Answers to Questions for the Record

Dr. Alissa Cooper
Chair, IANA Stewardship Transition Coordination Group (ICG)

The Honorable Greg Walden

1. The GAC neither approved nor objected to the transition proposal. Which governments had reservations about the transition plan?

The transition package is comprised of two plans, one concerning the operational aspects of the IANA stewardship transition ("the IANA Stewardship Transition Proposal"), and the other concerning enhancements to the accountability of the Internet Corporation for Assigned Names and Numbers (ICANN). As chair of the IANA Stewardship Transition Coordination Group (ICG), my answer is in the context of the IANA Stewardship Transition Proposal.

The transition proposal achieved broad community support as demonstrated in multiple public comment periods, including the ICG's own solicitation of public comments. The ICG did not seek specific approval from individual supporting organizations or advisory committees such as the GAC, relying instead on those groups' ICG representatives to reflect the groups' views back to the ICG. There were five GAC members appointed to the ICG and the transition proposal was unanimously supported by ICG members, including the GAC members.

During its public comment period, the ICG received comments on the proposal from a number of governments and government representatives, including Turkey, Brazil, the United Kingdom, India, Japan, Colombia, Mexico, New Zealand, Sweden, the European Commission, Denmark, and Korea. The full archive of public comments received is available at: https://www.ianacg.org/calls-for-input/iana-stewardship-transition-proposal-public-archive-of-submitted-comments/.

The Honorable Renee Ellmers

1. ICANN is a global organization to provide policy and protection for all citizens throughout the world. As threats to our nation's cybersecurity increasingly grow more frequent and more complex, without accountability to the United States, how can we ensure that the leadership inside ICANN would not be unduly influenced or implement policy that could negatively impact every company and individual in the United States who rely upon fair and open access of the internet each and every day? For example, the staff of ICANN make decisions every day impacting companies and their very business models such as how to implement policy relating to the new gTLD program or enforcing requirements that protect people from bad actors using domain names or web sites to cause harm to others.

This question primarily concerns the component of the transition package concerning enhancements to ICANN accountability. As chair of the IANA Stewardship Transition

Coordination Group (ICG), my answer refers to the other component, the IANA Stewardship Transition Proposal.

The transition proposal includes appropriate and properly supported independent accountability mechanisms for running the IANA functions. It relies primarily on the right of each operational community to change operators for the performance of the IANA functions within their purview. This means that if the communities that rely on IANA are unsatisfied with the performance of the IANA functions, they can choose to take their business elsewhere. This provides a strong check against any behavior that IANA may consider undertaking that would have a negative impact on the communities that rely on the IANA functions, including U.S. companies and individuals.

The operational communities are composed of individuals, businesses, non-profit organizations and technical experts to whom Internet security and stability are vitally important. These communities, not ICANN staff, are empowered to make the basic policy decisions that the IANA functions operator is charged with implementing. By enhancing existing accountability mechanisms and introducing new ones, the transition proposal actually gives interested parties a greater ability to hold IANA to established performance standards than they have today.

2. The transition plan asks for the U.S. government to place trust in an organization governed by volunteers who self-select leaders rather than elect or appoint leaders. In some cases leaders may or may not be qualified, and in some cases may clearly have financial or other interests influencing their decision making and approach to developing policy for everyone. When the internet is so central to how our people and companies live and thrive, can we really simply trust that this will be done fairly and appropriately, particularly given the political volatility in today's climate? What safeguards can we instill to insure fair decisions for all?

It is not the case that the IANA transition or the transition plan have created a new requirement for anyone, including the U.S. government, to trust groups of volunteers to ensure the smooth functioning of the Internet. In fact, this is how the Internet has been operating for decades. The Internet works because of voluntary cooperation among engineers, network operators, equipment manufacturers and users. The U.S. government and all other Internet users have already been relying on the voluntary cooperation of individuals and companies all over the world whose joint work has helped the Internet to thrive. This is the work of experienced professionals, many of whose businesses and livelihoods depend on the proper functioning of IANA.

The key strength of the transition proposal is that it provides continuity with how the Internet already operates. 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. The transition plan merely takes the safeguards that have existed for years – the use of transparent, public proceedings for all decisions; consensus-based decision-making that never defaults to voting or campaigning; established appeals processes; and the ability to recall or replace under-performing members of the leadership – and strengthens them.

3. Why the need to transition from the United States before the Accountability workstream 2 is completed? With so much at stake and so many potential threats to the US economy, safety and security driven by potential bad actors on the internet ranging from the North Koreans, Chinese, Russians and ISIS/ISIL, why risk this to a group of volunteers without accountability back to the United States?

The ICANN Accountability Work Stream 1 includes the provisions that the global multistakeholder community deemed necessary to complete the IANA stewardship transition. By its very definition, Work Stream 2 was created to consider work that did not need to be concluded before the transition took place. The Internet and the organizations involved in ensuring its smooth operation are always evolving, and Work Stream 2 provides one path to continue that evolution at ICANN after the transition completes. Gradual introduction of enhancements will reduce any tendency to create instability from making too many changes at a single point in time.

Those involved in the global Internet community are, in fact, accountable. Indeed, the main goal of the transition proposal development process was to specify how all interested parties, including the U.S. government, would be able to hold IANA and ICANN accountable going forward. The ICG believes that the proposal meets that goal.

Security was a particular focus during the proposal development process. The transition proposal maintains the security of the domain name system by introducing minimum change and by keeping the current IANA functions operation team intact and carrying out the same role that it has today. The proposal sustains and enhances procedures for identifying and rectifying any potential performance degradations that may arise in the provision of the IANA functions. Broadening oversight over IANA means that there will be more attention devoted to the impact of the IANA functions on Internet security going forward, not less. Finally, removing the manual procedural checks that NTIA currently performs simplifies the change process for the root zone of the DNS, creating a more streamlined and stable process.