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Questions Concerning the Proposal as a Whole

1) Completeness and clarity: Is the combined proposal complete? Each of the operational community proposals contains aspects to be completed in the future when the proposal is implemented. Is the combined proposal specified in sufficient detail such that it can be evaluated against the NTIA criteria?

Yes. Although I do not agree with all aspects of the proposal, it is reasonably complete to be evaluated against NTIA criteria.

2) Compatibility and interoperability: Do the operational community proposals work together in a single proposal? Do they suggest any incompatible arrangements where compatibility appears to be required? Is the handling of any conflicting overlaps between the functions resolved in a workable manner?

The numbers and parameters proposals are sufficiently independent to work without overlap or conflicts.

3) Accountability: Do the operational community proposals together include appropriate and properly supported independent accountability mechanisms for running the IANA functions? Are there any gaps in overall accountability under the single proposal?

The numbers and parameters proposals have sufficient accountability controls place by virtue of bodies outside ICANN having ultimate responsibility for them. However, the names proposal does not give that the ultimate body it answers to is itself by virtue of a shared board with ICANN. A complete separation of PTI from ICANN with its own board would remedy this, as well as making ICANN a full voting membership organization. Where is the oversight on ICANN? The parallel CCWG mechanisms are also key here. Any minimization of the current CCWG mechanisms providing direct controls over budget, critical issues, fundamental bylaws is unacceptable as even these may not be sufficient.

4) Workability: Do the results of any tests or evaluations of workability that were included in the operational community proposals conflict with each other or raise possible concerns when considered in combination?

No.

Questions Concerning NTIA Criteria

5) Do you believe the proposal supports and enhances the multistakeholder model? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary.

Again, the numbers and parameters proposals do support the multistakeholder model. However, the PTI-ICANN proposal does not give sufficient voice to stakeholders and my ultimately diminish it without an external body providing oversight like NTIA has provided over the years. The CCWG proposal, if taken in its entirety, does provide a similar backstop although lacking in the level of independence (financial or otherwise on ICANN board/management decisions) that NTIA provided.

6) Do you believe the proposal maintains the security, stability, and resiliency of the DNS? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary.

It does, so long as it can be guaranteed that ICANN's corporate interests will not in any way impact PTI operations. Currently this is in NO WAY the case. Community members close to IANA operations have pointed out that the corporation's interest in being given the IANA contract have stifled much needed improvements and transparency at IANA. If this is true now, why not in the future and hence the need for further separation of naming functions and/or external independent oversight.

7) Do you believe the proposal meets the needs and expectations of the global customers and partners of the IANA services? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary. Please indicate if you are a customer or partner of the IANA services.

No. See number 6.

8) Do you believe the proposal maintains the openness of the Internet? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary.

For the reasons stated above, "no" for naming, "yes" for numbers and parameters.

9) Do you have any concerns that the proposal is replacing NTIA's role with a government-led or inter-governmental organization solution? If yes, please explain why and what

proposal modifications you believe are necessary. If not, please explain why.

No.

10) Do you believe that the implementation of the proposal will continue to uphold the NTIA criteria in the future? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary.

No for the naming portion. As stated above, for all the geo-political drawbacks of a US government oversight body for ICANN, NTIA has always maintained a critical, independent, and responsible stance toward ICANN. And given the importance of the IANA functions, ICANN has been quick to respond to any concerns from NTIA. Without stronger controls or balance of power, the same mutual respect between overseer (the community) and ICANN will not be preserved and I predict periods of inaction and delay in the future.

Questions Concerning ICG Report and Executive Summary

11) Do you believe the ICG report and executive summary accurately reflect all necessary aspects of the overall proposal? If not, please explain what modifications you believe are necessary.

Yes. Although I do not agree with all aspects of the proposal.

General Questions

12) Do you have any general comments for the ICG about the proposal?

In the current proposal PTI is not sufficiently separated from ICANN to be considered independent nor safe from influence.

Specifically the names portion of PTI appears to ultimately have no external control other than its own ICANN shared board like the numbers (RIRs) and protocol parameters (IETF) portions.

Consider as an example the current situation at IANA as I understand it from those in the community that work closely with IANA.

Any improvements and/or publication of reports on incidents, as a normal course of IANA operations, are being blocked or withheld on orders from upper management at ICANN.

If this is the case now with current management, why would it not be the case in the future?

During this period that the US government has given ICANN to prepare, at minimum IANA should come clean regarding any issues and practice the utmost transparency and continue, regular, improvement efforts. This as a normal course of operations and in fulfillment of the current IANA functions obligations to the US government.

The controls the CSC and IFR have over PTI given the ICANN board's continued ultimate control are byzantine at best, ineffectual at worst.

Ideally a completely separate organization unrelated to ICANN would eliminate such conflicts of interest.

At the very least, each of the CCWG accountability controls (over budget, ICANN-PTI board, fundamental bylaws, and major issues) must be fully implemented to ensure the names portion of PTI remains true to the multistakeholder community it serves.

As described in the sister proposals, making ICANN a voting membership organization may also solve this problem by not only providing mechanisms for coarse corrections such as eliminating board members, but also provide what we have seen as much needed specific guidance on particular naming issues (such as Verisign CRADA and COM registry selection).

The SLA proposed by the RIRs and ICANN is a reasonable approach so long as the remedy for any failure on ICANN's part is simply severing of the relationship between the RIRs and ICANN.

Similarly for the IETF regarding protocol parameters. Any breach of the agreements, policies, and oversight mechanisms should be remedied with the IETF's selection of another body to act as registry for protocol parameters.

As long as the final approach has this flexibility, I support it.