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Via Electronic Mail: public-comments@ianacg.org

Re: Google Public Comment in Response to Proposal to Transition the Stewardship of the Internet Assigned Numbers Authority (IANA)

Background

Google commends the IANA Stewardship Transition Coordination Group (ICG) for putting forth a proposal to transition the Internet Assigned Numbers Authority (IANA) functions. Google supports the transition of the National Telecommunications and Information Association's (NTIA) stewardship role over the IANA functions to the global multistakeholder community, provided that the conditions detailed by NTIA in its announcement regarding the transition are met.¹ We believe that the ICG's proposal lays the groundwork for a successful IANA transition. Furthermore, Google commends the ICG for engaging with all interested stakeholders in developing the proposal and appreciates the proposal's commitment to multistakeholderism.

However, we believe that key aspects of the proposal would benefit from further clarification or refinement:

- 1) The names community should consider potential weaknesses of the proposed Post-Transition (PTI) IANA's structure, and the ICG should clarify the relationship between PTI and the numbering and protocol parameters communities.**

Google supports the establishment of PTI, a separate subsidiary within ICANN that will be responsible for performing the IANA functions. Furthermore, we agree that PTI's remit should be limited to the operational oversight of IANA naming functions. However, we believe that it would be prudent to provide additional safeguards to ensure PTI remains accountable to the broader multistakeholder community.

Google has warned against "replicat[ing] the complexity of the multistakeholder ICANN Board at the PTI level,"² and the ICANN's Community Working Group (CWG) on the

¹ Press Release, 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>

² 2nd Draft Proposal of the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions 20, 21 (Apr. 22, 2015) (Second Draft Proposal), *available at* <https://www.icann.org/news/announcement-2015-04-22-en>

stewardship transition has explicitly recognized the importance of “maintain[ing] primary accountability at the ICANN level.”³ In order to promote clarity and accountability around roles and responsibilities, Google recommends that the PTI Board be comprised of the ICANN Board itself or a subset of ICANN board members. Otherwise, the proposal creates confusion regarding who bears ultimate responsibility for ensuring that the IANA functions are performed effectively, thereby making it difficult to hold IANA accountable for any performance failures.

Furthermore, the ICG should clarify the relationship between PTI and the numbering and protocol parameters communities. Google understands that each of the three communities associated with the IANA functions submitted separate proposals, and that PTI is not included in the numbers and protocol parameters proposals. Rather, the numbers and protocol parameters communities have proposed that they continue to work with ICANN as the IANA Functions Operator (IFO). Given this inconsistency, the ICG should provide additional details to harmonize the three proposals, including information regarding with whom the Internet Engineering Task Force (IETF) and regional Internet registries (RIRs) will contract and whether or not the protocol and numbers communities will participate in PTI’s proposed Customer Standing Committee (CSC) and IANA Function Review (IFR).

2) More detail is required on the proposed IFO separation process, including clear standards for determining if and when separation is appropriate.

While Google agrees with the CWG’s decision to include a separation process in the naming proposal, the CWG should provide more detail on the necessary criteria to invoke separation and put forth clear standards for determining if and when separation is appropriate. The separation guidelines outlined in Annex L include some information on what will occur “if the IFR determines that a separation process is necessary,”⁴ but do not provide any insight into how and why the IFR might come to that decision.

In consideration of the significant risks that a separation process would pose to the stability and security of the DNS, we recommend that the CWG establish a substantive standard for separation of the naming functions. More specifically, the CWG should specify that a Separation Cross Community Working Group (SCWG) can be created only if the IFR deems that the status quo raises significant concerns regarding the security, stability, and resiliency of the DNS. In order to recommend separation, the SCWG should then be required to make a clear finding that keeping the functions with the current IFO poses a substantial threat to the security, stability, and resiliency of the functions and of the DNS as a whole. Furthermore, this threat should be substantiated by the Generic Names Supporting Organization (GNSO) and Country Code Names Supporting Organization (ccNSO) in approving the initiation of separation procedures. As a general rule, the ccNSO and GNSO should only approve the initiation of separation proceedings where the IFR evidences that more moderate remedial procedures available to the IFR team could not reasonably address the deficiency.

³ Second Draft Proposal at 22; Google Public Comment in Response to Second Draft Proposal, May 20, 2015, *available at* <http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/>

⁴ Second Draft Proposal at Annex L.

3) The proposal should ensure a clear process for root zone management after the IANA transition.

After the transition, NTIA will no longer authorize changes to the root zone. As such, the proposal should identify a clear root zone management process that preserves the security, stability, and resiliency of the DNS. Verisign and ICANN's recent proposal outlining a high-level plan to "remove the NTIA's administrative role associated with root zone management in a manner that maintains the security, stability and resiliency of the Internet's domain name system"⁵ lays out a process for this transition and deserves consideration by the full community. We agree on the importance of a smooth root zone management transition, and look forward to further development of this framework.

4) Enhancements to ICANN's accountability must accompany the ICG's proposed stewardship changes.

As a global Internet company, Google is deeply invested in ensuring the underlying security, stability, interoperability, resiliency, and openness of the Internet. We believe that in order to achieve a successful IANA transition that safeguards these principles, the organization carrying out the IANA functions must be accountable to its customers and the multistakeholder community. As the ICG notes, its proposal is contingent on a parallel work stream to enhance ICANN accountability. Bearing in mind that accountability reforms are a critical factor in the IANA transition, Google emphasizes that improvements to ICANN's accountability are requisite companions to the ICG's proposed stewardship changes.

⁵ Verisign/ICANN Proposal in Response to NTIA Request, http://www.ntia.doc.gov/files/ntia/publications/root_zone_administrator_proposal-relatedtoiana_functionsste-final.pdf.