing refinement of such clear expectations is fundamental to the security, stability and resilience of the operation of the DNS.

Finally, Verisign currently serves as the Root Zone Maintainer under a cooperative agreement with NTIA. Separate from the ICG transition proposal development process, there has been active work to replace this with an agreement between ICANN and VeriSign. Such an agreement that clearly defines the roles and responsibilities of both parties is essential for the secure, stable and resilient operation of the root zone of the DNS when the NTIA withdraws from the root zone management process.

D. Meet the needs and expectations of the global customers and partners of the IANA services

All three operational communities determined that the global customers and partners of the IANA services, including the generic and country code top-level domain operators and their communities of stakeholders; the RIRs; and the IETF are presently satisfied with the performance of the IANA functions by ICANN. The transition proposal is structured such that the PTI will continue to provide the IANA functions to its global customers and partners post-transition in essentially the same manner as ICANN's IANA staff does today. In the names community, IANA customers expressed support for a clearer separation between ICANN as policy developer and IANA as administrator, and the PTI separation accomplishes this. Also, the proposal makes it possible for each operational community to choose a different IANA functions operator should the need arise, a capability which does not currently exist for numbers and names. Thus the needs and expectations of the global customers and partners should continue to be satisfied after the transition just as they are currently.

E. Maintain the openness of the Internet

The transition proposal requires that the IANA services, associated policy development processes, and IANA registries remain fully open and accessible just as they are today.

F. Does not replace NTIA's role with a government or inter-governmental organization

The transition proposal does not replace NTIA's role with a government or inter-governmental organization.

The names plan replaces NTIA's roles as they relate to the names-related IANA functions with the combination of ICANN, the CSC, and the IFR, none of which are governments or inter-governmental organizations. Establishing the PTI as an affiliate of ICANN allows the community to rely on ICANN's accountability mechanisms and safeguards to prevent capture, including by governments. ICANN relies on a multistakeholder model of consensus-based decision-making that in itself minimizes the chances of capture by a single entity or special interest. By allowing for open, inclusive participation by any individual or organization, striving for consensus rather than defaulting to voting, and conducting work transparently in public view, the multistakeholder model defends against the ability of any single entity to have an outsized impact over decisions and outcomes. These safeguards will be further enhanced through the implementation of the CCWG-Accountability Proposal, which empowers the multistakeholder community with enhanced rights to engage with the ICANN Board, budget, and bylaws; to appeal decisions; and to remove Board members.

The numbers plan essentially places the RIRs in the role currently occupied by the NTIA. The RIRs are independent, non-governmental, self-funded not-for-profit organizations, accountable to their regional memberships and communities through well-developed mechanisms. On behalf of their communities they will contract with ICANN, through the proposed service level agreement, to provide the required numbers-related functions.

The protocol parameters plan relies on voluntary agreements between the IETF, ICANN, implementers and their users for the stewardship of the protocol parameters-related functions. The IETF has significant structural safeguards in place that prevent it

from capture or take-over by a government or inter-governmental entity. Every decision made in the IETF is done in full public view. Appointments to the IETF's leadership committees are time-limited and are made by a randomly selected group of volunteers. Any decision can be appealed by any IETF participant, and anyone in a leadership position can be recalled for their actions. All decisions are made by the consensus of the participants – there is no voting or campaigning. Collectively, these measures defend the IETF and the protocol parameters registries from capture by any particular entity, governmental or otherwise.

VI. Conclusion

Support for the IANA Stewardship Transition Proposal is broad and deep. Businesses, individuals, governments, civil society organizations, academics, and others from all around the world came together to deliver a proposal that is good for the Internet. All of those who are most invested in the smooth functioning of the Internet believe in this proposal.

One of the main reasons for that is that by and large the proposal maintains business as usual for the operation of the IANA functions. The proposal builds on the processes that have helped make the Internet a success. The proposal ensures that they will continue to work well going forward.

Finally, the transition proposal meets the US government's criteria. For that reason and many others, the ICG unanimously supports the transition proposal and recommends that all affected parties implement it.

The ICG will remain constituted as a body while the US government conducts its review of the proposal. We would be more than happy to respond to questions from members of Congress or anyone else about the transition proposal or the processes that led to its creation.

Thank you for your time, interest, and thoughtful consideration of this matter of great importance for the Internet.