Report of Public Comments

Title:	2nd Draft Proposal of the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions
Publication Date:	11 June 2015
Prepared By:	CWG-Stewardship Staff Support (main contact: Grace Abuhamad)

Comment Period:		**Important Information Links**
Comment Open Date:	22 April	Announcement
Comment Close Date:	20 May at 23:59 UTC	Public Comment Box
		View Comments Submitted

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Section I: General Overview and Next Steps

The ICANN Cross Community Working Group responsible for the naming related portion of the IANA Stewardship Transition (CWG-Stewardship) sought public comment on its 2nd draft proposal for the transition of the stewardship of the IANA Functions Contract from the U. S. Department of Commerce's NTIA to the global multistakeholder community. The draft proposal had been prepared in order to pave the way for a response (the Final Proposal) to the IANA Stewardship Coordination Group (ICG) request for proposals.

The CWG-Stewardship made significant progress in just six months, and continued to work tirelessly until the anticipated delivery of its final proposal to the ICG in June 2015. The CWG-Stewardship received over 50 submissions during the Public Comment period and proceeded to review them thoroughly as part of the finalization of their proposal.

During the Public Comment period, the CWG-Stewardship continued to assess the implications of the proposed post-transition structure (Section IV) and the fulfillment of NTIA requirements (Section V). These sections depended largely on the completion of Section III and therefore were in outline form only at the time of the 2nd Public Comment.

Following review of the Public Comment, the next step for the CWG-Stewardship is the finalization of the Proposal. The current set of key dates for the group are as follows:

- **2 June:** First reading on Final Proposal
- **4 June**: Second reading and sign-off
- **8 June**: Deliver Names Proposal to SOs/ACs
- **9 June**: Next steps, communication, other issues
- **11 June**: Webinars at 06:00 and 13:00 UTC
- **21-25 June**: ICANN53
- **25 June**: Target to deliver approved Final CWG Proposal ICG

Section II: Contributors

*At the time this report was prepared, a total of **55** community submissions had been posted to the Forum. **46** submissions were received by the deadline, and **9** submissions were received after the deadline. Late submissions are noted with (*) symbol. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.*

<u>Organizations and Groups:</u>

Name	Submitted by	Initials
Numbers Resource Organization	Axel Pawlik	NRO
.au Domain Administration Limited	Paul Szyndler	auDA
U.S. Council for International Business	Barbara Wanner	USCIB
DotConnectAfrica	Gideon Rop	DCA
Consolidated RIR IANA Stewardship Proposal Team	Izumi Okutani	CRISP Team
China Academy of Information and Communications Technology	Feng GUO	CAICT
African At-Large Organization/ICANN	Aziz Hilali	AFRALO
Chinese Stakeholders' Joint Submission	Jianchuan Zhang	Chinese Stakeholders' Joint
InternetNZ	Jordan Carter	InternetNZ
Government of India	Ajay Kumar	India
American Chamber of Commerce to the EU	Roger Coelho	AmCham EU
Swedish Government Offices	Anders Hektor	Sweden
IAB IANA Evolution Program	Russ Housley	IAB IANA Evolution
CENTR Board of Directors	Peter Van Roste	CENTR
Internet Governance Project	Milton Mueller	IGP
Centre from Communication Governance, National Law University Delhi	Arun Sukumar	CCG-NLU
Danish Internet Forum & DK Hostmaster	Lise Fuhr	DIFO
Canadian Internet Registration Authority	Byron Holland	CIRA
Italian Government	Rita Forsi	Italy
Namibian Network Information Centre	Eberhard Lisse	NA
AFNIC	Pierre Bonis	AFNIC
Digilexis Consulting	Mawaki Chango	Digilexis
GNSO Contracted Party House (RySG + RrSG)	Paul Diaz	RySG/RrSG
Google	Sarah Falvey	Google
SIDN	Maarten Simon	SIDN
Nominet UK	Simeon Foreman	Nominet
Center for Democracy & Technology (CDT)	Matthew Shears	CDT

Non-Commercial Stakeholders Group	Rafik Dammak	NCSG
Internet Services Provider and Connectivity Provider Constituency	Wolf-Ulrich Knoben	ISPCP
ICANN Board	Michelle Bright	ICANN Board
At-Large Advisory Committee	Alan Greenberg	ALAC
Korean Internet & Security Agency	Boyoung Kim	KISA
LACTLD	Carolina Aguerre	LACTLD
CNNIC	Julie Cong ZHU	CNNIC
*Japan Network Information Center	Akinori Maemura	JPNIC
*Business Constituency	Steve DelBianco	BC
*Intellectual Property Constituency	Greg Shatan	IPC
* UNINETT Norid AS	Annebeth Lange	Norid
* Nigeria Internet Registration Association (NIRA)	Edith Udeagu	NIRA
*Government of Denmark	Finn Petersen	Denmark
*Coalition for Online Accountability	Steven Metalitz	COA
Mattel	Jemal Ould Brahim	Mattel

Individuals:

Name	Affiliation (if provided)	Initials
Richard Hill		RH
Vanda Scartezini		VS
Brian Carpenter		BEC
Sivasubramanian Muthusamy	ISOC – Chennai, India	SM
John Laprise		JL
Mikhail Medrish	Internet Support Foundation	MM
Rashi Arora		RA
Eliot Lear	Cisco Systems Ltd	EL
Thomas Rickert, Leon Sanchez, Mathieu Weill	CCWG-Accountability Co-Chairs	CCWG-Accountability Co-Chairs
Rui Zhong	Internet Society of China	RZ
Christopher Wilkinson		CW
*Peter Koch	DENIC	PK
Liu Yue	CATR	Liu Yue

Section III: Summary of Comments

General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).

The CWG-Stewardship published its 2nd draft transition proposal on 22 April 2015 for a 28-day Public

Comment period closing on 20 May 2015. The CWG-Stewardship has maintained a tight schedule in its goal to submit its Final Proposal to the ICG by the end of ICANN53 in Buenos Aires. With this schedule in mind, the 28-day timeframe was all that could be afforded. It is worth noting however, that the deadline was extended by 6 days due to late posting of the translated versions of the 2nd Draft Proposal. One submission (in French) took advantage of this language-based extension.

A total of 55 submissions were received overall. To help contextualize the types of submissions received, staff provided the following breakdown of the submissions:
- 13 submissions by individuals
- 42 submissions by groups/organizations

Submissions by region:
- 13 – Europe/Middle East
- 13 – Asia/ Asia Pacific
- 11 – None/Global
- 10 – North America
- 6 – Africa
- 2 – Latin America

Submissions by sector:
- 15 – ccTLD community (both regional organizations and individuals ccTLDs)
- 13 – ICANN organizations or related 'Ecosystem' organizations (e.g. NRO)
- 8 – private sector
- 8 – civil society and academic community
- 4 – government
- 7 – not identified or affiliated with any particular sector

To analyze the submissions received and to prepare the Final Proposal, the CWG-Stewardship held a series of six 2-hour meetings on 28-29 May. The objective of these "high-intensity" meetings was to review the Public Comment for substantial issues in the proposal that needed to be added, modified, or otherwise edited in the finalization of the proposal. The Public Comment also provided a useful sample of the multistakeholder community's response and support for the CWG-Stewardship's Proposal.

The broad concepts are supported, and key areas of agreement were PTI as a separate legal entity that is an affiliate of ICANN, the IFR to hold periodic or special reviews and the CSC to oversee IANA's performance vis-à-vis agreed service levels. Further work was required on the PTI board role and composition as well as the process for separation. Both of these elements were key focus points of the 28-29 May meetings.

Further detail and responses to each of the submissions received are provided in Section IV below.

Section IV: Analysis of Comments

General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the

analysis.

See next section

Public Comment Review Tool – CWG-Stewardship 2nd Draft Proposal – Version 10 June 2015

This document incorporates all (55) submissions received. Responses to the comments reflect CWG-Stewardship deliberations as of the end of the high-intensity meetings where the public comments were reviewed. Therefore, this document reflects the status of the CWG-Stewardship deliberations as of 1 June 2015.

DISCLAIMER: Submissions have been broken out into the relevant subject headings to facilitate review and discussion by the CWG-Stewardship. Note that in certain cases comments may have been summarized and/or references made to other comments from the same author to avoid duplication. You are encouraged to review the full submissions that can be found here: http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/ and report any omissions or errors that may have unintentionally occurred.

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
General Comments				
1.	Richard Hill	Proposal is incomplete / None (or see PTI section)	Since details concerning the separation between ICANN and PTI are not provided in the draft proposal, it is not possible to say at this stage whether or not the proposal provides for sufficient separation of the IANA function from ICANN. That is, the proposal is incomplete. (Note, see also comments in PTI section)	*The CWG-Stewardship appreciates your feedback and as a result has made available an FAQ that provides further details on PTI (see* *https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf).*

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2.	Brian Carpenter	Proposal does not consider number and protocol communities / None	This proposal suffers from the same defect as its predecessor: although the opening words pay lip service to the CWG's remit covering only naming functions, the proposal as a whole fails to recognize and allow for the existence of the other two equally important IANA functions (addressing and protocol parameters). (Note, see also comments in CSC and PTI section)	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. It has one deliverable which is a proposal to the U.S. Government NTIA regarding the transition of stewardship of the IANA functions to the global multistakeholder community. See* [*https://www.ianacg.org/*](https://www.ianacg.org/) *for further details.*

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3.	John Laprise / Consulting Scholar	Proposal is incomplete / None	The draft proposal as posted has numerous sections [to be filled in later] and as such is unable to be effectively commented on. I understand that work streams are ongoing. Until their input is integrated into the proposal, transforming snippets of code into a kind of software, it is premature to comment about or evaluate the capacity of the proposal to achieve the outcomes sought by the community.	*The CWG-Stewardship appreciates your feedback and as a result has made available an FAQ that provides further details on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf as well as a general FAQ (see https://community.icann.org/x/oJk0Aw). The CWG-Stewardship is of the view that the 2nd draft proposal is sufficiently detailed for the community to provide input and comments. Community feedback will also be considered in the future stages of the process (e.g. SO/AC approval, comments received at ICANN53, ICG processes).*
4.	auDA	Supportive of open and consultative process applied by the CWG	auDA welcomes the work of the CWG and, specifically, the significant efforts of the group to deliver an appropriate model for the transition of the IANA naming functions within a very restricted timeframe. auDA also welcomes the CWG's open and consultative process – and the group's willingness and ability to refine its deliberations based upon the input received from the multi-stakeholder community.	*The CWG-Stewardship appreciates your feedback.*

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5.	auDA	Significant concerns about certain elements of the proposal / see below	auDA still has significant concerns about certain elements of the proposal including, but not limited to, the proposed relationship between a Post-Transition IANA (PTI) and ICANN, the composition of the IANA Functions Review Team (IFRT) and the complexity of proposed post-transition structures.	*The CWG-Stewardship appreciates your feedback and has provided responses to your concerns in the relevant sections below.*
6.	auDA	NA / see below	auDA believes that any proposals for the transition of the IANA naming functions should deliver the simplest, most efficient and least disruptive model possible. Cumbersome, unwieldy or unnecessary structures and processes must be avoided. Our detailed comments, below, seek to contribute to such an outcome.	*The CWG-Stewardship agrees with this perspective but would like to point out the three factors cited must be evaluated as a whole: The simplest proposal may not be the most efficient; the most efficient may not be the least disruptive; etc. The CWG-Stewardship believes that the proposal achieves a reasonable balance of simplicity, effectiveness and minimal disruption while at the same time addressing competing concerns expressed in the first public comment period and in feedback received since then.*

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7.	US Council for International Business	Supportive / none	In general, USCIB appreciates the considerable efforts by the CWG-Stewardship to improve upon the initial, December 2014 proposal. The proposed creation of Post-IANA Transition (PTI) subsidiary responds to comments by USCIB and other stakeholders about the need for a clear separation between ICANN policymaking and the execution of the IANA functions, allowing for the possibility of identifying a different IANA functions operator should it become necessary. We also appreciate how the Customer Standing Committee and the IANA Function Review Team are conceptualized to perform oversight functions currently handled by NTIA.	*The CWG-Stewardship appreciates your feedback.*

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8.	US Council for International Business	NA / Request for additional review period	Status of the Proposal -- The draft further notes that some elements cannot be addressed without knowing what is envisioned in the ICANN Enhancing Accountability proposal. These dependent elements hold promise and are worthy of continued focus as the process moves forward. The release on May 4 of the Cross-Community Working Group on Enhancing ICANN Accountability's (CCWG) draft proposal means that CWG-Stewardship now should be able to refine key portions of its proposal further. In view of these developments – and given the complexity of the IANA Stewardship Transition undertaking – USCIB strongly recommends that the entire community be given another chance to review the CWG-Stewardship proposal after additional details are developed and the proposal is further informed by the CCWG's proposal prior to its submission to the ICG.	*The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This timeline was developed to coordinate with the broader IANA Stewardship Transition process (see https://www.ianacg.org/ for further detail). As such, an additional public comment period is not foreseen. Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CWG-Stewardship does not anticipate that it will need to make further changes in relation to the accountability aspects of the proposal as the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html.*

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9.	US Council for International Business	NA / request for co-ordination of contents and review of CWG and CCWG proposals	Coordination of the CWG and CCWG Proposals – As the two documents are parts of a complete proposal and must be considered together by the community, their contents and reviews should be coordinated. For example, cross-references can be included in the respective sections of each document and availability of the documents and their respective review cycles can be coordinated to enable a holistic review of the proposals.	*The CWG-Stewardship and CCWG-Accountability proposals are separate proposals, dependent on and expressly conditioned upon one another. The CWG-Stewardship has provided references in its proposal, where applicable, to the linkage and dependencies with the CCWG-Accountability. The CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see* http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html*.*

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10.	US Council for International Business	NA / Request for extension of public comment period	The CCWG current comment period closes on June 3, and a second 40-day public comment period is already being planned for in July. If it is possible for the CWG to extend the current comment period to June 3 without impacting availability of the complete document for review at the ICANN 53 meeting, we would like to recommend such extension. In any case, we strongly recommend that the CWG synchronize the public comment review of its next draft with the CCWG's review schedule. This would entail a second 40-day comment period that will coincide with the CCWG's period in July, enabling the community to examine and comment on both proposals simultaneously.	*As noted above, the CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This does not allow for an extension of the public comment forum deadline or a second 40-day public comment period. As noted above, based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CWG-Stewardship does not anticipate that it will need to make further changes in relation to the accountability aspects of the proposal as the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html.*

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11.	US Council for International Business	NA / Caution against rushing	Quality Result -- Finally, we reiterate a recurring theme of our previous submissions on the Naming Functions and Accountability work: a quality result is more important than a fast result. We appreciate the sensitivity of the CWG-Stewardship group to the goal of developing a transition proposal before the September 30, 2015 expiration of NTIA's current contract to perform IANA stewardship functions. Nevertheless, this process should not be unduly rushed with issuance of an incomplete and potentially destabilizing proposal shaped by overly tight public comment periods and without adequate opportunities for stress testing. We further note that NTIA Administrator Lawrence Strickling has repeatedly described September 30 as a "goal" not a "deadline," and expressed willingness to work with stakeholders on a possible extension of the contract to allow more time to complete development of appropriate transition and accountability mechanisms, which must be implemented prior to terminating the IANA functions contract. For USCIB and our members, the global digital economy depends on continued security, stability, and resiliency of the Internet, and on getting this transition done right.	*The CWG-Stewardship appreciates your feedback but would like to point out that there are a number of additional steps that would need to be completed following the finalization of the CWG-Stewardship proposal before it is submitted to the NTIA such as review and consolidation with the proposals of the other operational communities by the ICG which will include further opportunities for public comment as well as stress testing.*

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12.	DCA Trust	NA / Request for extension of public comment period	There is no need to rush the public comment period for the 2nd Draft Proposal. The 40-day minimum should be observed. The shortened period (only 28 days) suggests that the process is being rushed. The limited time window would deprive many stakeholders the opportunity to prepare and submit relevant comments. The shortened time-frame for public comments on this Draft Proposal also implies that many stakeholders will not have an opportunity to properly weigh the pros and cons of the Draft Proposal - to the extent that many of the 'structural arrangements' that have been initially considered have also been quickly jettisoned by the proposers in favour of an entirely ICANN-controlled structure without allowing members of the community to do a proper assessment of those proposed options and alternatives that were earlier conceived. An extension would allow different opinions to be gathered so as to result in more robust comments. The public comment period should therefore be extended by two weeks so that the final proposal would be delivered by the end of June. ICANN is an organization that is tasked with the responsibility to enhance the operational stability, reliability, resiliency, security, and global interoperability of the DNS. These responsibilities are coupled with the requirement to uphold the tenets of the unique bottom up strategy and model of internet governance called Multistakeholder Model.	*As noted above, the CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This does not allow for an extension of the public comment forum deadline or a second 40-day public comment period. The CWG-Stewardship would like to point out that that there are a number of additional steps that will need to be completed following the finalization of the CWG-Stewardship proposal before it is submitted to the NTIA such as approval by the Chartering Organizations and review and consolidation with the proposals of the other operational communities by the ICG which will include further opportunities for public comment.*

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13.	DCA Trust	NA / Concerns regarding ICANN accountability	Accountability: ICANN's accountability has been of major concern because in most cases has not been able to uphold accountability to the public and to the Multistakeholder community, and especially in the advent of the new gTLDs. ICANN has not dealt fairly with the applicants especially in the controversial application where issues such as the conflict of interest within the ICANN board has affected decision making mechanisms. ICANN's work is anchored on the ability to be transparent and accountable to every entity that deals with it directly or indirectly.	*The CWG-Stewardship would like to remind the commenter that the CCWG-Accountability has been tasked to review and address the broader ICANN accountability issues and as such the CWG-Stewardship would like to refer the commenter to the CCWG-Accountability to submit feedback on this issue directly.*

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14.	CRISP Team	Supportive of the CWG-Stewardship work and consideration for other operational communities' proposals	The CRISP Team believes it is essential that each operational community be free to make its own independent arrangement with an IANA Functions Operator (IFO) including the ability to choose the IFO itself. This is consistent with the proposal from the Numbers community for the RIRs to enter into a Service Level Agreement (SLA) with an IFO for IANA Numbering Services, as well as establishing a Review Committee to monitor the service level of the IANA Numbering Services. We would like to request that the proposal developed by the CWG-Stewardship not affect these essential components of the Numbers proposal. We appreciate all due consideration on the part of CWG-Stewardship to develop the proposal related to Names functions with the intention and the spirit of not affecting the proposals which have already been submitted by the other two operational communities	*The CWG-Stewardship appreciates your feedback and aims to continue to work in coordination and consideration of the proposals already submitted by the two other operational communities.*

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15.	China Academy of Information and Communications Technology (CAICT)	Caution against rushing and in particular with lack of translation (for Chinese).	Compared to the previous proposal in December 2014, this proposal has changed a lot. It made a significant progress of the process of IANA stewardship transition proposal, and provides a good basis for the discussion by the communities. Unfortunately, the proposal did not provide Chinese version on time, as well as many other language versions. While, the comment period is too short to fully listen to the views of all stakeholders. CAICT hopes ICANN and CWG take not of these problems. It's not necessary to come up with a proposal in cost of ignoring the necessary conditions and due procedures.	*The CWG-Stewardship appreciates your feedback despite the delay in providing translated versions of the draft proposal. To compensate for the delay, please note that the Public Comment period was extended by six days so that those relying on these translations could provide input. The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This timeline was developed to coordinate with the broader IANA Stewardship Transition process (see https://www.ianacg.org/ for further detail).*

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16.	China Academy of Information and Communications Technology (CAICT)	Suggestions for coordination between the CCWG-Accountability and CWG-Stewardship	CCWG is designing and drafting ICANN accountability mechanism proposal, which has a key impact on the CWG proposal. In this regards, CAICT suggests that, (1) the CWG proposal and CCWG proposal should be considered together. The problem of ICANN accountability and transparency mechanism design should be addressed before IANA transition. If CCWG proposal does not meet the requirements of the community, it is difficult for communities to only agree with CWG proposal separately; (2) CWG and CCWG should firstly reach consensus within its own community; and (3) CAICT expects US government to indicate its attitude about the CWG proposal and CCWG proposal in the GAC as soon as possible, and to comply with the consensus of GAC.	*The CWG-Stewardship and CCWG-Accountability proposals are separate proposals, dependent on and expressly conditioned upon one another. The CWG-Stewardship has provided references in its proposal, where applicable, to the linkage and dependencies with the CCWG-Accountability. Through regular coordination, the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet its requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html.*
17.	AFRALO	Support for 2nd draft direction	We observe the significant change in the overall model presented in the current draft as opposed to the first draft of the CWG proposal released for public comment in December 2014 and we welcome this change in approach.	*The CWG-Stewardship appreciates your feedback.*

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18.	Chinese Stakeholders' Joint Submission	Concern for short public comment time and lack of translations	A 28-day public comment period is too tight for community feedback, although CWG is striving to meet some deadline. However, we believe that quality comments should come first than meeting deadline. We hope more reasonable public comment period could be provided in the future. It is our understanding that the unavailability of non-English version of the draft proposal constitutes a significant barrier to the non-English speaking communities, as the document is rather lengthy and complex. This fact is further worsened by the short comment period, as we have to get it translated before circulating it to community members in such a short window of time. As stated openly on Page 20, the CWG proposal, per se, is incomplete, if not integrating with accountability mechanism proposed by the CCWG. We believe it will make more sense if the proposal could provide a description of how this proposal has been worked upon closely coordinated with CCWG and how the two proposals are going to be integrated together in the future.	*The CWG-Stewardship appreciates your feedback despite the delay in providing translated versions of the draft proposal. The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This timeline was developed to coordinate with the broader IANA Stewardship Transition process (see https://www.ianacg.org/ for further detail).*

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19.	InternetNZ	Supportive but awaits further details before providing overall assessment	This Second Draft proposal (simply called the "Draft Proposal" from here) is different in form to the first Draft, but preserves significant commonalities on significant issues. The dead-end of a so-called "internal solution" has again been rejected by the CWG, and important principles of separability and distributed stewardship are, broadly speaking, upheld.

That said, there are critical matters of detail not yet resolved in the Draft Proposal that are central to whether InternetNZ could support it or not. These include:
- The interaction between the IANA Functions Review and any Separation Review, including the composition of the review teams and the role of IANA customers in decision-making;
- The nature and role of the Post-Transition IANA (PTI) legal entity including its Board;

Until these details are resolved, an overall judgement about the suitability of the proposal cannot be made. | *The CWG-Stewardship appreciates your feedback and has provided responses to your concerns in the relevant sections below.* |
| 20. | Government of India | Not supportive – prefers contract co model. | We note that the 2nd Draft Proposal effectively places ICANN in the role of the perpetual contracting authority for the IANA function, by placing ICANN in the shoes of the NTIA as the body that awards the IANA Functions Contract. This runs the risk of creating the perception that ICANN is no longer purely a technical coordination | *The CWG-Stewardship appreciates your feedback and would like to note that, while the proposed structure is partly dependent on ICANN accountability mechanisms, the CWG-Stewardship has also established mechanisms for* |

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			body – a perception which is strengthened by hiving off the technical aspects of performance of the IANA function into a separate entity, the PTI. The earlier draft proposal of the CWG-Names proposed the creation of a Contract Co, a lightweight entity with the sole purpose of being the repository of contracting authority, and award contracts including the IANA Functions Contract. In our view, this would have been preferable to the formulation in the 2nd Draft Proposal. The principle of external accountability is absent from the 2nd Draft Proposal, since ICANN will become the contracting authority for the naming function, the sole venue for decisions relating to naming policy as well as the entity with sole control over the PTI (which performs the technical aspects of the naming function). The 2nd Draft Proposal could result in a situation where, in the event there is customer/ stakeholder dissatisfaction with ICANN's role in naming policy development, there would be no mechanism to change the entity which fulfils this role. Overall, from the point of view of institutional architecture and accountability, the 2nd Draft Proposal	*performance review on a day-to-day basis and through periodic and special reviews. These review mechanisms are multistakeholder and further the requirement for multistakeholder oversight of the IANA Functions.* *Furthermore, the CWG-Stewardship would like to note that: 1) there was strong opposition to the "Contract Co." approach in the first comment period and afterwards; 2) the new accountability mechanisms being developed by the CCWG-Accountability are expected to fulfill the objectives of 'external accountability'; 3) the CWG-Stewardship proposal includes a separation process in case there is a need to change the IFO entity; 4) whereas the CCWG-Accountability proposed accountability mechanisms are internal to ICANN, the intent is to give the community sufficient control over key ICANN decisions so as to provide sufficient checks and balances; 5) the CWG-Stewardship is of the view*

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			risks creating structures that are materially worse off than the status quo. It would place complete reliance on internal accountability mechanisms within ICANN, which would not be prudent institutional design. There would be no external checks and balances against the powers to be exercised by ICANN. The 2nd Draft Proposal precludes debates on legal jurisdiction over the contracting authority for the IANA functions. The earlier draft proposal of the CWG-Names left this question open, an approach which was preferable.	*that issues of jurisdiction would add unnecessary complication at this time and cause lengthier delays than are already happening and could even negatively impact final approval of the proposal.*

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21.	Government of India	Proposal does not consider number and protocol communities	The 2nd Draft Proposal results in a situation where the checks and balances with respect to policy for names, numbers and protocols would be unequal. While the NRO and the IETF have (and will continue to have) a severable contractual relationship with ICANN for the performance of the policy role for numbers and protocols respectively, no such mechanism or relationship would exist with respect to the policy role for names. The core objectives for a proposal to achieve are external accountability, and checks and balances. The 2nd Draft Proposal does not meet these targets in certain substantive aspects.	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. See* **https://www.ianacg.org/** *for further details. See also the CWG-Stewardship response to comment #20.*
22.	AmCham EU	NA / Request for extension of public comment period; request for co-ordination of contents and review of CWG and CCWG proposals	AmCham EU is overall concerned that certain elements and sections in the proposal such as the separation review, testing of technical methods and operations are either left blank or still being developed. Although in some other cases the draft indicates that some issues could not be addressed as they are dependent on the ICANN Accountability proposal. The release on 4 May of the CCWG on enhancing ICANN Accountability (CCWG) draft proposal should allow the CWG-Stewardship to flesh out those parts. In light of all these developments, and given the complexity of the transition,	*As noted above, the CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This does not allow for an extension of the public comment forum deadline or a second 40-day public comment period. As noted above, based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its*

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			AmCham EU recommends another chance be given to the community to review the proposal after further details and edits will be sketched out and before submission to the ICG. The community should have a complete overview of the final proposal in order to have a thoughtful and complete assessment of the future plans. The CWG and CCWG proposals are parts of a complete proposal and must be considered together by the community, their contents and review should be coordinated. The CCWG current comment period will end on 3 June and a second 40 day public comment period is being planned for July. The CWG should extend if possible, its current comment period to 3 June to enable full consideration of the comments in the CCWG proposal and the potential impact on the CWG proposal, without barring the availability of the complete document for review at the ICANN 53 meeting. Moreover a second 40 day comment period, coinciding with the CCWG's period in July should be allowed so that the community is able to evaluate the two proposals at the same time. We recommend that the CWG and CCWG synchronise their public comment period for the next draft so that the community has a complete view of the proposals.	*regular coordination meetings and community volunteer involvement, the CWG-Stewardship does not anticipate that it will need to make further changes in relation to the accountability aspects of the proposal as the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see* http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html

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23.	AmCham EU	NA / Caution against rushing	As Assistant Secretary Strickling noted at the ICANN 52 in Singapore 'the community needs to come up with a complete, comprehensive proposal on both the IANA functions and accountability' and it 'must be a proposal that generates consensus support from the multistakeholder community'. If more time is needed for the CWG to flesh out the remaining parts of the proposal AmCham EU would definitely advise to take it. A quality result is more important than rushing against the time and issuing an incomplete and potentially destabilising the proposal as a result of not enough time for stress testing. The security, stability and resiliency of the internet and hence the future of the internet are dependent on the development of a strong and solid proposal. The NTIA has reiterated in several occasions Comments on 2nd Draft Proposal of the CWG that it has the flexibility to extend the contract according to the community needs and that 30 September is a 'goal' but not a fixed deadline.	*The CWG Stewardship agrees that a quality result is more important than rushing the process and that is our goal. We are also determined to not propose anything that would compromise security, stability, and resiliency. That said, the CWG-Stewardship would like to point out that there are a number of additional steps that would need to be completed following the finalization of the CWG-Stewardship proposal before it is submitted to the NTIA such as review and consolidation with the proposals of the other operational communities by the ICG which will include further opportunities for public comment as well as stress testing.*

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24.	CCWG-Accountability Co-Chairs	Supportive	First, we would like to underline the quality of the ongoing coordination between co-chairs of our respective groups that has been taking place since the launch of our group. Each of our groups has been updated regularly of progress made as well as issues faced, and the interdependency and interrelation between our works have led to key correspondence being exchanges on a regular basis to formalize it. As CCWG Accountability, co-chairs, we were provided with the opportunity to speak to the CWG Stewardship on two occasions, and you also introduced the key elements of your 2nd draft proposal to the CCWG Accountability. As outlined in your public comment announcement "the CWG-Stewardship's proposal has dependencies on and is expressly conditioned upon the CCWG-Accountability process." Overall, it is our understanding that the CCWG Accountability initial proposals meet the CWG Stewardship expectations. We would like to stress that, within our group's deliberations, the ability to meet these requirements have been rather uncontroversial.	*The CWG-Stewardship agrees with this perspective and appreciates this feedback.*
25.	Swedish Government Offices	Supportive	The Swedish Government appreciates the work of all involved in the CWG and this opportunity for input on the continued work.	*The CWG-Stewardship appreciates your feedback.*

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26.	CENTR Board of Directors	Supportive	CENTR welcomes the second draft proposal and congratulates the CWG for presenting the community with a well-structured proposal that includes the initial requirements, the key principles supported by the naming community and the input received following the first proposal.	*The CWG-Stewardship appreciates your feedback.*
27.	CENTR Board of Directors	Concerned about time needed to complete the proposal (and SLE delivery)	CENTR is concerned that the amount of time needed to complete the proposal and add crucial elements such as the SLE, the time needed to finalise the legal arrangements and the time needed to get an ICANN bylaw change will be significant and could postpone the transition well beyond 2016.	*The CWG-Stewardship appreciates your feedback. The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This timeline was developed to coordinate with the broader IANA Stewardship Transition process (see https://www.ianacg.org/ for further detail).*
28.	KISA	Supportive	The Internet Community of Korea would like to express its appreciation to the members of the CWG for their assiduous efforts to deliver an appropriate model for the transition of the IANA naming function within the limited timeframe. We also support the CWG's proposal and welcome the open process to consult with the global multi-stakeholder community.	*The CWG-Stewardship appreciates your feedback.*

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29.	Internet Governance Project	Supportive	Noting that the April 22 CWG proposal is not complete, we interpret the call for comments at this time as a referendum on the basic model proposed, as well as a chance for the CWG to obtain guidance on the additional decisions it must make to complete the proposal. We therefore begin by expressing strong support for the basic idea of a legally separate Post-Transition IANA (PTI), and later on we propose specific ideas about which choices to make as the CWG finalizes the proposal in the next stage.	*The CWG-Stewardship appreciates your feedback.*
30.	Eliot Lear	Supportive but suggests organizational improvement	While this draft is an improvement over the last, it remains incomplete to the point that it is difficult to evaluate. The organization of the document itself also makes it somewhat difficult to read. When I worked on the IETF response I too included references to documents outside the document. However, as we were not proposing any new real mechanism, the pointers were all to published practices that the IETF uses. In this case, the Annexes contain normative text. This leads to bouncing back and forth between the document and the Annex to understand what exactly is proposed.	*The CWG-Stewardship appreciates your feedback and will improve organization of the document in preparing the final proposal.*

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31.	CCG-NLU	Not supportive and concerned about ICANN accountability issues.	The CWG is yet to place an analysis of public comments – independent of that provided by ICANN staff – to justify this conclusion. The statement raises an important question: if ICANN has indeed been performing its role well as the current IANA functions operator, does that mitigate the need for external oversight? Accountability, in legal terms, is a prospective concern. The need for accountability is not diluted by past performance, however favourable, of the IANA functions operator. Rather, oversight is intended to check any future misconduct or abuse of power/ responsibility. In creating an ICANN affiliate (Post Transition IANA) and effectively replacing the NTIA-ICANN contract with an ICANN-PTI one, the CWG has skipped a couple of steps.

The proposal does not explain how the CWG has concluded ICANN to be the ultimate custodian of IANA functions oversight, and how this selection has been made. ICANN's performance as a good IANA functions operator is marginal to the larger question of oversight. The recommendations of the Cross-Community Working Group to Enhance ICANN Accountability – a group which has had all but six months to draft its proposal – need further exploration. Relying entirely on the CCWG's work, which is without precedent, may not be the best possible way forward. There needs to be a mix of external and internal multistakeholder oversight mechanisms that render the IANA functions operator accountable to the larger community. Currently, the "internal" proposal is embedded too closely to US policies and laws to support this goal. | *The CWG-Stewardship appreciates your feedback and will continue to work closely with the CCWG-Accountability to address ICANN accountability beyond the IANA Functions. Some of the issues the commenter has raised may be best addressed directly to the CCWG-Accountability.* |

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32.	DIFO	Supportive	DIFO welcome the opportunity to comment on the proposal, and we support it. We have the following principles, that we find are broadly covered in the proposal, and we would like to underline that they are essential to ensure in the further work and final version of the proposal. 1. It is important that the IANA function stays with ICANN for the time being but there is a need for a possibility to remove the function in case of future misconduct. 2. The focus needs to be on securing continuity and stability of operations, and any separation would need to be in the case of an extreme situation and will be an absolutely last resort when all other options have been exhausted. 3. Further accountability and transparency in the operation and the budgets of IANA shall be ensured in any new structure. 4. Non-members of the ccNSO need to have same access to IANA functions and the organisational structure that forms the oversight of the PTI like the the proposed CSC, IFR, etc as the members of the ccNSO.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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33.	CIRA	Supportive	In my opinion, this revised proposal illustrates the strengths of the multi-stakeholder model – the CWG incorporated much of the commentary provided by the community on the December 2014. As a result, this second draft is much improved. With some refinements, I believe it can form the basis of a final proposal from the naming community in this historic IANA stewardship transition. I also sense that it is gathering considerable consensus within the community.	*The CWG-Stewardship appreciates your feedback and has provided responses to your concerns in the relevant sections below.*
34.	CIRA	Concern with regard to timeline and linkage with CCWG-Accountability	At the timing of the release of the CWG's second proposal a large number of issues remained outstanding; some 40 individual items as catalogued by the CWG's counsel Sidley in their 'Punch List' document. This includes such critical issues as the form PTI and the composition of its board, how special reviews would be triggered and the elaboration of the 'separation process'. Will the CWG be holding a further public consultation when these critical aspects of the proposal have been determined? There are also a number of aspects of the CWG's proposal that are conditioned on the outcomes of the CCWG process related to broader ICANN accountability, work that may not achieve a reasonable level of stability in its recommendations until after the date by which the SO/ACs will be asked to approve the CWG's final	*The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This timeline was developed to coordinate with the broader IANA Stewardship Transition process (see https://www.ianacg.org/ for further detail). As such, an additional public comment period is not foreseen.* *Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CWG-Stewardship does not anticipate*

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			proposal. This may present a challenge, as the SO/ACs will be asked to approve the CWG's proposal in the absence of key aspects that a number of the aforementioned mechanisms are contingent upon.	*that it will need to make further changes in relation to the accountability aspects of the proposal as the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html. The CWG-Stewardship recognizes that SO/AC approvals may need to be given on a conditional basis and that the CWG-Stewardship may have to likewise provide a conditional proposal to the ICG.*

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35.	Christopher Wilkinson	NA - Awaiting completion of proposal	The CWG proposal is not yet complete: The existing lacunae and uncertainties, that have already been pointed out by other contributors, really need to be filled in and clarified as soon as possible. Indeed several subgroups (Design Teams – DTs) are still at work. CWG is behind schedule in relation to the original targets and in relation to the parallel proposals from NGO (numbering) and IETF (protocols). Albeit the names community (CWG)'s task was more demanding, however the need for further simplification remains, both in terms of the future structures and organisation that are envisaged and in terms of the manner in which multistakeholder participants and end users of the IANA function will actually create the necessary oversight and checks and balances in the operations of IANA.	*The CWG-Stewardship appreciates your feedback and is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires.*
36.	Eberhard Lisse	Suggests organizational improvement	The CWG-Stewardship Proposal is convoluted and as it is presented in a pre-set format it is difficult to read, especially for non native English speakers.	*The CWG-Stewardship appreciates your feedback and will improve organization of the document in preparing the final proposal.*

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37.	AFNIC	Supportive	Afnic wants to thank and commend the CWG-Stewardship for the excellent work done since last draft proposal was published. As recalled by the CWG-Stewardship, the previous proposal had to be simplified as well a more detailed. This new draft is obviously much simpler and goes deeper into details at the same time. Afnic have been heavily involved in the CCWG-accountability, as well as in broader discussions about the Transition, and is now confident that the linkage and coordination between IANA stewardship transition and ICANN accountability is well understood and duly taken into account within the current proposal. This document is, from Afnic's point of view, a solid basis on which a final proposal could now be sent quickly to the ICG. Afnic acknowledges that despite the remarkable effort done by the CWG-Stewardship, some important parts of the proposal are still to be refined. Namely and not exhaustively: Setting SLEs together with the transition process, and not after; being more specific on the function separation Mechanism; being more specific on the PTI budget and management.	*The CWG-Stewardship appreciates your feedback and has provided responses to your concerns in the relevant sections below.*

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38.	RySG/RrSG	Supportive	As direct customers of IANA the RySG reiterates previous comments that the current level of service provided by IANA is satisfactory. We believe that considerable improvements have been made to the provision of IANA services over the last few years as a result of IANA's interactions with ccTLD registry operators and also as a result of meeting the expectations of the NTIA as set out in the IANA Functions Contract. Registry operators along with root server operators are the primary customers of IANA's naming services and have a vested interest in a proposal that does not compromise the level of service that is provided under the current arrangement. As direct customers of gTLD and ccTLD Registries, Registrars have an indirect relationship with IANA. For this reason, the interests of Registrars and the RrSG will mirror those outlined by the RySG. In particular, registrars share the registries' expectation that post-transition IANA will meet or exceed the service levels that we and our customers have come to expect. The removal of NTIA from its oversight role does create a vacuum. We believe that this proposal, when complete, has the potential to fill the void. Notwithstanding, there are a number of elements of this proposal, outlined in subsequent sections, that we believe require further	*The CWG-Stewardship appreciates your feedback and is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires.*

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			work and development before the Naming Proposal can be finalized. We are confident that with these issues resolved the Proposal will provide for a continuation of reliable and satisfactory IANA service. Additionally, we acknowledge that some elements of this proposal are reliant upon the outcome of Work Stream 1 of the CCWG on Enhancing ICANN Accountability, and that it may be necessary to review and possibly revise the proposal if some tenants, such as the Fundamental Bylaw provision or efforts to empower the ICANN Community, are not considered viable. The proposal would benefit from a high-level summary, as well as from diagrams that represent the many moving parts of the proposal to provide a complete picture. Sequencing of events is difficult to understand and some information is duplicated in different sections which creates confusion about who is responsible. Lack of clarity about the role and function of the PTI and its Board, also leaves many questions unanswered.	

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39.	Sarah Falvey and Aparna Sridhar / Google Inc	Supportive	We appreciate the work of the Cross-Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship) in developing its second draft proposal, and we recognize that it has responded to community feedback. We supports the CWG-Stewardship's specific efforts to simplify the proposal, including: • Reconsidering its original proposal to create a new, stand-alone contracting entity called Contract Co.; • Focusing the Customer Standing Committee on operational oversight by limiting both its membership and its remit; and • Reconsidering its proposal to establish a standing multistakeholder review team. We also appreciate that this draft proposal is more detailed in many respects than the first draft, giving stakeholders greater certainty that the functions will continue to be executed effectively post-transition.	*The CWG-Stewardship appreciates your feedback.*

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40.	SIDN	Supportive	SIDN values the effort and work of the group. We commend the group and its leadership for the huge steps made in the last months towards a final proposal that seems acceptable for many in the community. The draft we comment on today still has some gaps in it, but we have noticed that those are currently being filled through the ongoing work of the group. In general there is lot in the current proposal that SIDN will be able to support. Not because it is exactly what we ourselves see as the best solution, but rather because we find it to be an acceptable and workable one.	*The CWG-Stewardship appreciates your feedback.*

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41.	SIDN	IANA function is an inseparable part of ICANN and ICANN's role but recognizing the importance of CCWG work to ensure community oversight of ICANN	Our overall view is and remains that the IANA function is an inseparable part of ICANN and ICANN's role. We do not see any reason, given the stable predictable and reliable operation of the IANA function over the years, why that should be changed in the light of transition of the oversight over the IANA function.

At the same time the oversight transition is an excellent trigger to review and enhance the multi---stakeholder oversight over ICANN. This important work is in the hands of the CCWG and their current work looks promising. If the CCWG effectively establishes enhanced community oversight over ICANN, it automatically establishes enhanced community oversight over the IANA Functions Operator and thus over IANA.

We are of the opinion that this enhanced community oversight over ICANN, and through ICANN over IANA, should have been the starting point for the work of the CWG. Working from the assumption of an ICANN and IANA 'controlled' by the community makes many discussions, including the 'need for separation', in our view irrelevant and the work of the CWG much easier.

With an effective community oversight over the way ICANN operates the IANA function, we are convinced that all that is strived for by the current CWG draft proposal can and should be reached within ICANN itself. | *The CWG-Stewardship appreciated your feedback and notes that the CWG-Stewardship and CCWG-Accountability proposals are separate proposals, dependent on and expressly conditioned upon one another. The CWG-Stewardship has provided references in its proposal, where applicable, to the linkage and dependencies with the CCWG-Accountability. Through regular coordination, the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet its requirements. For reference, please see* http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html*.* |

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42.	Nominet	Supportive but more work is needed to refine the proposal	We believe that the current proposal shows significant progress from the first draft and addresses many of our concerns with the initial work. We recognise that considerably more work is needed in refining (and simplifying) the proposal and in clarifying the wording.	*The CWG-Stewardship appreciates your feedback and will work towards refining and clarifying the final proposal.*
43.	Nominet	Details to be defined	A number of details still need to be defined: a number of these are crucial to the acceptability of the proposal. In particular: Clarity of roles: We are concerned that the proposal in this draft is again based on many different organisational and functional elements. In particular, the complexity of the proposed model could be a barrier to understanding what issues are dealt with where. (We raised this issue for the first consultation draft.) Our support for this proposal is on the basis that the roles and responsibilities of each organisation and functional element are clearly defined and do not overlap with other parts of the structure. Use existing structures wherever possible: We should look to embedding as many of the functions as we can within existing structures. We believe that this will help engagement in stewardship mechanisms. Appropriate accountability: Accountability for actions needs to be clearly identified. Issues should be addressed	*The CWG-Stewardship appreciates your feedback and agrees that further work is needed on clarifying roles and responsibilities of PTI Board and ICANN Board, as well as responsibilities in escalation mechanisms. The CWG-Stewardship expects that the final proposal will fine-tune those details.*

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			at the point of failure. (For example, decisions made by ICANN on delegation and redelegation of gTLDs - which are then given as instructions to the ANA functions operator for implementation - are the responsibility of !CANN and not of the IANA functions operator. Such issues should be addressed through ICANN enhanced accountability processes.) An entity should never be held accountable for a decision over which it has no power.

Clear accountability: The final proposal needs to clarify where accountability lies. It should avoid multiple levels of accountability as this can be confusing and frustrating and a barrier to effective engagement. | |
| 44. | Nominet | Make explicit reference to outreach as part of decision-making process | All fundamental decisions related to the IANA functions operation and oversight should be verified through an open consultation. This is fundamental to multi-stakeholder engagement. Too much of the current proposal fails to make explicit reference to this outreach as a part of decision-making processes. | *The CWG-Stewardship appreciates your feedback and expects that the final proposal will fine-tune those details* |
| 45. | Centre for Democracy & Technology | Supportive | CDT applauds the intensive work and dedication of the CWG to developing a transition proposal that meets the expectations of the community.

We commend the CWG for the thoroughness of v2 of the IANA transition proposal and generally support its approach. | *The CWG-Stewardship appreciates your feedback.* |

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			We have concerns that certain key elements remain to be addressed, including the composition and functions of the PTI Board, and the escalation and separation mechanisms, among others. We also note the dependencies between the IANA transition proposal, on the one hand, and the accountability enhancements and community empowerment measures being proposed by the CCWG Accountability on the other. With ICANN potentially in an oversight, contracting and operator role, the success of the proposed transition model – in particular its independence, performance and protection against capture – will depend on those new community powers being in place. We support the creation of the PTI, CSC and IFR (subject to some details being further addressed). We believe that these are a manageable and appropriate set of entities/processes. We would not support efforts to further "internalize" the IANA functions within ICANN. The proposed PTI ensures a level of separation and independence of ICANN and represents a mix of the internal and	

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			external models proposed to date. It also strengthens the separation between the policy making and IANA functions and allows for separability of the IANA functions should the need arise.	
46.	NCSG	Supportive	The NCSG supports the creation of a separate legal entity to house the names-related IANA functions. We believe that structural separation of the IANA functions into a legal affiliate has several beneficial features, which we summarize below. We do not believe that the CCWG Accountability enhancements alone can ensure the future independence and performance of the IANA functions nor guarantee the imperative of separation between policy-development and the IANA functions into the future. Legal and structural separation is key. Still, many details about this proposal have yet to be filled in. Given the need for quick action, we urge the CWG and the broader community to accept a legally separate affiliate Post Transition IANA (PTI) model as the basis for the ongoing development of the IANA stewardship transition.

The benefits are:
1) It strengthens the separation of ICANN's policy making role from the IANA functions operator. Such separation was required by the NTIA contract, but once the NTIA withdraws, that separation could be undermined. Such separation is also a part of the | *The CWG-Stewardship appreciates your feedback.* |

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			numbers and protocols proposals, making the names arrangements symmetrical with the principles outlined in RFC 7500.[1] 2) The potential to change IANA functions operators is an essential feature of the post-transition accountability mechanisms. Separability is a principle accepted by the CWG and specifically proposed by both the protocols and numbers communities. Unless the assets, staff and operations associated with IANA are already separated from the rest of ICANN, separability is not a feasible option. Thus, PTI removes one of the potential barriers to a change in IANA functions operators. 3) The proposal includes periodic review of the IANA Functions Operator, this periodic review is crucial to ensuring the continued accountability, security and stability of the DNS 4) If the PTI has its own board or management, responsibility for the core technical mission of the IANA will be more focused. Currently, responsibility for IANA is bundled in with responsibility for all the other things ICANN does. 5) It represents an acceptable compromise, perhaps the	

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[1] https://tools.ietf.org/rfc/rfc7500.txt

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			only acceptable middle ground, between the advocates of an 'internal' and 'external' solution.	
47.	ISPCP	Supportive	We acknowledge the enormous engagement being undertaken by the CWG members having led to the draft proposal in a short time. In general we offer support for the proposal to replace the present NTIA stewardship role on IANA with the structures envisaged.	*The CWG-Stewardship appreciates your feedback.*

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48.	ALAC	Supportive with concerns	The ALAC is generally supportive of the Draft Proposal. That being said, the ALAC does have a number of critical concerns that will need to be addressed to allow us to fully support the final CWG proposal. As detailed under the comment on section III.A.i.a, the ALAC would prefer an IANA wholly integrated into ICANN, but is willing to accept a compromise of a separate legal entity if the details of its organization and governance are satisfactory. We do have: • one very major concern that we believe must be addressed by the CWG, specifically the lack of multi-stakeholder oversight involvement and we will offer guidance as to how this might be addressed; • one area where the ALAC had not yet reached consensus, but we have some concerns over the current direction of the CWG, specifically the Board (or other controlling entity) of the Post-Transition IANA (PTI); and • a number of lesser concerns and requests for clarification.	*The CWG-Stewardship appreciates your feedback and has provided responses to your concerns in the relevant sections below.*

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49.	LACTLD	Supportive	We are grateful for the work accomplished by the CWG and the efforts to develop a second version of the proposal for the names community. We consider that the current document gets closer to the expectations of the names community after the comments received for the first draft on December 2014. We would also like to highlight that it is a sensitive endeavour to send more specific comments on a proposal which is still being adjusted without the specification of the Service Level Expectations (SLEs); in addition it has components which are related with the proposal of the CCWG Accountability and the FOI, particularly with reference to ccTLD delegation/transfer/revocations. Despite the fact that there is a strong time pressure for the proposal, this must promote decisions based on consensus and developed in a bottom-up manner.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.* *The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. The CWG-Stewardship would like to point out that that there are a number of additional steps that will need to be completed following the finalization of the CWG-Stewardship proposal before it is submitted to the NTIA such as review and consolidation with the proposals of the other operational communities by the ICG which will include further opportunities for public comment.*

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50.	CNNIC	Supportive	First of all, we would like to express the sincere thanks to CWG members for producing this report. As to IANA Stewardship Transition, we consider that the most important principle is to ensure the policy-making transparency during the whole process, as well as the independency of operating mechanism and process management. We hope that through functional separation, the transition work can be completed as scheduled.	*The CWG-Stewardship appreciates your feedback*
51.	CNNIC	NA – concern for geographic balance	The proposal should fully embody the principle of geographic diversity. Particularly, when it comes the member composition of the new mechanism and the relevant election method, it shall ensure the geographic diversity so that developing countries and communities are able to have equal participating opportunities.	*The CWG-Stewardship will be mindful of such issues in the composition of any relevant groups and will consider requesting that, when groups make their selections, they consider geographic diversity as they are in most instances responsible for selecting and appointing members. The CWG-Stewardship also notes that the proposed CSC charter recommends that the ccNSO and GNSO consider the composition of the group to make sure there is diversity.*

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52.	JPNIC	Supportive	JPNIC would like to congratulate CWG-Stewardship colleagues on the big achievement to compile this proposal after December 2014 draft and throughout huge discussion until now. We found the PTI scheme described in the new draft is very reasonable, simple enough, comprehensible from the existing scheme and compatible with proposals from Numbers and Protocol Parameters communities.	*The CWG-Stewardship appreciates your feedback*
53.	Norid	Supportive – some concerns with PTI and composition of IFRT	NORID welcomes the opportunity to provide input to the second draft and the significant work the group has done to deliver an appropriate model for the transition of the IANA Stewardship within the restricted timeframe given and the openness in which the process has been conducted under. We note that there has been significant progress since the first draft. We support most of the principles outlined, but have some doubts regarding the proposed relationship between the Post-Transition IANA (PTI) and ICANN, the composition of the IANA Functions Team (IFRT) and the complexity of the post-transition structures. Furthermore we support the views of our regional organization CENTR.	*The CWG-Stewardship appreciates your feedback*

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54.	NIRA	NA – concerns with regional representation and engagement.	We are aware of the efforts and publications made available online for all. It is good all are given the opportunity to understand and comment. But more efforts must be intensified to ensure wider representation of the world in decisions been taken. We are aware that all have been invited but the understanding of what is at stake is low. Therefore people might feel reluctant to comment on issues they feel they don't understand or have any business with. It is necessary greater efforts are made to assist more people (especially in developing countries) to understand. It also advised that views of all are considered when decisions are taken.	*The CWG-Stewardship appreciates your feedback, welcomes your input, and thanks you for your outreach.*

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55.	Coalition for Online Accountability	NA- timing and coordination	1. The issue of transition of IANA functions is sufficiently complex, and certainly sufficiently important, that there is no justification for a truncated public comment period, even though this truncation was approved by "two ICANN Global Leaders" (a title apparently bestowed upon certain ICANN senior staff members). Especially since it is indisputable at this point that IANA naming functions cannot possibly be transitioned as early as September 30, 2015, as may have originally been contemplated by some, 28 days (even with a few additional days allowed for late-received comments) is simply too short a deadline. Thus, COA reserves the right to supplement these comments at a later time. 2. Similarly, it should be now be so clear to all that the "stewardship" and "enhanced accountability" tracks are inextricably interdependent that their timing should be coordinated going forward. An extended public comment period both on this draft and on the corresponding draft from the CCWG-Accountability would be a good step in that direction. COA suggests that the CWG-Stewardship team follow the lead of and coordinate closely with the CCWG-Accountability team and plan to open a second comment period in July that will last at least 40 days.	*The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This timeline was developed to coordinate with the broader IANA Stewardship Transition process (see https://www.ianacg.org/ for further detail). As such, an additional public comment period is not foreseen. Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CWG-Stewardship does not anticipate that it will need to make further changes in relation to the accountability aspects of the proposal as the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html*

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56.	Coalition for Online Accountability	NA – needs more transparency for IANA naming functions.	COA's main substantive comment at this point is that the draft falls well short with regard to transparency in the IANA naming functions. The transition from NTIA supervision is an opportunity to make the currently obscure process more transparent, and this opportunity must not be squandered. Specifically, the community is entitled to more (and more timely) information about proposed redelegations of TLDs or transfers to new registry operators. This reform should not be deferred to "a formal study undertaken post transition" on "robustness of operational arrangements," as might be implied by section III.A.iii.a.1.c of the draft (page 28). While we welcome the general statement on page 29 that "the IFO [IANA Functions Operator] should operate in a transparent manner" and that "no external [to ICANN?] approval shall be needed" for policies "related to reports and communications," it should be made explicit that basic information about such proposed major changes to the content of TLD root zone should be shared with the community before any final decisions are made. Community members may then contribute, in a timely fashion and through appropriate mechanisms, to due diligence efforts that might otherwise be overlooked.	*The CWG-Stewardship appreciates your feedback but notes that there may be privacy concerns involved in publicly posting all Root Zone changes.*
57.	Business Constituency	Supportive, but requests additional public comment opportunity	The Business Constituency commends the CWG-Stewardship for the untiring energy devoted by the group to improve the initial draft proposal. The BC is	*The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal*

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			concerned, however, by the fact that important elements such as transition implications, operational methods, and separation review are still being developed or could not be addressed at that stage of the process, as they are dependent on the Enhancing ICANN Accountability proposal. The release on May 4 of the Cross‑‑‑Community Working Group on Enhancing ICANN Accountability (CCWG) draft proposal gives the CWG-Stewardship the ability to complete the main part of the proposal. The BC recommends another chance be given to the community to review the proposal after further details and edits will be provided and before submission to the ICG. The CWG and CCWG proposals are parts of a complete proposal and must be considered together by the community, their contents and review should be coordinated. Moreover, the plan should be broadly supported. The CCWG current comment period will end on June 3 and a second 40 day public comment period is being planned in July. The CWG ideally should extend its current comment period to June 3 to enable full consideration of the comments in the CCWG proposal, without impacting availability of the complete document	*during the ICANN 53 meeting in Buenos Aires. This timeline was developed to coordinate with the broader IANA Stewardship Transition process (see* *https://www.ianacg.org/* *for further detail). As such, an additional public comment period is not foreseen. Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CWG-Stewardship does not anticipate that it will need to make further changes in relation to the accountability aspects of the proposal as the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see* *http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html.*

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			for review at the ICANN 53 meeting. Moreover a second 40 day comment period, coinciding with the CCWG's period in July should be allowed so that the community is able to evaluate the two proposals at the same time. We recommend the CWG and CCWG synchronize their public comment period for the next draft so that the community has a complete view of the proposals. As Secretary Strickling noted in February at ICANN 52, "the community needs to come up with a complete, comprehensive proposal on both the IANA functions and accountability". The Business Constituency supports the decision to eliminate the previous proposal to create a new independent entity (Contract Co.) This approach would have created a potentially unaccountable new entity, introducing unnecessary uncertainty in governance and performance of the IANA functions. The BC does support creating Post---Transition IANA (PTI) as a separate legal entity in the form of an affiliate that would be a "wholly owned subsidiary" of ICANN.	
58.	IPC	Supportive, with some specific concerns	The CWG Stewardship Proposal is a reasonable and appropriate method for oversight of the IANA Functions, a critical but technical aspect of the overall functionality	*The CWG-Stewardship appreciates your feedback and has provided responses to your concerns in the relevant sections*

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			of the Internet. We give the CWG credit for improving its proposal after the first public comment period. We have concerns regarding certain specific aspects of the Proposal, which are detailed below, but these concerns are not so substantial as to render the proposal unacceptable or unworkable. Nonetheless, we do hope that the IPC's concerns are taken into account and the Proposal revised to reflect these concerns. However, the CWG Proposal cannot be viewed or reviewed in a vacuum. This is not merely a proposal for oversight of a small but critical technical function. This is a watershed moment for ICANN, as the stewardship and influence of the NTIA and the US Government over ICANN matters (and not merely IANA matters) is vastly reduced. The CWG's Proposal must be considered as part of a conjoined whole along with the proposal of the CCWG on Enhancing ICANN's Accountability. Without meaningful and material changes to the multistakeholder community's ability to hold ICANN accountable and to have a voice in ICANN's decisions, the quality of this Proposal is of little consequence. If ICANN cannot truly be held accountable for its actions, it is not ready for the "post- transition" world. This is true both with regard to IANA Function oversight and	*below. The CWG-Stewardship acknowledges the critical dependences on significantly improved ICANN accountability.*

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			accountability and to ICANN oversight and accountability. It would be inappropriate for the IPC to endorse this Proposal without full consideration of the CCWG proposal, which is still under review. Thus, the IPC's overall view that the CWG Proposal is reasonably acceptable and could be made far more acceptable with the adoption of changes detailed below should only be seen as a critique of this work product. This positive view should not be seen as an indication that the IPC believes that ICANN is ready for the plan in the Proposal to be put into action. That can only take place when the IPC – along with the rest of the multistakeholder community – is confident that real, significant and enduring change will be brought about pursuant to the proposals on enhancing ICANN's accountability. For that, we need to wait, at least until we have reviewed and considered the CCWG's companion proposal. Finally, we thank the CWG and its Co-Chairs, members, participants and staff for the immense effort and thought that went into preparing this Proposal. This focus and devotion is truly a credit to the ICANN community and the multistakeholder model. We are cautiously confident that all of this hard work will ultimately be rewarded when this Proposal, ICANN and the community are ready to put the plan into action.	

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58.a	Mattel		**La proposition du CGW-supervision est bonne, mais reste toujours complexe et nécessite plus de raffinement et plus de souplesse dans sa forme et son contenu. Je propose que le groupe de travail devrait partir d'un fondement de base commun à toutes les parties prenantes en prenant en considération l'implication de tout en chacun en respectant :** ➢ *Le cadre juridique du pays* ➢ *En donnant droit à chaque pays de gérer en interne les services et fonctions qui peuvent être gérables indépendamment des organes externes, mais faisant référence aux normes prescrites par les organes mères (IANA et ICANN).* ➢ *IANA restera toujours un organe de référence qui abritera le noyau des fonctions de base référentiel des services de nom.* ➢ *Résolution des conflits portant sur les politiques :* ➢ *Avant que* les lois locales applicables aux ccTLD ou ccTLD IDN ne créaient des conflits et soient pris en charge par les tribunaux compétents, je suggère que les gouverneurs de ce pays et territoires préparent un environnement de cadre juridique et faire des états de rapprochement avec les	*Le CGW-supervision vous remercie pour votre contribution.*

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			tribunaux compétents en la matière tout en respectant chacun initialement la position de l'autre et en mettant en place une commission chargé de préparer le document juridique. ➢ Gestion des clés des Extensions de sécurité du système des noms de *domaine (DNSSEC) : ce service doit être délégué et redelegué puisque la communauté en a besoin pour le renforcement de la sécurité des noms de domaines qui est l'un des chalenges pour la communauté tout entière de notre écosystème.*	
58.b	Liu Yue		Core of IANA stewardship is to ensure accountability and transparency of the policy decision of root zone. The proposal defaults ICANN's decision-making positions, and gives greater authority to ICANN (ICANN could change the operator of IANA function, which is now owned by the US government). But now, ICANN does not have a consensus and effective accountability and transparency mechanism and the community cannot replace ICANN. So, it is essential that the transition should be implemented under the conditions of the approval of the CWG proposal and CCWG proposal together, which would show communities consensus on accountability and transparency mechanism design of ICANN before	*The CWG-Stewardship thanks you for you comments, and notes that the structure proposed in fact has an accountability framework through the PTI Board, the CSC, the IFR, and the escalation mechanisms.*

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			IANA transition.	
Section I – The Community's Use of IANA				
59.	RySG/RrSG	Supportive	We reiterate our previous statements pertaining to the management of the IANA functions. It is the position of the community of gTLD Registry Operators and their Registrar customers that the current operational performance of the IANA naming functions is satisfactorily maintained. The IANA functions are not broken. It should also be recognized and understood that the IANA Stewardship Transition is taking place because the NTIA is comfortable that current performance by the IANA Functions Operator can continue, even in the absence of its oversight role.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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60.	Sarah Falvey and Aparna Sridhar / Google Inc	Supportive	The IANA functions are currently managed and maintained effectively. In thinking through the evolution of the stewardship role over the IANA functions, we emphasize three key points: (1) that ICANN and its partners perform the IANA functions well; (2) that future stewardship arrangements should prioritize simplicity; and (3) that broader accountability improvements are needed but should be addressed primarily through the cross-community working group on accountability. We have advocated for a simple and straightforward framework for post-transition arrangements for several reasons: (1) A simple framework is more likely to ensure stability of the DNS than a complex one. (2) A simple framework allows clear lines of accountability and enables greater transparency. (3) A simple stewardship framework will allow greater public participation in ICANN processes related to IANA.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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61.	NCSG	Supportive	The description of the names community's use of the IANA functions in Sections I.A (a) - (j) and I.B is accurate and, based on our analysis, complete. NCSG wishes to add, however, that operation of the .INT top level domain should not be considered part of the names-related IANA functions. The .INT TLD is a top level domain, not a function that involves the DNS root zone. This function should be divested from the IANA functions operator and delegated to an independant entity. We believe neither ICANN nor the IANA functions operator should be involved in running a TLD. Further, we believe there may be a mistake in the interpretation of Section I.C. I.C asks "what registries are involved in providing the service or activity." We believe that the registries referenced there are the names-related IANA functions. If this is true, it is a mistake to say these services are provided by TLD registry operators.	*The CWG-Stewardship appreciates your feedback but is of the view that it is not clear what the justification is for putting such a requirement in the proposal at this stage. The CWG-Stewardship is of the opinion that there should be a process that considers this issue in a broader context, following transition. See also the language that has been proposed to address this issue: "The CWG-Stewardship has considered the .int domain, and concluded that provided there is no policy change under .int done by ICANN/IANA we don't see any need for changes in the management of the .int domain in conjunction with the transition. Future administration of the .int domain should be subject to review post transition."*
62.	JPNIC	Supportive	The section is accurate to describe the community's use of IANA	*The CWG-Stewardship appreciates your feedback*

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63.	Peter Koch	Raises concern with overlap with other communities	It is unclear to what extent the CWG recognizes the IETF's competence (as in 'court') to reserve or designate TLDs (of any kind). There is positive precedent for such actions to be well received and widely recognized (dating back to RFC 2606 "Reserved Top Level DNS Names"), but recently RFC 6761 "Special-Use Domain Names" has invited a number of applications for the reservation of top level domains that might be perceived as end-run to established (ICANN) process, independent of the good faith and intentions of the respective applicants. This issue does not necessarily have to be fully resolved prior transition, but needs to be clearly identified as "open" and ought to be addressed in reasonably short time. Points to address in particular: o Which body is responsible for the formal designation of a TLD or 'TLD like string'? o What role (formal and/or technical) would the IETF special names registry have? o What is the coordination process between the IETF and ICANN (as a names policy setting body, not as IFO)? The technical and operational merits of such registry can remain out of scope. There might be other areas of overlap between the IETF and the names community, details of which should not clutter the proposal, that would benefit from a separation (pun intended) of duties in addition to the issue identified above.	*The CWG-Stewardship appreciates your feedback but observes that the comment relates to RFC 6761 which is being worked on by the IETF community so until that work is completed it may not be prudent to make any changes and from the perspective of the CWG-Stewardship does not need to be dealt with prior to the transition (but will need to be addressed post-transition).*

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Section II – Existing Pre-Transition Arrangements				
64.	DCA Trust	Unknown / Issue of accountability having binding consequences must be well defined	In relation to section II.B.i.a, we note that the draft defines Oversight (of the IFO performing root zone-related actions and activities) – As that which is performed by an entity that is independent of the Operator (as defined in the NTIA IANA Functions Contract) and has access to all relevant information to monitor or approve the actions and activities that are being overseen and Accountability as that which provides the ability for an independent entity to impose binding consequences to ensure the IFO meets its formally documented and accepted agreements, standards and expectations. The Issue of the accountability having a binding consequences must be well defined, in the past ICANN has been an institution that has carefully created a set of rules or conditions that makes it well immunized against any external requirements in cases where decisions affecting entities especially those directly involved in the new gTLD program have been made to favor ICANN at all costs making applicants suffer the brunt of not being able to efficiently defend itself. ICANN's future through the IFO must be well and ready to be accountable and accept any binding decisions or stipulations.	*The CWG-Stewardship would like to remind the commenter that the CCWG-Accountability has been tasked to review and address the broader ICANN accountability issues and as such the CWG-Stewardship would like to refer the commenter to the CCWG-Accountability to submit feedback on this issue directly.*

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65.	Eberhard Lisse	Missing element of the proposal	The proposal does not address IANA administrative and operative accountability sufficiently, which in terms of the CCWG-Accountability Charter (!) it is supposed to do.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
66.	RySG/RrSG	Supportive – suggests edits for readability	While we support the goal of brevity and understand why much of the proposal has been consolidated to the annexes, we believe that section II.A.ii.b should specifically refer to the Generic Names Supporting Organization as the policy development body for gTLDs. Likewise, we believe that Section II.A.ii.c would benefit from a highlevel description of the review and redress mechanisms that are available to gTLD operators under the ICANN model. In general, we believe that providing context for the various links cited in the Proposal would improve flow and facilitate review, particularly by parties interested in the IANA Stewardship Transition that are new to ICANN participation.	*The CWG-Stewardship appreciates your feedback and will factor these into its review of this section as part of the next iteration of the proposal.*
67.	JPNIC	Supportive	The section is accurate to describe the Existing Pre-Transition Arrangement.	*The CWG-Stewardship appreciates your feedback*
68.	NIRA	Supportive	NO. I believe it is taken for granted that there is an unbiased report that recorded the performance of IANA and whether it was fair to all in its operations.	*The CWG-Stewardship appreciates your feedback*
Section III – Proposed Post-Transition Oversight and Accountability – The elements of this proposal				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
69.	auDA	Support for a number of proposals, but unconvinced about suitability of the model	auDA supports a number of the principles proposed by the CWG, however remains unconvinced of the suitability of the proposed execution model.	*The CWG-Stewardship appreciates your feedback and has provided responses to your concerns in the relevant sections below.*
70.	China Academy of Information and Communications Technology (CAICT)	Does not support separation of the IANA functions operations.	CAICT believes, first, no matter what kind of entity, IANA functions contract should ensure that the main IANA functions are operated by the same organization without separation, which was the consensus of the community and confirmed by the IANA functions contract. Until now, the ICG and CWG did not make a clear assurance about this.	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the ICG. The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. See https://www.ianacg.org/ for further details.*
71.	China Academy of Information and Communications Technology (CAICT)	Supports the creation of a separate entity to further insulate policy and operations	Second, the operation of the IANA function is transited to PTI from ICANN, which is constructive for the separation between decision-making and implementation.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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72.	InternetNZ	Supportive	InternetNZ believes that the overall elements do provide a workable model at the high level, and do mostly (depending on matters of detail) give effect to the Principles we have argued for above, as well as to the Principles and Criteria the CWG developed.	*The CWG-Stewardship appreciates your feedback.*
73.	CCWG-Accountability Co-Chairs	Supportive	The CCWG Accountability initial proposals describe the scope of the "fundamental bylaws" in section 3.2.4. It is proposed that the "Reviews that are part of the CWG-Stewardship's work – the IANA Function Review and any others they may require, as well as the creation of a Customer Standing Committee" would be considered Fundamental Bylaws. As such, any change of such Bylaws would require prior approval by the community.	*The CWG-Stewardship appreciates and agrees with your response and thanks you for your coordination efforts.*
74.	Eliot Lear	Concern about PTI overlap with other communities	In discussions with others it has become unclear to me whether the names community proposal would require changes to other community proposals. Specifically, would the numbers and protocol parameters communities be required to move their service functions to the PTI? If that is the case, the next question is whether the PTI is really its own entity. I can't tell, quite frankly. If it is, then agreements already made by ICANN with the IETF seem to me to require the IETF's permission. If it is not, then this is an internal matter for ICANN. But if it is an internal matter for ICANN, what point is there to creating a separate operating entity?	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the ICG. The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. See https://www.ianacg.org/ for further details.*

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75.	DIFO	Supportive	DIFO support the legal separation, and finds that having a contract between PTI as its own legal entity and ICANN is important in order to create clear expectations of scope and performance of the PTI in relation to the customers of PTI.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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76.	Christopher Wilkinson	Does not believe separation is necessary	The possibility of 'separation': This option has animated the CWG debates to a large degree and is now reflected in the proposal that the IANA function should be re-assigned to the Post-Transition IANA (PTI), initially within the ICANN organisation, but subsequently possibly subject to re-assignment to an external entity following exhausting existing recourse, a call for proposals (RFP), and negotiated re-assignment of all or some of the IANA functions. It is argued that this ultimate sanction in the event of failure is an essential component in the accountability of the IANA function (and ICANN) to the Internet community. I must say that I find this scenario implausible. Should matters in IANA ever deteriorate to the extent described (and feared), then long before the worst would be allowed to happen, other authorities would have to have intervened. The ICANN Board, the GAC - and even USG - would not stand by and watch while difficulties escalated. Remedial action would have to be taken long before the whole process of separation, as described, could take effect. Therefore I rather doubt the necessity or wisdom of making structural changes now, to deal with a doomsday scenario that cannot be allowed to materialise, ever.	*The CWG-Stewardship appreciates your feedback.*

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77.	Centre for Democracy & Technology	Supportive	We agree with the elements outlined in the proposal (subject to the further elaboration of some components, as discussed below).	*The CWG-Stewardship appreciates your feedback.*
78.	ISPCP	Supportive	We believe that the proposed elements are building an acceptable high level structure	*The CWG-Stewardship appreciates your feedback.*
79.	CNNIC	Supportive	The proposal shall make sure that the policy-making and operation management functions of IANA be separated. According to the current proposal, a new legal entity (Post-transition IANA, PTI) will carry out the day-to-day operation of IANA, while policy-making and decision-making responsibilities still be taken by ICANN. The relationship between ICANN and PTI will require scientific and effective regulations to prevent the interplay of operation and decision-making. Most importantly, under a check and balance system, the concentration of power and conflict of interests can be avoided, the risk that the root zone file be modified by a unilateral decision can be reduced as well.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*
80.	JPNIC	Supportive	The section is accurate and succinct to provide the overall framework of the proposal.	*The CWG-Stewardship appreciates your feedback*

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81.	NIRA	Against PTI Model	It is not very clear how the legal/subsidiary/affiliate separation theory of ICANN-POLICY/REGULAOR and ICANN- IANA OPERATOR (PTI) would function effectively without an arm's length dealing between the two bodies. NIRA acknowledges and appreciates the minimalistic approach being adopted in the restructuring of the ICANN-ICANN-IANA OPERATOR Organogram, however, NIRA expects a further work and consideration of the legal separation theory in the proposal. The Group may wish to consider having total separation of Policy from operations by diluting the ownership of the IANA FUNCTION OPERATOR from being wholly owned by ICANN POLICY/REGULATOR. It is also still very hazy how ICANN can sign a contract with itself. The Group should consider a PTI co-owned by the three direct customers of IANA (Naming, Numbering and Protocol Parameter operational communities).	*The CWG-Stewardship appreciates your feedback, but is of the view that a separate legal entity is necessary to meet its requirements. For further detail, please see the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf). There was strong opposition to its proposal in December for a completely separate entity ("Contract Co."). Furthermore, the CWG-Stewardship has obtained legal advice that legal separation through an affiliate model is possible and meets requirements.*
82.	IPC	Supportive	The IPC strongly supports the overall structure and functions set forth in Section III.A.	*The CWG-Stewardship appreciates your feedback.*
Section III – Proposed Post-Transition Oversight and Accountability – Proposed Post-Transition Structure				
83.	auDA	Supports that IANA should remain the IFO and principles of community involvement but questions whether these	auDA agrees with the CWG's observation that the community is satisfied with ICANN's IANA department performance and that ICANN should remain the IANA Functions Operator. Noting this, any changes to the	*As outlined in the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-*

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		goals can only be delivered through separate legal entity / Clarification whether these goals could not also be delivered through ICANN-internal structures	current execution of the IANA functions should deliver minimal functional disruption and should focus upon the security and stability and resilience of the DNS. The principles of ensuring codified community involvement in IANA's ongoing operations, transparency, adequate future funding for IANA, protection from "capture" and a separation between operations and policy are supported. However, auDA questions the CWG's interpretation that these goals can only be delivered through the establishment of a distinct legal entity (whether as a subsidiary of ICANN or otherwise). auDA would welcome clarification from the CWG regarding whether these goals could not also be delivered as or more effectively by a solution based upon the development of ICANN-internal structures such as creating a separate IANA division within ICANN.	*en.pdf), the CWG-Stewardship is of the view that a separate legal entity is necessary to:* *Allow for a formal contract between ICANN and the IANA Functions Operator, which further evidences and supports functional separation.* *Without a contract, other means of establishing expectations regarding performance levels and related terms would need to be identified, which would likely be less formal and less enforceable than through a contractual relationship. Recourse for a "breach" of those terms and conditions would be limited to internal redress mechanisms such as through the IFR team and the CSC.* *If there were ever an ICANN bankruptcy, with legal separation of the IANA functions into PTI, an ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy*

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				proceeding. ICANN's "interest" in PTI will, however, become part of ICANN's bankruptcy estate and its ability to use and dispose of this "interest" will be subject to any applicable restrictions under bankruptcy law. • *If there is a future need to separate or divest ICANN of the IANA functions, the work of identifying and segregating assets will have already been done. This should enhance the separability of the IANA functions.*
84.	DCA Trust	Not supportive, prefers external trust / PTI should be 'owned' by multistakeholder model	The Draft Proposal has highlighted an "Internal to ICANN Model" of a wholly-owned subsidiary -the Post Transition IANA (PTI) -that belongs to ICANN. This implies that the PTI will only be accountable to ICANN as its only controlling parent. This conceptual framework is faulty. The proposal assumes that ICANN is absolute owner without also seeing ICANN as a stakeholder in the Transition, albeit with the status of being 'first amongst equals'. Therefore the proposal team of the IANA Stewardship Transition Coordination Group (ICG) should look again at the possibility of creating an external trust that is jointly owned between ICANN and	*The CWG-Stewardship notes that the public consultation on the CWG-Stewardship's initial transition proposal of 1 December 2014 confirmed that:* • *Respondents were satisfied with the current arrangements and* • *Any new arrangements should maintain ICANN as the IFO at the time of transition and implement mechanisms which could ensure similarly (to NTIA)*

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			the community. The PTI structure should be owned by multiple stake-holders in keeping with the accepted multi-stakeholder model. ICANN's legal ownership of the structure should be pegged at 10 per cent. The remaining stake-holding should be distributed to, and owned by, technical groups, individuals, corporates, country - code top level domains (ccTLDs), domainers, registries/registrars, etc. within the community. No individual or group should own more than 4 per cent, and a threshold of 50 percent must be mustered to pass a decision of the majority. This will make ICANN to achieve the support of an additional 40 percent of stakeholders before major decisions can be taken. Such a threshold would strengthen the level of consensus, cooperation and consultations amongst stakeholders that jointly own and operate the PTI. Such an ownership structure will ensure that the PTI will not just be used to rubber-stamp ICANN decisions, but would truly reflect the wishes of the broad community ownership that is envisaged.	*effective oversight and accountability while minimizing complexity and costs and maintaining the security, stability and resiliency of the DNS and Internet.* *The CWG-Stewardship also observes that if the PTI board were an "outsider" Board (a PTI board in which a majority of directors are not employees of ICANN), additional accountability mechanisms would need to be developed to hold PTI accountable to the community since the accountability mechanisms currently under development for ICANN would be largely ineffectual. Furthermore, because of legal advice received regarding trusts, the trust options were eliminated by the CWG-Stewardship. The multistakeholder involvement suggested by the commenter is contained in the IANA Function Rreview.*

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85.	AFRALO	Concern about structural complexity	Although we understand the legal separation that PTI brings, at the same time we are concerned about the structural complexity that goes along with it and wonder whether maintaining separation of IANA as a department was explored in details.	*The CWG-Stewardship is of the view that a separate legal entity is necessary to meet its requirements. For further detail, please see the FAQ on PTI (see* https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf*)*

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86.	InternetNZ	Supportive	a) InternetNZ notes that the satisfaction the CWG-Stewardship records with the current operation of the IANA functions (second half of p. 19) is an outcome of the current framework – and the IANA Functions Contract with the NTIA, and all the associated accountability impacts this drives beyond the direct clerical/authorising role of the NTIA. b) As such, the current satisfaction the community has with the quality of those functions and their delivery provides no basis for judgement on what future accountability framework is required. c) It does provide a basis to argue that the operator should not be changed in the short run, and that the status quo in respect of service performance should be documented and incorporated in the course of the transition. d) The retention of a contract, which creates binding obligations for service delivery and bright-lines for accountability purposes, is something InternetNZ strongly supports. e) The related structural separation of the IANA functions into a new legal entity allows this contract model to be effective, and delivers wider benefits to the operation as well – InternetNZ also strongly supports this aspect of the proposal. f) We note the dependency on the work of the CCWG-Accountability and look forward to seeing more from the CWG as to how it plans to reconcile its own more advanced timeline for approval with that of the CCWG.	*The CWG-Stewardship agrees with this perspective (points d and e in particular) and is of the view that its proposal meets these criteria.* *The CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship accountability requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html*

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87.	KISA	ICANN's decision-making should rely on the multi-stakeholder community	According to the proposed post-transition oversight and accountability mechanisms, ICANN is expected to replace the historical role of NTIA as the steward of IANA naming functions by becoming the contracting party for giving rights to the IANA functions operator. With this new important role, more power will be placed on the ICANN board as the final decision maker of the organization. We are aware that the CCWG-Accountability is working to develop mechanisms to ensure checks and balances for the increased power of the ICANN board but we would like to emphasize that the new system ensures that the voice of the multi-stakeholder community is given due respect. We believe that the role and composition of the ICANN board should be reviewed in order to successfully reflect the needs and interests of the global multi-stakeholder community in the new era.	*The CWG-Stewardship would like to remind the commenter that the CCWG-Accountability has been tasked to review and address the broader ICANN accountability issues and as such the CWG-Stewardship would like to refer the commenter to the CCWG-Accountability to submit feedback on ICANN's decision-making directly.*

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88.	Internet Governance Project	Supportive	With the goals of the IANA Stewardship Transition in mind, IGP believes that the basic model proposed by the CWG is an important step in the right direction. The essence of the proposal is to create a separate legal entity known as Post-Transition IANA (PTI) that would hold the staff, assets and capabilities that are now inside ICANN corporate's IANA department. The proposal would make ICANN the contracting authority for the names-related IANA functions, and PTI the contracted party to perform the names-related IANA functions. It would also create a Customer Standing Committee (CSC) that would continuously monitor the performance of IANA. Most important, it would create a periodic review process, rooted in the community, with the ability to recommend switching to a new operator of the names-related IANA functions if ICANN's performance was unsatisfactory. We strongly support these basic elements of the model proposed by the CWG.	*The CWG-Stewardship appreciates your feedback.*
89.	CCG-NLU	Questions the proposed structure (in favor of clearer separation from ICANN)	Second, the need for creating an ICANN "affiliate" to perform IANA functions has not been clearly explained. The goal of "functional separation" is undercut by the fact the PTI will be a wholly owned subsidiary of ICANN, and hence subject to legal and operational management by the parent corporation. There is no exposition of legal advice relating to this separation annexed to the report. If the goal is functional separation, what is the need to	*As outlined in the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf), the CWG-Stewardship is of the view that a separate legal entity is necessary to:* • *Allow for a formal contract*

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			maintain a corporate link between ICANN and the PTI? What is the legal and policy justification to hand over the right of selecting future IANA functions operators to ICANN? These important questions, regrettably, have been left unexplained by the CWG.	*between ICANN and the IANA Functions Operator, which further evidences and supports functional separation.* • *Without a contract, other means of establishing expectations regarding performance levels and related terms would need to be identified, which would likely be less formal and less enforceable than through a contractual relationship. Recourse for a "breach" of those terms and conditions would be limited to internal redress mechanisms such as through the IFR team and the CSC.* • *If there were ever an ICANN bankruptcy, with legal separation of the IANA functions into PTI, an ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy proceeding. ICANN's "interest" in PTI will, however, become part of ICANN's bankruptcy estate and its ability to use and dispose of this*

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				"interest" will be subject to any applicable restrictions under bankruptcy law. *If there is a future need to separate or divest ICANN of the IANA functions, the work of identifying and segregating assets will have already been done. This should enhance the separability of the IANA functions. For further information concerning the legal input provided to the CWG-Stewardship, please see https://community.icann.org/x/8g8nAw.*

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90.	Italy	Not supportive of PTI model	We are of the opinion that it might prove difficult for PTI to remain truly independent when ICANN is the sole owner and its Board is elected by ICANN itself. Should this framework be implemented, resulting in a contract between ICANN and PTI, we believe that there is a concrete risk that it may become a self-referenced system. Moreover, we think this setup might infringe the "Principle of Separability" (point 9.i of the Annex C), which states that the proposal should ensure the ability *to separate the IANA Functions from the current operator (i.e. ICANN) if warranted and in line with agreed processes*;	*The CWG-Stewardship appreciates your feedback and as a result has made available an FAQ that provides further details on PTI (see* https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf*).*

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91.	Christopher Wilkinson	Cautions against separation	Oversight: The economic and social importance of the Internet today is such that no public authority, large organisation other responsible entity can afford to ignore how it works. The demand for relevant oversight will increase, not decrease following the formal withdrawal of the NTIA from the IANA functions. At the very least it has become essential that stable and effective oversight and monitoring functions exist. But in a multi-national and multistakeholder global environment, efficient and credible oversight to build confidence is quite expensive. The ICANN+IANA system ("Warts and all", as was once said) is an important element in building that confidence, world wide. I would submit in conclusion that it behoves the whole ICG/CWG/CCWG nexus to think in terms, not of their respective structures and interests, but in terms of how the process and the outcome as a whole will appear globally. Will the results contribute to confidence in the Internet, world-wide?	*The CWG-Stewardship appreciates your feedback and notes that a large percentage of participants in the CWG-Stewardship believe that the proposed solution, once finished, will positively contribute to confidence in the Internet, globally.*
92.	Eberhard Lisse	Not supportive	To create a entity separate from, but controlled by ICANN is in my view unacceptable as it just creates additional layers of bureaucracy without changing anything.	*The CWG-Stewardship appreciates your feedback.*
93.	Centre for Democracy & Technology	Supportive	We note the reference in III.A.i to the results of the December 2014 consultation on v1 of the proposal that suggested "respondents were very satisfied with the current arrangements and that any new arrangements should maintain ICANN as the IFO at the time of	*The CWG-Stewardship appreciates your feedback.*

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			transition and implement mechanisms which could ensure similarly effective oversight and accountability… ." In proposal v2, ICANN would have a distinctly greater role with regard the IANA functions, effectively becoming the provider of oversight, the contracting entity and the operator. This means that ensuring - at a minimum - "similarly effective oversight and accountability" becomes an essential yardstick of the eventual transition. Any lessening of the effectiveness and accountability in the overall transition proposal – and particularly in the related proposals from the Accountability CCWG – will have a deleterious impact on the transition proposal as a whole. The extent to which the transition model is dependent upon the CCWG's work – and particularly the membership structure - is made abundantly clear in point 2 of the FAQ. CDT supports all the component parts of the transition model as listed in III.A.i. They form a much discussed and debated whole, that reflects key criteria including meeting the day to day performance needs of customers (through the CSC), reflecting broader multistakeholder perspectives in the overall IANA performance review (through the IFR), and the importance of ensuring the enhanced separation (functional and legal) between	

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			ICANN the policy-making entity and the IANA functions operator.	
94.	ISPCP	Supportive	As pointed out in our comment during the last public comment period ISPs' businesses to a large extend rely on IANA service customers. It is several times expressed by IANA customers that they are satisfied by the present service offered and guaranteed. They do not want a fundamental change in the supervision structure which they fear could potentially harm the service level. In this regard the ISPCP don't see a need to change the IANA functions operator. Any form of stewardship transition should therefore diligently incorporate the present operator.	*The CWG-Stewardship appreciates your feedback*
95.	ICANN Board	Supportive	The proposal incorporates many high-level concepts that seem to be workable as the board understands the proposal. As we understand: • The PTI is currently proposed as a wholly-owned subsidiary to ICANN, performing its work under contract with ICANN, and limited to the discrete role of executing instructions from the users of the IANA functions on the implementation of the naming-related IANA functions and root zone management tasks. • The PTI has no policy role, nor is it intended to in the future, and that while it will have control of the budget amounts ceded to it by ICANN for the performance of the naming-related IANA functions, the funding of the PTI will	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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			be provided by ICANN as part of the ICANN budgeting process. • With the PTI being a lightweight structure, the accountability measures developed for use within ICANN apply; the PTI is not intended to be a replication of the ICANN model. • CWG external counsel has advised that an internal, ICANN-appointed PTI Board makes the application of ICANN accountability mechanisms far more clear, and consider this an important element of the simplicity of design of an accountable PTI. • The proposal indicates that the PTI and its board would be limited in scope to the minimum statutorily required responsibilities and powers, and execute instructions as given. The PTI would, of course, retain obligations of assuring that PTI performs to its requirements, including SLEs/SLAs, reviews, etc. We understand that these are important facets of the CWG proposal, particularly to enable the ability to easily contract out the performance of the IANA Functions if that was determined to be needed in the future. On the basis of the above, we accept that this could be a workable model.	
96.	ICANN Board	Supportive	As the PTI idea continues to be formed, we think that it's important that concerns of security and stability in the performance of the IANA Functions in their entirety	*The CWG-Stewardship appreciates your feedback and fully agrees that concerns of security and stability in the*

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			remain paramount. If there are choices between structures that leave the possibility for a new PTI to change its structure or assert more control in areas that are not 2 intended, as opposed to a structural design that does not provide the opportunity for that to happen, it is our position that the Internet is best served through a more predictable, fixed design. If there are issues that may arise with regards to any new structure, these should also be assessed in particular with regards to governance, accountability and implementation. It would also be helpful that the proposal further specify it is for the naming community. The CWG Proposal also seems to have a path towards a lightweight PTI design that provides a clear bound for separability when/if needed, as well as for allowing the naming-related functions to be performed in accountable and transparent ways. We support these principles. We also believe that the PTI should have the following additional principles at its core in order to support what is not only good for the naming-related community, but for the Internet: • The PTI must have a clearly drawn framework that defines its remit. • The PTI's role should be well defined.	*performance of the IANA Functions in their entirety remain paramount. The CWG-Stewardship will factor your feedback into its subsequent deliberations.*

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			• Maintaining the security and stability of the Internet DNS. • No policy development nor interpretation role. • Clear paths for coordination with other operating communities. • Not undermine nor jeopardize ICANN's not-for-profit public benefit status. • Simplified governance structure to allow easy alignment with current operations of the functions. • The way in which the PTI exercises its role must be adequately and transparently documented. • The PTI functions, processes and methods should be fully explained, and subject to peer/community review. • The PTI should strive to adhere to organizing principles, such as: o Advocacy and adherence to open, interoperable standards. o Each party is responsible for what they contribute to the Internet. o Decision-making should be open to all, and based on merit. o Adherence to the Principle of Least Surprise. o Stability at the core of the Internet. o Permission-less innovation at the edge of the Internet.	

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97.	LACTLD	Supportive	We believe that the PTI, as an organization affiliated to ICANN, is a proposal that provides the necessary safeguards for the operational stability of the IANA functions and to maintain the standards of excellence for the stability of the DNS. It also addresses the independence and continuity of the operations with appropriate accountability mechanisms.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*
98.	CNNIC	NA – concern with meeting accountability requirements	The proposal shall be more specific on the operation mechanism and accountability system of IANA functions, so as to increase the transparency of IANA policy-making, operating management, decision-making and financial process. The accountability and transparency of the root zone management will encourage more countries and multistakeholders to take an active part in global Internet governance and cooperation. Besides, while processing the ICANN accountability discussions, we hope that CCWG fully consider the existing mechanism, such as the work of ATRT and ATRT-2. Discussing the necessity of new mechanism and strengthening the existing ones can help prevent redundancy and low efficiency caused by function-overlapping. Even if a new accountability mechanism is decided to be set up (just like IFRT), its independence from the current ICANN need to be secured still.	*Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CWG-Stewardship does not anticipate that it will need to make further changes in relation to the accountability aspects of the proposal as the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see http://forum.icann.org/lists/comments -cwg-stewardship-draft-proposal- 22apr15/msg00017.html. In relation to the comments concerning the CCWG- Accountability, the CWG-Stewardship*

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				would like to remind the commenter that the CCWG-Accountability has been tasked to review and address the broader ICANN accountability issues and as such the CWG-Stewardship would like to refer the commenter to the CCWG-Accountability to submit feedback on this issue directly.
99.	JPNIC	Supportive	We agree on the community's satisfaction on the current IANA service and required elements for IANA function post-transition. The framework with proposed PTI is well designed especially on following points: 1) Simple and clear separation on the policymaking and operational functions which has been sometimes not clear enough until now. 2) Utilization of the conventional contract model to ensure stable operation of IANA function. It will benefit in making full use of the existing framework of the current IANA contract to stipulate the obligation which IFO must bear. 3) Names community will gain the similar framework with IFO to Numbers and Protocol Parameters communities, which benefits them in entering the similar contractual relation with IFO for IANA service for them and in having the integration of three proposals in a favorable shape.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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100.	NIRA	NA	The Group should consider a PTI co-owned by the three direct customers of IANA (Naming, Numbering and Protocol Parameter operational communities)	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the ICG. The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. See https://www.ianacg.org/ for further details.*

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101.	IPC	Supportive	As noted above, the IPC strongly supports the overall structure and functions proposed by the CWG. In particular, the use of a contract to define the IANA Functions, the community's oversight of performance of the IANA Functions and the ways in which ICANN will be held accountable for its performance or lack thereof, is a time-tested, transparent and straightforward way to set out these elements and to secure ICANN's binding and enforceable agreement to perform pursuant to the terms and conditions of the agreement. We consider that the creation of "Post-Transition IANA" (PTI) is necessary, so that a legally cognizable third party exists for ICANN to contract with. This also provides a clear way to create additional separation between the IANA Functions group and the policy-making functions of ICANN. The Customer Standing Committee and resolution mechanisms seem appropriate, at least at a conceptual level, as does the periodic IANA Function Review. We do have some concerns about removing the external approval and oversight role as regards changes to the Root Zone. These will be discussed below.	*The CWG-Stewardship appreciates your feedback.*
Section III – Proposed Post-Transition Oversight and Accountability - PTI				

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102.	Richard Hill	Lack of details / further information on nature of separation and rationale	As noted above, I don't understand how PTI would be really separate from ICANN if it is fully controlled by ICANN, which is what the description above appears to imply. Nor do I understand how, in such a setup, an agreement between ICANN and PTI would be construed as a real contract between two independent entities, rather than an internal arrangement between ICANN and one of its subsidiaries.	*The CWG-Stewardship appreciates your feedback and as a result has made available an FAQ that provides further details on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf).*
103.	Richard Hill	Lack of details / clarity on PTI incorporation	I don't see any references to where PTI would be legally resident/incorporated, nor to the jurisdiction that would apply to PTI and to agreements between PTI and ICANN. As I've stated before, this is a key issue. If PTI is resident in the USA, it would be subject to US law, which has significant implications, in particular if, as is proposed, PTI has full authority over changes to the root zone file. For example, the US Congress could pass a law that would force PTI to delete some particular ccTLD from the root zone.	*The CWG-Stewardship is still deliberating whether PTI should be a California nonprofit Public Benefit Corporation or a Limited Liability Corporation. The CWG-Stewardship notes that the scenario put forward by the commenter would be applicable to any jurisdiction and as such does not seem a particularly relevant scenario to consider.*

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104.	Vanda Scartezini / LAC Strategy	Questions need to create separate legal entity / further information on rationale for separation	This 2nd draft brought improvements that I appreciate, though brought also some points that are not clear at all on how it could work. I am referring here to IANA's independence from ICANN and the proposal to do so. From my view the proposal just create a new entity that is totally dependent of ICANN, both by its constitution and by its financial dependence. What it IANA nowadays? Part of ICANN and financially dependent of ICANN. Where is the change? How the proposal will implement the "independence" idea for IANA? I believe the demands proposed in this draft regarding community participation, accountability and enhanced rights are ok and shall be implemented, but do these new demands, in any way, require the 'legal' status of IANA as proposed? And the legal proposal will bring any independence to IANA?	*The CWG-Stewardship appreciates your feedback and as a result has made available an FAQ that provides further details on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf).*

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105.	Brian Carpenter	Not supportive as independence would be 'illusory' / none	My personal opinion is that setting up a theoretically independent legal entity as a "wholly owned subsidiary" of ICANN is pointless. Its independence would be absolutely illusory, as shown by the proposal to embed the CSC in the ICANN by-laws. It would be overhead cost for no benefit. It would probably be harmless, but complexity often has unexpected side effects	*The CWG-Stewardship appreciates your feedback and would like to refer you to the FAQ that provides further details on PTI and the benefits it is expected to bring (see* *https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf). The CWG-Stewardship recognizes that the creation of PTI would require forming a new entity and, on an ongoing basis, attending to a set of associated corporate formalities, although legal counsel to the CWG-Stewardship advises that those are not likely to be significant.*

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106.	Axel Pawlik / NRO Executive Council	No objection / none	It is our understanding that IANA personal and systems are presently shared among IANA tasks performed in support of names, numbers, and protocol registry activities, and as a result, the formation of PTI would result in non-naming IANA functions also being moved into PTI. The Internet numbers community's IANA Stewardship Transition Proposal (as developed by the CRISP team) calls for ICANN to continue as the IANA Functions Operator for the IANA numbering services by means of a Service Level Agreement (SLA) with the RIRs. At this time, we expect the RIRs to follow that approach, and thus to rely upon the SLA contractual measures with ICANN for oversight of the provision of IANA Internet numbering services. We do not expect the numbers community to rely upon the proposed PTI separation from ICANN for purposes of oversight of IANA numbering services, but also do not foresee any incompatibility between the CWG's proposal for formation of the PTI and our contracting with ICANN for its continuance as the IANA Numbering Services Operator. We understand that (per the CWG proposal) the PTI would be formed as a wholly owned affiliate of ICANN, and do not anticipate any issue related from this structure.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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107.	auDA	No support for separate legal entity / further details needed concerning jurisdiction, scope and composition	auDA notes that the structure proposed by the CWG is designed to maintain a distinct level of separation (and separability) between ICANN and the PTI. auDA disagrees that this goal necessarily requires the establishment of a separate legal entity. The establishment of a separate PTI (either as an NFP or LLC) creates a range of issues and complexities relating to the entity's relationship with ICANN. That is, the development of PTI would essentially replicate many of the concerns associated with the previously-proposed establishment of a "Contact Co." – a proposal that received strong opposition from the community. Further, auDA believes that the establishment of a distinct legal entity runs counter to the CWG's acknowledgement of the community's support for minimising disruption and avoiding complexity during, and following, the transition process. The establishment of a PTI will solely address requirements of the naming community that currently relies upon IANA. Current advice from the numbering (RIRs and protocol (IETF) communities does not envisage the same degree of separation as proposed by the naming community. This creates a potential disconnection between the three responsibilities IANA is tasked with. auDA believes that suitable safeguards and accountability	*As outlined in the FAQ on PTI (see* *https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf), the CWG-Stewardship is of the view that a separate legal entity is necessary to:* • *Allow for a formal contract between ICANN and the IANA Functions Operator, which further evidences and supports functional separation.* • *Without a contract, other means of establishing expectations regarding performance levels and related terms would need to be identified, which would likely be less formal and less enforceable than through a contractual relationship. Recourse for a "breach" of those terms and conditions would be limited to internal redress mechanisms such as through the IFR team and the CSC.* • *If there were ever an ICANN bankruptcy, with legal separation*

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			mechanisms can be developed under the auspices of ICANN and enforced through the work of the CCWG on Accountability and "fundamental" bylaws that the CWG itself has itself frequently referred to in its proposal. Despite these overarching concerns, auDA acknowledges that the majority of ICANN's stakeholder community may agree to the CWG's proposal regarding an affiliate separate legal entity. In that case a number of important details are missing from the proposal. Despite the continued efforts of the CWG, auDA believes it is unclear whether issues of jurisdiction, structure and scope of the PTI have been adequately addressed. Questions also remain regarding the PTI's administrative and functional interactions with ICANN, including the management and transfer of assets between the parties, the management of staff, and their employment status and rights. Finally, should the community support the establishment of a new affiliate / subsidiary structure, auDA believes, based on the principles of efficiency and simplicity, that such an affiliate should be an LLC established in the State of California.	*of the IANA functions into PTI, an ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy proceeding. ICANN's "interest" in PTI will, however, become part of ICANN's bankruptcy estate and its ability to use and dispose of this "interest" will be subject to any applicable restrictions under bankruptcy law.* • *If there is a future need to separate or divest ICANN of the IANA functions, the work of identifying and segregating assets will have already been done. This should enhance the separability of the IANA functions.* *The CWG-Stewardship recognizes that the creation of PTI would require forming a new entity and, on an ongoing basis, attending to a set of associated corporate formalities, although legal counsel to the CWG-Stewardship advises that those are not*

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				likely to be significant. *The CWG-Stewardship would also like to refer the commenter to the comment made by the NRO which states that the NRO does 'not anticipate any issue related from this structure'.* *The CWG-Stewardship is actively considering the pros and cons of the PTI entity structure and will take your feedback into account.*
108.	Sivasubra-manian M	Not supportive	1. There could be a structural separation, but a notional separation, as far removed from any form of actual separation as possible 2. The structurally separate IANA organization is not to have a mind on its own or have any form of intelligence. It needs to be 'stupid'. 3. No need for any role at all in the structurally separate IANA for the IETF / RIRs / Registries (customers)/ Governments and Users. 4. No need for a CSC, no IRP not even an independent board. If the notional structural separation requires Board by that name, a Board subservient to ICANN could be constituted. 5. All Intelligent staff of any rank could stay within ICANN.	*As outlined in the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf), the CWG-Stewardship is of the view that a separate legal entity is necessary to:* • *Allow for a formal contract between ICANN and the IANA Functions Operator, which further evidences and supports functional separation.* • *Without a contract, other means of establishing expectations regarding*

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			6. IETF / RIRs / Registries / Users / Governments could stay within ICANN. 7. ICANN could set in motion tasks for IANA 8. ICANN could brings about changes a. by ICANN Policies that set Long Term directives and bring about the necessary long term changes within IANA as required b. by ICANN Working Groups on IANA recommendations endorsed by the ICANN Board to bring about interim changes in the ongoing process c. by emergency directives from the ICANN Staff from a suitable level on IANA emergency matters. 9. All IANA oversight could be by ICANN. ICANN oversight is to be by its Accountability process which could be inherently strengthened.	*performance levels and related terms would need to be identified, which would likely be less formal and less enforceable than through a contractual relationship. Recourse for a "breach" of those terms and conditions would be limited to internal redress mechanisms such as through the IFR team and the CSC.* • *If there were ever an ICANN bankruptcy, with legal separation of the IANA functions into PTI, an ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy proceeding. ICANN's "interest" in PTI will, however, become part of ICANN's bankruptcy estate and its ability to use and dispose of this "interest" will be subject to any applicable restrictions under bankruptcy law.* • *If there is a future need to separate or divest ICANN of the IANA functions, the work of identifying*

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				and segregating assets will have already been done. This should enhance the separability of the IANA functions.
109.	US Council for International Business	Supportive / suggested clarifications re. staffing of PTI and link with other communities	USCIB supports the proposed creation of Post-IANA Transition (PTI) "wholly-owned subsidiary." It represents an improvement over the previous proposal to create a separate new entity, "Contract Co." In our view, the latter would have created new accountability issues and requirements and potentially destabilized the performance of IANA functions.

We recognize that current plans are to have the present IANA staff take up their same roles as part of PTI. If, for any reason, this failed to take place in whole or in large part, asking a new and inexperienced entity outside of ICANN to perform the IANA functions could pose significant implications for the security and stability of the DNS. We urge the CWG-Stewardship to take that into account in further developing and refining this draft.

In addition, the CWG-Stewardship proposal should clarify how the PTI construct relates to the separate proposals put forward by the numbers and protocols communities. Does the PTI construct assume that all three IANA administrator functions will be/should be managed in the | *The CWG-Stewardship appreciates your feedback concerning PTI staffing and will factor this into its subsequent deliberations. As noted in the proposal, the CWG-Stewardship recommends that "The existing IANA functions department, administrative staff and related resources, processes, data and know-how would be legally transferred to PTI".*

In relation to how the PTI construct relates to the proposals of the other operational communities, the CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the |

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			new entity? This needs further elaboration.	*development of a proposal amongst the (three) communities affected by the IANA functions. It has one deliverable which is a proposal to the U.S. Government (NTIA) regarding the transition of stewardship of the IANA functions to the global multistakeholder community. See https://www.ianacg.org/ for further details.*

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110.	CRISP Team	NA – still considering whether and how the numbers community may get involved with PTI	* ICANN subcontracting Post Transition IANA (PTI) as the IANA functions operator - It is our understanding that in accordance with the proposed model, the Numbers community can either enter into an SLA with ICANN (which would delegate operation of the IANA Functions to PTI), or directly with PTI as the IFO. In any case it is the SLA that will govern the provision of the IANA numbering services to the community. - The RIR legal teams need to conduct legal analysis on both options before the Numbers community is able to arrive at a definitive conclusion on this issue. In order to enable thorough analysis, more time is needed beyond the public comment period. We will coordinate with CWG-Stewardship in the event that we identify any issues which would affect the proposal developed by the CWG-Stewardship.	*The CWG-Stewardship will continue to collaborate with the ICG and the other operational communities to ensure that our separate proposals are compatible.*

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111.	China Academy of Information and Communications Technology (CAICT)	NA – input on PTI jurisdiction	PTI should be set up in a neutral country out of the jurisdiction of US law, and should respect every country's law. An accountability and transparency mechanism of PTI should also be established. All those things should be further clarified in the proposal.	*The CWG-Stewardship appreciates your feedback and refers your question of PTI accountability to a FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf). To your former point, the CWG-Stewardship is still deliberating whether PTI should be a California nonprofit Public Benefit Corporation or a Limited Liability Corporation.*
112.	AFRALO	Implications of PTI incorporation and relationship to ICANN	• It is not yet clear how PTI would be setup i.e. whether subsidiary or Affiliate to ICANN as we believe either of them comes with different sets of implications. • We are concerned about the sustainability of PTI especially as it will rely on ICANN in terms of its resources (most especially funding)	*The CWG-Stewardship is still deliberating whether PTI should be a California nonprofit Public Benefit Corporation or a Limited Liability Corporation. The group also refers you to an FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf): If there were ever an ICANN bankruptcy, with legal separation of the IANA functions into PTI, an ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy proceeding.*

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113.	Mikhail Medrish	NA – input on PTI jurisdiction	The proposal to establish PTI contains no indication of the country of registration. The question of applicable law is very important. Therefore, the proposal should contain an indication of the alleged country of registration or the criteria that should be used when selecting a country. In my opinion, the main criterion for the choice of country of registration is the presence of guarantees of non-interference of the state in the functioning of the systems of unique identifiers (global Internet infrastructure). Such guarantees may give a law prohibiting state intervention in the global Internet infrastructure and PTI operations.	*The CWG-Stewardship appreciates your feedback and notes that it is still deliberating whether PTI should be a California nonprofit Public Benefit Corporation or a Limited Liability Corporation.*

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114.	Chinese Stakeholders' Joint Submission	Seeks further information on the reasoning for model chosen. Also seeks further detail on accountability mechanisms of structure.	We are concerned about the way in which the legal separation model (PTI as an affiliate of ICANN) has been presented and developed out of a good number of options. We wonder whether this model will be the final outcome or any other models are still potentially available. We also acknowledge that establishment of the PTI will demand additional accountability mechanisms to its direct customers, which might fall out of the scope of the ICANN accountability mechanisms under discussion. However, this part has not been sufficiently addressed in the proposal.	*The CWG-Stewardship is actively considering the pros and cons of the PTI entity structure and will take your feedback into account. For further detail, please see the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf). With regards to other options, the CWG-Stewardship notes that a various sources of feedback were taken into account such as input on the initial proposal, legal advice, deliberations during intensive working sessions that led to the narrowing down of the list of options to the current proposal of the legal separation model.* *The CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship accountability requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html*

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115.	Chinese Stakeholders' Joint Submission	NA – input on PTI jurisdiction	We support the idea of differentiating jurisdiction of PTI from that of ICANN.	*The CWG-Stewardship appreciates your feedback and notes that it is still deliberating whether PTI should be a California nonprofit Public Benefit Corporation or a Limited Liability Corporation.*
116.	InternetNZ	Supportive	a) InternetNZ supports the creation of Post-Transition IANA as a legal entity distinct from ICANN, to give clear bright-lines in respect of decision making (the "ring-fence" comment on p. 21) and to ensure that ICANN does not over time risk absorbing the IANA functions in a way that could make future separation, if required, practically impossible to achieve. b) InternetNZ (a membership based, non-profit organisation legally structured as an Incorporated Society) has operated the .nz ccTLD through wholly owned subsidiary companies since 2002 – a policy / regulatory entity (Domain Name Commission Ltd – www.dnc.org.nz) and a registry/DNS operator (NZRS – www.nzrs.net.nz) and so has over a decade of experience to offer in managing subsidiary companies in operating critical Internet resources. c) Besides the contracts with the companies (called Operating Agreements in our system), there is an annual Statement of Expectations from the parent that sets out particular short-term requirements of the company. It	*The CWG-Stewardship appreciates your feedback, the description of your operating model, and your offer of support/consultation.* *It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. For further detail, please see the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf*

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			responds with a Statement of Direction and Goals that sets out how the company will meet the Expectations, and the financial resources required to do so. These are approved by the parent's board. d) Whether this model is followed or another approach taken, it is imperative that PTI is designed in a fashion that leaves it limited in scope and role, unable to expand that scope and role, and enforceably committed to implementing the policy decisions given to it by the relevant function policy body (in the case of names, ICANN). e) InternetNZ recommends that the CWG provide as much information as possible about the institutional set up for the proposed affiliate, and is happy to offer staff and governors to assist any particular CWGStewardship or Design Team work that could find our direct experience useful.	

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117.	AmCham EU	Supportive	AmCham EU supports the creation of a Post-Transition IANA (PTI) as a separate legal entity in the form of an affiliate that would be a 'wholly owned subsidiary' of ICANN. We support the plan that the current IANA staff should be taking the same roles in the new entity. Indeed if, for any reason, this fails to take place in whole or in part, asking a new and inexperienced entity outside of ICANN to perform the IANA functions could poses a concern for the security and stability of the DNS. We urge the CWG-Stewardship to take this into account in further developing and refining this draft. The CWG-Stewardship proposal should further clarify how the PTI construct relates to the separate proposals put forward by the numbers and protocols communities and clarify whether all the three IANA administrator functions will be managed in the new entity	*The CWG-Stewardship is actively considering the pros and cons of the PTI entity structure and will take your feedback into account. PTI is an entity for the operation of IANA naming services only. For further detail, please see the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf)* *The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the ICG. The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. See https://www.ianacg.org/ for further details.*

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118.	Swedish Government Offices	Supportive – would like to see further process and implications developed	The next version of the CWG-Stewardship proposal would benefit to include a process for designing the PTI-IANA contract, a process to establish community consent before entering the contract, explicit mention of whom the contracting parties are and what their legal responsibilities would be in relation to it. Stress-test #25 can be informative as it analyses a situation where ICANN delegates or subcontracts obligations to a third party.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations concerning implementation considerations of the proposal.*
119.	Rui Zhong / Internet Society of China	Unknown / questions concerning possible bankruptcy	As written in the Proposal, the PTI will go into the contract with ICANN and become its affiliation. If unfortunately bankruptcy happens to ICANN or fails to maintain its operation, how to ensure the continuing running of PTI? In this regard, it is possible that PTI and ICANN be two equal independent legal entities, or be put into two different jurisdiction territories. And if the contract fails to meet the potential developed business of PTI, which one could raise the contract modification request, PTI, CSC, or ICANN Board?	*The CWG-Stewardship notes that if there were ever an ICANN bankruptcy, with legal separation of the IANA functions into PTI, an ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy proceeding. ICANN's "interest" in PTI will, however, become part of ICANN's bankruptcy estate and its ability to use and dispose of this "interest" will be subject to any applicable restrictions under bankruptcy law.*

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120.	IAB IANA Evolution	Neutral	The precise details of organization, control, and governance of PTI are not entirely laid out in the proposal, but we believe it is likely to be either a public-benefit corporation or an LLC, under a board with at least a majority appointed by the ICANN board. The IETF community prepared a plan in advance of the proposal to create PTI, and IETF consensus was to continue the current arrangement with ICANN. As a result, we believe that the IETF's agreements for the protocol parameters IANA function will continue to be with ICANN. If ICANN chooses to create internal structures (such as the PTI) for the delivery of that service, we do not believe that entails changing the IETF's agreements. We expect legal analysis by the IETF will be required as the details emerge of how the PTI is to be constituted and funded, and that analysis could change our evaluation of what arrangements are needed.

The proposal also contains some scenarios in which the IAB might be invited to participate either directly or via liaison in additional ICANN-related activities. We believe the IAB will need to evaluate those possibilities carefully in the future, when all the details are available. However, arrangements for the protocol parameters part of IANA are not dependent on such participation. | *The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* |

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121.	CENTR Board of Directors	Supportive -- But clear that separation is a last resort option.	Having the Post Transition IANA (PTI) as a separate legal entity and a not for profit subsidiary of ICANN allows for a stable transition while retaining the separability option as a measure of last resort in case of systemic bad performance. The separability should be the ultimate remedy to be enforced if all other means to improve and/or fix IANA service levels failed. We recommend the current proposal be crystal clear in underlining that separation should only occur after the approval by supermajority of all SO's and AC's and of IANA's direct customers. At the same time, we believe that the PTI model will guarantee further transparency regarding certain aspects of the current IANA management – like its budget – something the community has been requesting for an extensive period of time.	*The CWG-Stewardship appreciates your feedback.*
122.	KISA	Concerns about independence of PTO	PTI (Post Transition IANA)'s independence should be ensured. CWG's proposal includes the creation of PTI within the ICANN structure but that it would have functional and legal independence. However, under the proposed structure, PTI will be a 'wholly owned subsidiary' of ICANN that receives funding and administrative resources from ICANN. Also, there is the possibility for ICANN to designate the PTI board. Therefore, we are not certain that it would be possible for PTI to be operated completely separate from ICANN.	*As outlined in the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf), the CWG-Stewardship is of the view that a separate legal entity is necessary to:* • *Allow for a formal contract between ICANN and the IANA Functions Operator, which further*

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			Since the work of the CCWG-Accountability is not yet finalized, we would like to see a clearer and more detailed explanation regarding the mechanism that would ensure PTI's independence. We would also like to see a more specific description regarding the structure of the PTI board.	*evidences and supports functional separation.* • *Without a contract, other means of establishing expectations regarding performance levels and related terms would need to be identified, which would likely be less formal and less enforceable than through a contractual relationship. Recourse for a "breach" of those terms and conditions would be limited to internal redress mechanisms such as through the IFR team and the CSC.* • *If there were ever an ICANN bankruptcy, with legal separation of the IANA functions into PTI, an ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy proceeding. ICANN's "interest" in PTI will, however, become part of ICANN's bankruptcy estate and its ability to use and dispose of this "interest" will be subject to any applicable restrictions under*

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				bankruptcy law. *If there is a future need to separate or divest ICANN of the IANA functions, the work of identifying and segregating assets will have already been done. This should enhance the separability of the IANA functions.* *Other factors that enhance independence are: a separate board (though "insider"); separate staff; separate budget (although approved by ICANN), and, clearly defined PTI functions.*

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123.	Internet Governance Project	PTI should perform all IANA functions, not only naming related functions.	PTI should perform all IANA functions currently done by ICANN. While not explicitly stated in the CWG proposal, we believe the PTI should include all IANA registry services currently provided by ICANN's IANA department. The IANA department within ICANN is relatively small, which means that it makes no sense to separate only the names-related functions. Further, given that these functions have been provided together for the past 18 years, there are some complementarities and economies in the provision of these services across names, numbers and protocols. Thus, it makes sense for all IANA-related operations, assets, and staff to be transferred to PTI. To break them apart arbitrarily as part of the transition would be needlessly destabilizing. In their comments in this proceeding, the numbers community (NRO) has said it does "not foresee any incompatibility between the CWG's proposal for formation of the PTI and our contracting with ICANN for its continuance as the IANA Numbering Services Operator." On the IANAPLAN list, some members of the protocols community have also expressed their willingness to accept the new arrangement as merely a reorganization; a few other members of the protocols community have expressed a preference for splitting the protocols functions away from names and numbers in order to keep them within ICANN. However, no significant reasons for this preference have been provided, and the proponents of this preference have admitted that "the protocol parameters registries could probably continue to work just fine if the resources and personnel were moved [to PTI]..." Therefore it is best to keep all the IANA functions together in PTI during the transition.	*The CWG-Stewardship proposal assumes that all IANA functions would be performed by PTI regardless whether the numbering and protocol communications decide to be a part of PTI or not.* *The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. It has one deliverable which is a proposal to the U.S. Government NTIA regarding the transition of stewardship of the IANA functions to the global multistakeholder community. See https://www.ianacg.org/ for further details.*

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124.	CIRA	Supportive	As a wholly-owned subsidiary of ICANN or an affiliate constituted to perform the IANA functions under contract, I believe the PTI will ensure the necessary legal separation between PTI's operational responsibilities and ICANN's policy role. It also satisfies the need for the presentation of a separate and detailed budget for the performance of the IANA functions, as well as ensures the necessary financial reporting to provide enhanced transparency in this regard. I was pleased to see that the CWG moved away from the 'Contract Co.' approach identified in their December proposal. This new approach – the PTI – appears to be less complex, and I support the CWG's decision to rely on the work of the CCWG to develop the necessary accountability measures for ICANN as a whole.	*The CWG-Stewardship appreciates your feedback*

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125.	AFNIC	Supportive – suggestions on budget management	Afnic agrees the proposed structure (PTI) as a new legal entity that is an affiliate to ICANN answers to the need of structural and operational separation. In order to make sure that PTI will have the budgetary means to perform its duty, we however recommend that the funds allocated through the ICANN budget (and validated by the community as stated in the document) should be granted to PTI on a multi annual basis, and not year by year. It would allow PTI management and board to be fully responsible, and not to rely each year on the budget allocated by ICANN. As the budget allocated to PTI will of course be of the upmost importance for this entity to fulfill its duty, Afnic recommends that an independent financial audit should be performed every year before the accounts approval by PTI board, and that this audit should be also sent to CSC for information, including a transparent stocktaking of all contracts passed between PTI and ICANN during the year, and their amount. Furthermore, we recommend that it should be stated that PTI General Manager should have full authority on PTI staff.	*The CWG-Stewardship is of the view that PTI should develop and annually update a 4-year strategic plan, which should outline strategic priorities, while PTI should also have a yearly budget that is reviewed by the community. A fully approved budget should be developed on an annual basis. PTI should submit a budget to ICANN at least 9 months in advance of the applicable fiscal year. The ICANN Board must approve the PTI budget at least three months in advance of the fiscal year to ensure the stability of the IANA services. It is the view of the CWG-Stewardship that the IANA budget should be approved by the ICANN Board in a much earlier timeframe than the ICANN Budget (similar to the special community budget request, for example). The CWG-Stewardship agrees with AFNIC's suggestion for an annual independent financial audit and will update its proposal accordingly.*
126.	Digilexis	Many questions about PTI	PTI would be a "wholly owned subsidiary" of ICANN – an	*As outlined in the FAQ on PTI (see*

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			affiliate, in legal terms. It is said page 21 that "PTI will be a new legal entity in the form of a non-profit corporation or a limited liability company." However, it appears that the scenario implied in most of the statements about PTI in the proposal is that of a non-profit. Does the CWG-Stewardship intend to elaborate further on the limited liability option for the community to compare and make an informed decision? For instance if PTI were to be a limited liability company would its ownership be shared by ICANN and other shareholders, with ICANN being the majority shareholder? How would that be organized exactly? Who would get to be a shareholder? What difference or comparative advantage would that bring in this context? We are of the view that PTI needs to be separate from ICANN both functionally/operationally and legally. However, it is not always clear how legally separate these two are. We understand that in the case being made, a "wholly owned subsidiary" of ICANN, the latter will be allotting the PTI budget. It is even contemplated that the PTI Board will be designated by ICANN (Board?) while avoiding the former "to replicate the complexity of the multistakeholder ICANN Board…" (p. 22). Are we not creating a new "legal fiction" here? The members of the	_https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf_), the CWG-Stewardship is of the view that a separate legal entity is necessary to:_ • _**Allow for a formal contract between ICANN and the IANA Functions Operator, which further evidences and supports functional separation.**_ • _**Without a contract, other means of establishing expectations regarding performance levels and related terms would need to be identified, which would likely be less formal and less enforceable than through a contractual relationship. Recourse for a "breach" of those terms and conditions would be limited to internal redress mechanisms such as through the IFR team and the CSC**._ • _**If there were ever an ICANN bankruptcy, with legal separation of the IANA functions into PTI, an**_

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			PTI Board to be are humans, too. If the institutional processes that allow their existence and operation are so dependent on ICANN, how do we make sure they will fully and effectively assume the independence that is expected of them? Will that suffice that bylaws and statutes say they are independent in fulfilling their duty for it to be so? Would PTI have any purpose outside its IFO contract with ICANN? In other words, is it an entity that could survive that contract? Would it still exist as a subsidiary wholly owned by ICANN (at least in the scenario of PTI as nonprofit)? Or would it be dissolved automatically if and when its IFO contract with ICANN is revoked (say, as a result of the IFR recommendation)? Is such process and its consequences out of scope for this proposal? What about the possibility that the same IFO staff, after revocation, may reconstitute themselves in a different entity to be the next IFO? Are they still going to be a "wholly owned subsidiary" of ICANN? In that case is Separation a reliable notion?	*ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy proceeding. ICANN's "interest" in PTI will, however, become part of ICANN's bankruptcy estate and its ability to use and dispose of this "interest" will be subject to any applicable restrictions under bankruptcy law.* *If there is a future need to separate or divest ICANN of the IANA functions, the work of identifying and segregating assets will have already been done. This should enhance the separability of the IANA functions.*
127.	RySG/RrSG	Supportive / suggested clarifications re. staffing of PTI and funding	For all intents and purposes the PTI has the appearance of maintaining the status quo, in that the IANA Department will continue to provide existing services, albeit as an 'affiliate' of ICANN and as such a separate legal entity. It will also enable the continuation of the	*The CWG-Stewardship appreciates your feedback concerning PTI staffing and will factor this into its subsequent deliberations.*

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			IANA functions contract, with ICANN replacing NTIA as the contractor, and PTI effectively becoming the IANA functions operator. The creation of PTI should satisfy the requirement for formal separation of policy from IANA and provide transparency as it relates to the cost of providing the IANA service which to date has never been achieved. It is important that the creation of the affiliate is not in any way detrimental to IANA staff in terms of their current conditions of service or create an environment of uncertainty. Current staff members have considerable expertise in the management of the IANA function and it will be important that the changed arrangements do not impact negatively on staff and resulting in turnover and subsequently compromising IANA services. Similarly, the day to day operation of the IANA Department should not change in any substantive way as a result of the creation of the PTI and to the extent possible it should be 'business as usual'. We believe it is critical that ICANN consistently and transparently provide funding and administrative resources to PTI as it is part of ICANN's core mission. The funding of PTI should never be compromised in favour of	*In relation to how the PTI construct relates to the proposals of the other operational communities, the CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. It has one deliverable which is a proposal to the U.S. Government NTIA regarding the transition of stewardship of the IANA functions to the global multistakeholder community. See https://www.ianacg.org/ for further details.*

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			other projects. Currently the gTLD registry operators, gTLD registrars and most ccTLD operators pay fees to ICANN that constitute ICANN's primary revenue stream, which is used to support the IANA naming functions, as well as other ICANN projects. To ensure the continued funding of the PTI we believe that a set percentage of registry fees should be earmarked for the performance of the IANA naming functions.

In the event of the separation of the IANA naming function from ICANN, the funding for a new entity performing the IANA naming function would continue to be paid by ICANN from the earmarked registry and registrar fees. This would ensure continuity of service and the security and stability of the domain name system. | |
| 128. | Sarah Falvey and Aparna Sridhar / Google Inc | Supportive if PTI has insider Board | In its draft, the CWGStewardship proposes to establish a separate subsidiary within ICANN that will be responsible for performing the IANA functions. Google agrees that this approach can strengthen accountability and transparency by ensuring that policymaking and implementation are separated, by allowing the community to better understand how the functions are performed at a more granular level, and by enabling increased transparency regarding budgeting for the performance of the functions, as compared to ICANN's broader policymaking activities. However, Google | *Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* |

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			supports such an approach only to the extent that the transition proposal avoids "replicat[ing] the complexity of the multistakeholder ICANN Board at the PTI level," and "maintain[s] primary accountability at the ICANN level." To fulfill this goal, Google recommends that posttransition IANA Board members be comprised of the ICANN board itself or a subset of ICANN board members. By contrast, establishing a distributed governance structure with an independently appointed board for posttransition IANA would raise significant concerns. Creating two boards would make it difficult to determine who bears ultimate responsibility for ensuring that the IANA functions are performed effectively. Moreover, without any further detail regarding the composition of an independent posttransition IANA board, the multistakeholder community has no guarantee that such a body would be transparently run or responsive to the community's needs, requests, and complaints. While it may be tempting to do so, creating a complex, multistakeholder board at the IANA level will make it more difficult for the public to follow ICANN processes and more difficult to hold IANA accountable for any performance failures.	

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129.	SIDN	Not convinced of need for PTI, but if it is created it should be a full subsidiary of ICANN	Keep the level of complexity as limited as possible and do not add any extra structures and layers of accountability. This is in particular the case with regard to the (governance of the) PTI. Although we are still convinced that having a PTI makes no sense and that IANA should stay within ICANN, we feel that if the community choses to work with a PTI, that this should be a full subsidiary of ICANN and should be fully controlled by ICANN. Leave it up to ICANN who it deems the best persons to be appointed as board members of the PTI (ICANN employees or 'outsiders') as long as ICANN remains in full control and is able to replace the board members at any time.	*The CWG-Stewardship appreciates your feedback and will factor it into its subsequent deliberations on this topic.*
130.	SIDN	Restrict the work to what is currently necessary	Restrict the work to what is currently necessary We notice a tendency in the CWG to work out certain aspects to a level of detail that does not seem currently necessary. One example is the question if PTI has to be a Californian public benefit corporation or a Delaware limited liability corporation. While the legal counsel made clear that both would fit all the needs of the CWG, the group keeps debating this issue where it could also decide to leave this choice further as an implementation issue to be worked out later by ICANN.	*The CWG-Stewardship appreciates your feedback and will factor it into its subsequent deliberations on this topic.*

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131.	Centre for Democracy & Technology	Supportive	We support this structure as an integral part of the proposal representing a minimum level of separation.	*The CWG-Stewardship appreciates your feedback.*
132.	NCSG	Support for PTI as PBC and suggestion to extend PTI membership to IETF and RIRs.	Currently, two corporate forms are being considered for the PTI, a nonprofit public benefit corporation (PBC) or a limited liability corporation (LLC), with a single member, ICANN, at its outset. PBCs have well understood governance structures and legal requirements, while LLCs are largely defined by operating agreements thereby offering greater flexibility in governance structure. The NCSG believes that forming the PTI as a PBC will be easier to implement and more likely to ensure various measures of good corporate governance. If PTI is a Public Benefit Corporation that secures nonprofit status, it will by default be bound by a nondistribution constraint, prohibition of inurement and private benefit, and restrictions on transfers of its assets upon (possible) dissolution. If the LLC form was chosen, these constraints and other baseline responsibilities for the PTI board or management would need to be debated, agreed upon and written into PTI governing documents. In addition, a way to ensure that the PTI governing board or management could not simply amend the governing documents to circumvent the constraints would also be needed. In other words, the LLC form makes the	*The CWG-Stewardship is actively considering the pros and cons of the PTI entity structure and will take your feedback into account. PTI is an entity for the operation of IANA naming services only. For further detail, please see the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf). The CWG-Stewardship notes that your comment concerning expanding the membership of the PTI seems especially relevant considering that the CWG-Stewardship assumes that PTI staff will be providing the services for the protocol and numbering organizations.*

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			implementation of PTI much more complex and risky. Additionally, the NCSG recommends that the CWG, with broader consultation, should consider expanding the membership of the PTI to include the IETF and RIRs (or their chosen representative legal entities). As currently proposed, enormous power is concentrated with ICANN the corporation as the sole member. Particularly if PTI took the LLC form, there is a risk that ICANN could fundamentally alter, abridge or even eliminate PTI board or management responsibilities. Expanding the membership of PTI would diminish this risk.	
133.	ISPCP	Supportive but requires further details on separation	ISPCP supports the creation of a PTI legally separated from ICANN and with a 100% transfer of the present IANA functions operator. Because sufficient details do not exist in the current proposal, the CWG should work to develop clear details for how separation would be initiated. Who will be responsible for making such a decision, and what precise options available to those calling for separation?	*CWG-Stewardship appreciates your feedback and notes that it is still developing the section on Separation Review. We will factor your comment into our deliberations.*
134.	ICANN Board	Supportive – questions for clarification	In light of the above, in reviewing the proposal, the Board identified some areas where further information or clarification in the proposal would be useful. These include: 1. In which areas does the CWG anticipate the PTI will be separate from ICANN, and where does the CWG see shared services as being allowable (ex: shared office space, HR, accounting, legal, payroll, etc.)? Additionally,	*CWG-Stewardship appreciates your feedback and notes that these constructive questions will assist the CWG-Stewardship in filling in the details of the proposal and as such it will factor this into its subsequent deliberations.*

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			we think it would be helpful to clarify the roles and responsibilities of the PTI Board vs. the ICANN Board. For example, a. From the proposal, we understand that the ICANN Board could approve an overall budget for the PTI, and the PTI would then manage within that budget, and return to the ICANN Board if more funding was needed. The PTI Board could have ability to enter into contracts within its budget, as needed. Clarifications around these topics and other guidance such as this could be helpful. b. What will be the nature of the relationship between the parent (ICANN) and its subsidiary (PTI) and will there be a clear line of reporting between the two entities? Will the duties of the PTI directors coincide with the strategy requirements of ICANN? Will PTI corporate governance be aligned with that of ICANN? c. If the PTI were to have, for example, separate legal staffing, what would happen if ICANN and PTI received conflicting legal advice on the implementation of an IANA-related policy? This is another area where clarity on the roles of ICANN Board and PTI Board could be helpful (ex: Would the ICANN Board be required to still perform the review of documentation to consider if proper procedures were followed in evaluating a ccTLD request for delegation or redelegation, and the PTI Board then be responsible for ensuring that the PTI initiates the	

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			requisite root zone change?)	
135.	ICANN Board	Requests information about PTI-specific accountability mechanisms	We note that there are elements of the proposal that are new and may raise issues, including, for example, cost and efficiency, and what controls are in place for accountability and transparency. Are there any PTI-specific accountability mechanisms that need to be developed? If legal separation is the preferred model, the Board acknowledges that there is ongoing discussion within the CWG as to the type of legal entity that should be formed. Any move to a separate entity must include considerations of the control mechanisms in place and the impacts of such a new legal entity. We encourage the CWG to identify of what would be the important aspects of that new entity. ICANN will need to separately research which organizational type is proper for ICANN to create, keeping in mind the CWG's identified criteria.	*The CWG-Stewardship appreciates your feedback and as a result has made available an FAQ that provides further details on PTI (see* *https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf).*

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136.	ALAC	Willing to compromise if concerns are addressed	The ALAC believes that there is significant cost and complexity associated with establishing IANA as a legally entity separate from ICANN. There are several reasons: • PTI will ultimately be completely controlled by ICANN, so the legal division will not have any real effect; • The benefit of the pre-defined boundaries and budgets can be achieved far easier by simply requiring ICANN to establish them in association with IANA as a division; • The benefit of a "contract" between ICANN and IANA is dubious. It is technically legally enforceable, but the concept of ICANN suing PTI or viceversa defies logic, since ICANN is in full control of PTI. • The possible reduction of liability in the case of PTI as a Public Service Corporation and ICANN being forced into bankruptcy may have some merit, but it is unclear whether the courts would treat this if it really happened. • The complexities of establishing an acceptable PTI governance plan, including its Board if there is one has so far stymied the CWG and it is unclear how to proceed. That being said, IF we can address the above complexities and governance issues to our satisfaction, and IF the costs are not outrageous, the ALAC is willing to accept this type of compromise. Presuming this legally organized PTI, questions of what power the Board has, who manages PTI staff (including the senior executive), and how the extra budget requirements will be met must be addressed.	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship furthermore notes that the CWG co-chairs have requested an analysis of estimated costs to implement and maintain the PTI proposals from ICANN.*

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137.	LACTLD	Supportive but further clarification required	With respect to PTI and its composition we are interested in highlighting that it is important to make explicit the relationship between the ICANN board and the PTI. From the proposal we are unsure about its composition, specific functions or its designation. We believe it is important that the board of the PTI maintains its executive functions and the capacity to make direct decisions on the IANA operations. We consider that the creation of the PTI with an expert board, devoted to the executive decisions of the management of the IANA is of vital importance. The PTI should be integrated by experts belonging to the names community. The PTI as an organization affiliated to ICANN should be accountable to the Board of ICANN.	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
138.	JPNIC	Supportive	It is reasonable to have PTI as a wholly owned subsidiary of ICANN because it will still give PTI a sufficient separation from ICANN as the policymaking body for Names while ICANN provides needed financial support for PTI to operate as the IFO.	*CWG-Stewardship appreciates your feedback*

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139.	NIRA	Seeking joint ownership of PTI	Since PTI is wholly owned by ICANN, the separation is not clear. PTI should not be wholly owned by ICANN. A joint ownership with other operating communities would be ideal. In this way the oversight would be done by the Global Internet Multi-stakeholder community as required by NTIA, and Policy will clearly be separated from operations	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the ICG. The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. See https://www.ianacg.org/ for further details.*

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140.	Government of Denmark	Supportive	As regards the proposed set up for the Post Transition IANA (PTI), we agree that the day-to-day operations, including the Customer Standing Committee (CSC), should be carried out by the customers. We also believe that governments' legitimate responsibility with regard to public policy concerns should be taken duly into account and as such should be given appropriate weight in the proposed multistakeholder reviews concerning the IANA Function, including the IANA Function Review (IFR). Moreover, Denmark strongly believes that it is of crucial importance to maintain the possibility to separate the PTI from ICANN. We see this 'separability' as a necessary part of a legitimate and accountable IANA transition plan. The structural and legal separation of the IANA must be real and implementable with a clearly defined and described process, including what initiates the process to separate the IANA from ICANN and the steps as to how it will be carried out. In addition, there are other fundamental issues to ensure, i.e.: clearly defined contract relations, a strict division of policy and implementation with regard to the operations of the IANA Function, and a separate budget for the PTI.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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141.	Business Constituency	Supportive	The Business Constituency supports the decision to eliminate the previous proposal to create a new independent entity (Contract Co.) This approach would have created a potentially unaccountable new entity, introducing unnecessary uncertainty in governance and performance of the IANA functions. The BC does support creating Post---Transition IANA (PTI) as a separate legal entity in the form of an affiliate that would be a "wholly owned subsidiary" of ICANN. The BC recommends that the entity be organized as a California non---profit corporation, consistent with ICANN and its Bylaws, to ensure that there is a consistent application of law to both organizations. The BC supports plans to have the present IANA staff take up their same roles as part of PTI. If, for any reasons, this failed to take place, asking a new and inexperienced entity outside of ICANN to perform the IANA functions could pose significant implications for the security and stability of the DNS. We urge the CWG-Stewardship to take that into account in further developing and refining this draft.	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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142.	IPC	Supportive	The IPC is generally in favor of the creation of PTI. We note that technically, PTI cannot be a "wholly owned subsidiary" if a non-profit corporation is used as the vehicle, since (as noted) such an entity cannot have owners. We assume that the intention is that PTI would be a membership public benefit corporation where ICANN would be the sole member. If that is the case, the IPC supports that formulation.	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship agrees that if PTI is a California public benefit corporation it would be an 'affiliate' and not a 'wholly owned subsidiary' and that ICANN would be the sole member.*

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142.a	Liu Yue		1. PTI should be the pure and simple operator of IANA functions and could be composed of one or more entities according to the demands of three communities: name, number, and protocol. 2. PTI should be chosen through international competitive bidding and transparent evaluation process with regularly re-tendering. ICANN should ensure the fairness, impartiality and openness of the bidding. It's similar to the way that ICANN got IANA functions contract from NTIA by competitive bidding, which has been proved the feasibility. 3. PTI should sign a contract with ICANN to ensure the security and stability of IANA functions operation and qualified level of service, under the supervision according to the mechanism decided by the contract terms. The operation of PTI should be transparent and accountable for the communities. 4. IANA function contract should be made and updated under the participation and regular review of communities, collecting advices from multi-stakeholders through public comments. The principle of the separation between decision making and operation should be strictly ensured and effectively implemented.	*The CWG-Stewardship appreciates your feedback. At this stage the PTI is focused on names functions only, since that is the only scope of work for the CWG-Stewardship. For further detail on PTI, the CWG-Stewardship has prepared and FAQ that provides further details on PTI (see* *https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf).*
Section III – Proposed Post-Transition Oversight and Accountability – PTI Board				
143.	Richard Hill	Lack of details / clarity on PTI	If ICANN designates the PTI Board, then how is PTI	*As outlined in the FAQ on PTI (see*

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		Board and relationship with ICANN	independent from ICANN? For sure it is legally separate, but, as noted above, that does not necessarily result in "real" separation. Again, consider that FOO SA (a Swiss corporation that is wholly owned by FOO, Inc., a US corporation), is not really separate from FOO, Inc. Especially if (as is commonly the case in the real world) the board of FOO SA is named by the board of FOO, Inc.	*https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf), the CWG-Stewardship is of the view that a separate legal entity is necessary to:* • *Allow for a formal contract between ICANN and the IANA Functions Operator, which further evidences and supports functional separation.* • *Without a contract, other means of establishing expectations regarding performance levels and related terms would need to be identified, which would likely be less formal and less enforceable than through a contractual relationship. Recourse for a "breach" of those terms and conditions would be limited to internal redress mechanisms such as through the IFR team and the CSC.* • *If there were ever an ICANN bankruptcy, with legal separation of the IANA functions into PTI, an*

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				ICANN bankruptcy filing in the U.S. would not result in PTI also becoming a debtor in a bankruptcy proceeding. ICANN's "interest" in PTI will, however, become part of ICANN's bankruptcy estate and its ability to use and dispose of this "interest" will be subject to any applicable restrictions under bankruptcy law. • *If there is a future need to separate or divest ICANN of the IANA functions, the work of identifying and segregating assets will have already been done. This should enhance the separability of the IANA functions.* *The CWG-Stewardship notes that other factors that enhance independence are: a separate board (though "insider"); separate staff; separate budget (although approved by ICANN), and, clearly defined PTI functions.*

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144.	Axel Pawlik / NRO Executive Council	Support for narrow mission of PTI and PTI Board	We would request that the mission of the PTI be strictly constrained to the operation of the IANA registries in conformance with adopted policy, and find the CWG proposed structure of the PTI Board (an ICANN-designated board with the minimum statutorily required responsibilities and powers) to be acceptable, in principle. We reserve further specific comments until additional details are available.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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145.	auDA	Noting lack of support for PTI as a separate legal entity, PTI Board should be corporate in nature and hold relevant expertise / Provide further details concerning structure, size, composition, responsibilities and appointment mechanisms for the PTI Board	auDA proposes that the concept of a separate legal entity is being promoted by some members of the CWG and community under the assumption that the PTI Board should be established as a "community Board", with representatives from a broad cross section of IANA's current stakeholder group. auDA believes that the assumption of such a "community Board" is not correct. The CSC (discussed below) should be a technically-focused group of direct IANA customers. Mechanisms for review (also discussed below) should be the responsibility of the community. However, assuming a contractual relationship between ICANN and the PTI is agreed, the PTI Board must be corporate in nature, holding relevant expertise (including relevant liaisons) and assuming responsibility for contractually-defined responsibilities between ICANN and the PTI. Notwithstanding, the above observations, auDA notes the CWG has published little information on the nature, structure, size, composition, responsibilities and appointment mechanisms for the PTI Board. auDA is unable to support the proposed PTI and PTI Board structure and overall model, until greater detail is made available for consideration.

For example: Under the terms of the contract with USG, for ccTLD delegations and re-delegations, the ICANN Board reviews documentation to consider if proper procedures were followed in evaluating the request. Which Board (if any) would be obligated to do that sign off? | *The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

In relation to your last point, it is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. As such, the example put forward would remain within the remit of the ICANN Board as it is considered part of the policy related to ccTLD delegation and re-delegations. |

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146.	DCA Trust	Lack of detail / define composition and scope	It would be prudent for the CWG to define the composition of the ICANN-designated board and have the minimum statutorily required responsibilities and powers, how it will be selected, and the recourse mechanisms in cases where the board members are found to be in contravention of the statutory measures such as conflict of Interest. On the statement: "...Any issues that arise concerning the PTI and the PTI Board would be addressed through the overarching ICANN accountability mechanisms...." Comments: It will be important to buttress the ICANN accountability mechanisms and reconstitute to make it more feasible than as currently stipulated, this should include community direct input on measures to be meted on board members that are found to contravene stated requirements of their statement of Interests. We believe that devolved responsibility for a Post-IANA Transition regime should go to a 'structure' that is controlled by the 'Global Multi-stakeholder Community', and not to a structure that is wholly owned, operated, approved, funded and accountable to ICANN. Therefore, in this particular respect, this Draft Proposal falls far short of the spirit and intent of the framework instructions by NTIA which clearly specifies ICANN as a facilitator of the Transition Process and not the chief beneficiary/owner of	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *In relation to the comments on accountability, the CWG-Stewardship would like to remind the commenter that the CCWG-Accountability has been tasked to review and address the broader ICANN accountability issues and as such the CWG-Stewardship would like to refer the commenter to the CCWG-Accountability to submit feedback on this issue directly.* *The CWG-Stewardship would like to point out that the proposal already includes the ability for the multistakeholder community to require, if necessary and after substantial opportunities for remediation, the selection of a new operator for the IANA Functions.*

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			a Post-IANA Transition system. The PTI that stipulates an ICANN subsidiary in essence simply replaces the NTIA's current role with ICANN regarding oversight of the IANA functions contract. ICANN simply creates a daughter organization, and exercises full control over that daughter organization; and it is only ICANN will be able to approve the contract of the IANA Functions Operator agreement with the PTI. This is therefore quite irregular because it is really difficult to contemplate when, and on what basis, ICANN will refuse to grant the implementation of the IANA Contract to its own 'daughter' organization. The in-built mechanism that perpetually protects the over-riding interest of ICANN as the permanent operator of the IANA Functions is rather patent; and since ICANN will invariably select its wholly-owned subsidiary as the IANA Functions Operator, this completely shuts off the possibility of changing the IANA functions operator to another organization at any futurity. Thus, if the only objective of the Transition is to achieve the replacement of the NTIA with ICANN, why transition at all? Presently, the NTIA approves ICANN as the implementer of the IANA Contract. In a Post Transition regime, ICANN will now be responsible for appointing and approving its own subsidiary to perform the same contract that it currently handles on behalf of the NTIA.	

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147.	CRISP Team	Understands need for PTI Board but wants minimal framework (and does not necessarily want to be required to serve on PTI Board). Requires further information on composition and role of PTI.	* PTI Board - The role and composition of a Board of Directors for the IFO was not identified in the Numbers proposal. Therefore, adding any substantial role for a PTI Board is expected to add further coordination requirements between the Names and the two other operational communities, as well as additional consultations within those other communities. - Notwithstanding the foregoing, we recognize that if an organization is created that is a subsidiary to ICANN, a Board might well be required by the framework of the organization. The Numbers proposal does not contemplate any model which potentially expands the role of the Board beyond the absolute minimum for organizational framework or requires participation by representatives from the three operational communities to serve on the Board. Therefore, we seek clarification on the CWG-Stewardship's proposal requirements regarding the composition and role of the PTI Board to ascertain whether there is any conflict with the Numbers proposal.	*Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. Should there be interest in expanding PTI, the CWG-Stewardship could coordinate with the numbering community with regard to the PTI Board composition.*

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148.	China Academy of Information and Communications Technology (CAICT)	Need further clarification on governance of PTI, its relationship to ICANN and its management mechanisms.	Third, to ensure that PTI's broad or decision-making committee are elected by the community and in line with multi-stakeholder governance principles, and to ensure that it will not satisfy the interests of various countries and regions, it's necessary to make further research and more detailed clarification about following issues: what is the corporate governance structure of PTI, what is the relation between PTI's governance and ICANN, how to establish its board or management mechanisms.	*Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
149.	AFRALO	Seeking more information on composition of PTI Board	The expected composition of PTI board is yet to be defined and we see that as a critical aspect of this proposal that would determine our position regarding the whole proposal	*Role and composition of the PTI Board are still under discussion. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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150.	Chinese Stakeholders' Joint Submission	Suggestion for hybrid composition	It is our understanding that the most critical task for PTI Board will be the procedure by which the Board members are selected. However, the selection procedure can only be determined after the role and functions of the Board are adequately defined. In such, we encourage CWG pay close attention to clarifying the role and functions of the PTI Board as early as possible. We believe that ICANN could play a facilitating role in PTI Board selection. However, we disagree with the idea that the PTI Board should be primarily comprised of ICANN staff who are not associated with IANA department. In the meantime, we also realize that it will be too complicated and time-consuming if primarily relying on communities to select Board members. Therefore, we suggest a hybrid way, i.e., a majority from current IANA functions staff while a limited potion selected by communities.	*The CWG-Stewardship will factor this into its subsequent deliberations on role and composition of PTI Board. If the PTI board would be an "outsider" Board (a PTI board in which a majority of directors are not employees of ICANN) additional accountability mechanisms would need to be developed to hold PTI accountable to the community since the accountability mechanisms currently under development for ICANN would be largely ineffectual. The CWG-Stewardship aims to provide further clarification concerning the role and function of the PTI Board in its final proposal.*

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151.	InternetNZ	Supportive – makes recommendations for Board composition	a) The PTI Board must be a Board of Directors. The membership is a critical matter of detail that must be spelled out and consulted on with the community prior to the proposal being finalised for approval by the SOs and ACs. b) Existing ICANN mechanisms should be used to populate the PTI Board. For instance, it could consist of direct appointees from the ccNSO and the GNSO, an appointee by the ICANN Board, and three appointees by the ICANN Nominating Committee. In no case should a PTI Board member be an ICANN Board member. c) If the other operational communities chose to contract directly with PTI for services, they could also select a member of the Board. d) InternetNZ supports not making the PTI Board a replica of the ICANN Board or adopting some other multistakeholder approach. PTI exists to be the Functions Operator, not to make policy. It needs to maintain a narrow operational focus on delivering for the IANA customer/s.	*The CWG-Stewardship will factor this into its subsequent deliberations on role and composition of PTI Board. If the PTI board would be an "outsider" Board (a PTI board in which a majority of directors are not employees of ICANN) additional accountability mechanisms would need to be developed to hold PTI accountable to the community since the accountability mechanisms currently under development for ICANN would be largely ineffectual*.

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152.	AmCham EU	Supportive – input on role and composition	The post-transition (PTI) IANA Board should be defined with a limited remit – the operational oversight of IANA naming functions (as well as numbers and parameters function assuming the PTI IANA will cover all three functions, naming, numbers and parameters). This is essential to prevent the PTI from becoming a place to re-litigate policy decisions. Members of the post-transition IANA Board should be drawn from the broader ICANN board. This would ensure that the two boards cannot attempt to hold each other responsible for any operational shortcomings.	*Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
153.	CENTR Board of Directors	Lack of detail / provide further details concering PTI Board	We suggest the role of the PTI Board be clarified in detail. While we understand that this Board is mainly a legal requirement, we would recommend that its framework is well designed and defined in the PTI's bylaws, including the appointment mechanisms, roles, duties and term of the Board. The creation of PTI should not create any new accountability challenges for the community by ensuring that the ICANN Board accountability improvements currently being discussed at community level get implemented as soon as possible and ideally at the time of the transition.	*Role and composition of the PTI Board are still under discussion. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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154.	Internet Governance Project	Supportive / input on structure and composition	PTI's corporate governance should ensure its relative independence from ICANN Unless the right choices are made regarding PTI's corporate structure and board, there is a danger that PTI would be so controlled by ICANN that many of the advantages of creating a separate legal entity would be lost. More specifically, we believe that PTI should be organized as an affiliated public benefit corporation (PBC) rather than a wholly owned subsidiary (i.e., a LLC). Furthermore, the PTI board should be composed of representatives from the names, numbers and protocol communities. PTI's board should be small and operationally focused; its governance should not be designed to mirror the multistakeholder policy community, as its focus should be on implementation of policy rather than re-litigating policy conflicts. It is important to recognize that the combination of a legally binding contract, CSC oversight, periodic review and the possibility of non-renewal of the contract should be more than sufficient for PTI to remain completely accountable to the names-related Internet community that is supposed to govern ICANN. The idea that a more independent PTI could somehow be "captured" and used to thwart the policies developed by ICANN is not grounded in any rational assessment of the proposal. Stewardship over the names-related IANA functions remains with ICANN and the PTI is merely a contractor with strong ties to ICANN community that implements the policies developed by ICANN. PTI has no funding and no authority other than as a contractor of ICANN. If it acted in a manner contrary to its contract it would be in breach and could be replaced.	*Role and composition of the PTI Board are still under discussion. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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155.	CCG-NLU	NA – Questions for clarification	Questions on the draft proposal: 1. What will be the composition of the PTI Board? 2. Will the PTI also be subject to California law, being an affiliate of ICANN? 3. Will PTI Board members be liable in the event US or foreign courts "pierce the corporate veil"? 6. Will the NTIA-ICANN contract be substituted pari materia with the ICANN-PTI one?	*Role and composition of the PTI Board are still under discussion within the CWG-Stewardship. For your other questions, we refer you to the FAQ on PTI (see https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf).*
156.	DIFO	Supportive of lightweight insider Board	DIFO support a lightweight and internal PTI board with a minimum statutorily required responsibilities. DIFO don't find the need to have any "outside" members in the board and find that bringing in outside members might cause a need for further accountability measures. The aim should be as few people on the board as possible and as narrow a scope of the board as possible.	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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157.	CIRA	Support for insider board, LLC, and maintaining US jurisdiction	The size and composition of PTI's board directors remains outstanding. As this issue is critical to the overall thrust of the current proposal, I would like to outline how CIRA believes the PTI Board should be constituted: 1. I envisage the PTI to be an operational extension of ICANN and as such the principles of good governance demand that ICANN and the ICANN Board be the focus of overall accountability for PTI, not PTI itself. It follows that the PTI board of directors should be as small as possible, and that it be appointed by ICANN. As this proposal includes sufficient accountability mechanisms in respect of PTI's operational performance, in the form of problem resolution measures, there is no incremental value, and indeed only increased complexity, in having non-ICANN appointees on the PTI board. I have always supported a lightweight and streamlined mechanism to replace the NTIA's current stewardship role. Furthermore, non-ICANN appointees on the PTI would increase the potential for capture by an outside entity. 2. While the discussion of the relative merits of a limited liability corporation (LLC) versus a California-based not-for-profit is ongoing, I favour a LLC as it requires a smaller number of directors. 3. On the issue of whether the PTI should be established in a jurisdiction outside of the U.S., I fail to see any value in taking such a step. Furthermore, I would be inclined to oppose it as I believe it would add to the complexity of the proposal and its execution.	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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158.	AFNIC	Support for insider Board	Afnic agrees PTI board should not be organized with the view of reflecting the 3 multistakeholder approach used within ICANN. Therefore, we recommend that ICANN designate its own staff to the board. Normally, PTI board should have the authority on PTI General Manager.	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
159.	RySG/RrSG	Further clarification on role and function of PTI board. Support for insider Board	The role and the function of the PTI Board are not adequately defined in the proposal. We believe it is important to have a clear understanding of the role and function in order to be able to populate the PTI Board.

It is our view that the role of the PTI Board should be very limited and pertain to responsibilities associated with the management of the IANA Functions Operation. It is our understanding that the creation of the 'affiliate' will not impact the current organizational structure of ICANN; however, it would be useful to understand how this works in practice and the impact this may or may not have on the PTI Board. It would also be useful to understand the relationship between the ICANN Board and the PTI Board.

The RySG and RrSG consider that the PTI Board should be no more than five members, given our strong preference for the PTI Board having a very limited roles and responsibilities consistent with maintaining the current day-to-day operation of the IANA Department. The | *Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* |

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			composition of the PTI Board should be confined to this limited role and function and directors should be appointed accordingly. Given this narrow role, we would be comfortable with the PTI Board being drawn primarily from the existing ICANN staff responsible for the management of the IANA Department and one or two members of the ICANN Board. We believe that this composition would be consistent with an 'insider' board as discussed during CWG calls in the event that the PTI is a Public Benefit Corporation in California. We do not believe that the PTI Board is where broad community representation is necessary or appropriate as we do not believe the day-to-day operation of the PTI should be open to interference from external influences. . We are concerned about potential expansion in the role of the PTI Board. A provision in the "fundamental bylaws" could explicitly limit this role and potential overlap with responsibilities that fall properly within ICANN; alternatively founding documents for the PTI could clearly define this narrow remit. We also suggest development of a list of things that are beyond the remit of the PTI Board in the "fundamental bylaw." For instance, PTI Board cannot contract back its functions to ICANN or get involved in policy making undertaken by ICANN.	

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160.	Sarah Falvey and Aparna Sridhar / Google Inc	Support for limited remit of PTI Board	The posttransition IANA Board should have a limited remit, and its purview should extend solely to implementation of the IANA functions. Policymaking for the IANA functions should continue to be conducted at the ICANN level. For example, the posttransition IANA Board should not become a forum in which parties seek to relitigate policy decisions with a small subset of ICANN Board members. Allowing such relitigation of issues, as sometimes happens today in the ICANN Board's New gTLD Program Committee, creates uncertainty regarding the finality of decisions and often delays implementation of critical decisions. To further encourage a focus on technical and implementation issues, ICANN should prioritize the appointment of members with a strong technical understanding of the IANA functions. Limiting the posttransition IANA Board's remit and making technical expertise a key criterion for membership will allow the group to focus solely on operational excellence in performing the functions and will ensure that the policymaking and execution functions remain separated within ICANN.	*Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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161.	Nominet	Lack of detail	We note that the nature of the Board of the Post Transition IANA (PTI) has still not been resolved. We would be seriously concerned if there were overlaps of accountability of the PTI Board with other elements of the structure. Its authority should be clearly different from that of the ICANN Board. We believe that the PTI Board should responsible for operational decisions of the PTI, resource management and forward planning, as well as interaction with the KANN Board. It should be answerable to the parent company, !CANN.

As such the PTI Board should be a small management board with a limited and targeted role.

The !CANN Board should be held responsible for the operation of its subsidiary (affiliate). We believe that it would be difficult to separate authority between a multi-stakeholder board for the PTI and the multi-stakeholder KANN Board, with the risk of dispute over their relative roles. Multi-stakeholder engagement and accountability should be at the !CANN Board level.

We would want to see very clear definitions of the roles and responsibilities of the two boards in their accountability for the performance of the post-IANA transition model. | *Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* |

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162.	Nominet	Requirement for PTI Board and IANA to continue regular briefings	There should be a clear obligation on the PTI Board and the IANA team to continue the regular briefings and outreach to the wider community, preferably (but not necessarily only) at ICANN meetings, where most of the relevant stakeholders are already engaged. Other parts of the oversight structure (the Customer Standing Committee, the IANA Functions Review Team when appropriate) should also engage in these outreach processes.	*Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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163.	Centre for Democracy & Technology	PTI Board should have limited functions and duties, PTI Board should have relevant expertise	We believe that the composition and expertise of the PTI Board should be dictated by the limited functions and duties the Board has to fulfill. The PTI Board is responsible for both the IANA functions operator and the affiliate. With regard to the IANA functions operator, the Board is accountable for its performance and its responsiveness to customers. The Board must therefore be empowered to respond to customers, to make appropriate changes in the way the IANA functions are implemented, to address performance issues as identified by the CSC, the IFR, etc. As much as is possible, issues relating to the day-to-day management and performance of the IANA functions should be addressed by the IANA team, but the overall responsibility for management and performance of IANA functions lies with the PTI Board. This necessitates that the Board or some subset thereof, have the appropriate and relevant expertise to exercise those responsibilities.

It follows that we remain unconvinced by the need to have an "insider" PTI Board comprising ICANN staff and/or Board members. The PTI Board should, through specific instruction, include members that have relevant expertise: in addition to appropriate ICANN staffing (possibly in the form of the ICANN CTO), the Board should include the manager of the IANA functions team, a representative of the GNSO, the ccNSO and possibly other communities, if appropriate. The PTI Board has to be empowered to be able to do its (boring and operational) job, both as the party responsible for the affiliate and as the party responsible for the performance of the IANA functions. | *Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* |

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#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
164.	NCSG	PTI should provide IANA registry services to names, numbers and protocols communities	Regardless of the corporate form chosen for PTI, its board or management must have duty of loyalty, duty of care and duty of obedience including fiduciary responsibility to the PTI. Doing so will help ensure that the PTI board or management, while still complying with its various contracts with the names, numbers, and protocols communities and limited mission, remains focused on implementation of the IANA registries, and makes decisions in the best interests of the organization. This arrangement would best maintain the separation of IANA registry implementation from DNS policy making currently required by the NTIA contract. While not explicitly stated in the CWG proposal, we believe the PTI should provide IANA registry services to names, numbers and protocols communities. Given this operational responsibility, the NCSG believes that the PTI board or management should be composed of representatives from each of the supporting policy making organizations and the PTI itself. For example, the IETF liaison and Address Supporting Organization representative to the ICANN board, along with one representative from the Generic Names and ccTLD Supporting Organizations, in addition to the PTI Executive Director, should compose the PTI board or management. The selection and removal of these representatives should occur according to processes determined by the respective organizations (i.e., IETF, ASO, GNSO, ccNSO, PTI). In this manner, the PTI board or management would be directly accountable to the relevant stakeholders and not be self perpetuating.	*Role and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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165.	ISPCP	Supportive – requests information on Board composition	Filling the PTI board with the right membership is crucial to the ISPCP. The mechanism of selecting board members should be community-wide discussed. We see board representation from a community where ISPs are part of as being necessary.	*Role and composition of the PTI Board are still under discussion. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
166.	JPNIC	Supportive	It is reasonable for PTI Board to have the minimum statutorily required responsibilities. We agree on the reasons which are described in this section.	*The CWG-Stewardship appreciates your feedback*
167.	NIRA	Seeking joint ownership so PTI board composition would be different	NIRA welcomes the suggestion of the Group regarding the Board of PTI, however, consideration should be given to who nominates or hires the Board. A co-ownership model would bring greater transparency in process of hiring and firing of Mangers.	*Role and composition of the PTI Board are still under discussion. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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168.	Business Constituency	Further details concerning remit and membership needed.	The CWG-Stewardship should define a post-transition (PTI) IANA board with a limited remit – the operational oversight of IANA naming functions. This is essential to prevent the PTI from becoming a place to re-litigate policy decisions. Members of the post---transition IANA board should be drawn from the broader ICANN board. This ensures that the ICANN Board remains the clear locus of accountability, and that neither of the two Boards can avoid responsibility for any operational shortcomings by seeking to hold the other responsible. In addition, common Board members will best promote a clear understanding of the limited PTI mission by its Board.	*Role and composition of the PTI Board are still under discussion. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
169.	IPC	Supportive	We note that the PTI board would be designated by ICANN and have only the minimum statutory powers. We support this formulation, but stress the importance of keeping the PTI board as "boring" as possible so that it does not become a separate power base, with associated accountability issues.	*Role, designation, and composition of the PTI Board are still under discussion. It is anticipated that the PTI Board would have the minimum statutorily required responsibilities and powers focused on the operation of PTI. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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169. a	Liu Yue		PTI should be selected by tender. So ICANN does not need to establish subsidiary bodies or affiliates. PTI should have no direct relationship with ICANN. ICANN could propose requirements in the tender for PTI (avoiding direct interest, information disclosure, etc.) without considering the structure mode of PTI Board.	*At this stage, the CWG-Stewardship has determined that PTI will be an ICANN affiliate. The results of the first Public Comment had the CWG-Stewardship working on a premise that there was customer satisfaction with ICANN's performance, and a desire for ICANN to continue as IFO.*
Section III – Proposed Post-Transition Oversight and Accountability – IANA Statement of Work				
170.	auDA	Support for a clear Statement of Work / instead of a contractual arrangement, SOW could also exist under amended ICANN Bylaws	auDA supports the concept that a clear Statement of Work (as a mechanism to enshrine current SLAs), is appropriate and essential. Should ICANN's stakeholder community agree that a separate legal entity is the preferred model for the future management and "oversight" of the IANA function, we agree that a contractual solution is appropriate. However, auDA believes that whilst the SOW could exist under a contractual arrangement it could also exist under amended ICANN bylaws. As stated previously, auDA believes that amendments to existing bylaws provide the most efficient mechanism to achieve the agreed goals. The effectiveness of these bylaw provisions would be enhanced by the work and eventual recommendations of the CCWG on accountability. auDA notes that the CWG has proposed the use of fundamental bylaws as a mechanism for ensuring the long-term effectiveness and	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. However, as noted in the FAQ without a contract, other means of establishing expectations regarding performance levels and related terms would need to be identified, which would likely be less formal and less enforceable than through a contractual relationship. The CWG-Stewardship notes that it has considered this approach, but taking into account a number of factors, the majority of the CWG-Stewardship prefers the affiliate approach, which is also reflected in the feedback received in the public comments. It is the result*

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			relevance of the IFR. This being the case, auDA questions why all of the mechanisms and supporting documents for a PTI could not be developed through the fundamental bylaw model.	*of carefully considered expert input and compromise. Furthermore, putting the statement of work in the ICANN Bylaws would 'freeze' the Statement of Work, while it is a document for which the ability should exist to bring it up to date on a regular basis. The CWG-Stewardship will consider whether there could/should be a reference in the Bylaws that references the need to regularly review the IANA Statement of Work (this could also be part of the IFR section which is not limited in its scope)*
171.	DCA Trust	Neutral / Bylaws should be well defined	On the Statement "...The issues currently addressed in the NTIA ICANN Functions Contract and related documents would be addressed either in the ICANN - PTI contract or in ICANN bylaws and governance documents....." Comment: The Bylaws affected should be well defined	*The CWG-Stewardship appreciates your feedback and agrees that the PTI contract and ICANN bylaws and governance documents should be well defined.*

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172.	China Academy of Information and Communications Technology (CAICT)	Seeks open process for the terms of ICANN-PTI Contract	Regards to the post-transition IANA functions contract terms, it should be fully open for public comments from multi-stakeholders, to maintain the openness of the Internet and security and stability of DNS, and to further enhance its transparency and accountability, and improve service quality.	*The CWG-Stewardship appreciates your feedback and notes that it is currently developing a term sheet for the ICANN-PTI Contract (see here for a draft: https://community.icann.org/x/8g8nAw)*
173.	RySG/RrSG	Supportive – suggestion for additional items in SOW	We regard the existence of a contract including a statement of work between IANA and PTI as an advantage of the proposed affiliate model and support all of the identified carryover provisions being incorporated into the statement of work. We believe that this section would also benefit from a list of additional items to be incorporated into the statement of work that do not exist under the current contract between the NTIA and ICANN, such as the requirement to conduct the regularly-scheduled IANA Function Reviews. For clarity, the statement of work should also acknowledge the role of the CSC in monitoring IANA's performance in accordance with service level targets as well as the relationship between the CSC, ICANN and PTI.	*The CWG-Stewardship appreciates your feedback and notes that it is currently developing a term sheet for the ICANN-PTI Contract (see here for a draft: https://community.icann.org/x/8g8nAw)*

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174.	ALAC	Concerns about role, composition, and size of PTI Board	There have been discussions on the size and responsibilities of the PTI Board. The ALAC believes that the PTI Board must be able to exercise control over PTI and must have the necessary resources and skills to do so. If everything is going well, this Board will have little to do other than the normal corporate oversight responsibilities (appointing auditors, approving budgets, setting executive remuneration, selecting the senior executive if necessary).

However, if things are not working well and the PTI staff have not or cannot resolve the issue, then the PTI Board should be the next level of recourse, and it must be equipped with the proper management skills and other resources to carry out this responsibility.

The ALAC is still discussing the size of the Board and who should sit on the Board, but it is very clear that this must not largely be representatives of registries. Although it is clear that registries must have significant input into IANA's operations, PTI is ultimately there to serve the overall Internet community and registries are just a part of that. Moreover, PTI will serve communities other than just the names function and the PTI Board must not have a bias toward any of these communities.

Ultimately, as the owner or sole member of PTI, ICANN and its MS community will be able to exercise full control over PTI, but PTI must be given the wherewithal to properly serve Internet users as the IANA Functions Operator. | *Role and composition of the PTI Board are still under discussion. The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* |

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175.	JPNIC	Supportive	Carrying over the existing provisions of the current IANA Functions Contract to the SOW of PTI is reasonable and will contribute stable and smooth transition from the existing scheme to that post-transition	*The CWG-Stewardship appreciates your feedback*
Section III – Proposed Post-Transition Oversight and Accountability – IANA Function Review				
176.	auDA	Support for concept of periodic review, but not for proposed structure and composition of IFRT / Increase ccTLD and gTLD registry representation to three members from each group, provide further details with regards to the role of the ccNSO and GNSO	Once again, auDA supports the broad principle of periodic review of the work of the IANA Functions Operator. This is a key element of ensuring ongoing accountability, transparency and responsiveness to the community. auDA supports many of the details outlined in Annex F of the CWG's report. However, the overarching structures for the implementation of the stated principles give rise to concerns. On logistical details, auDA is concerned at the proposed structure and composition of the IFRT. Currently, only one ccNSO member and one "nonccNSO" ccTLD are proposed as participants on the IFRT, and the GNSO's Registry Stakeholder Group (RySG) are also only afforded two "seats". The remaining eight positions on the IFRT would be held by other stakeholders. Given that IANA's remit is inherently technical, auDA supports the concept of direct customers maintaining a significant role in all oversight mechanisms relating to IANA's operations post-transition. auDA proposes that both ccTLD and gTLD registry representation be increased to three members from each group. This would not represent a majority stake on the IFRT, nor overly inflate	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. Further details concerning the IFR have been made available in the FAQ on PTI:* *https://www.icann.org/en/system/files/files/legal-counsel-memo-post-transition-structure-faq-08may15-en.pdf as well as the general FAQ: https://community.icann.org/x/oJk0Aw .* *The CWG-Stewardship will further describe its working methods and process in Section VI of the proposal.*

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			the size of the IFRT, though would provide a greater degree of customer engagement. With regard to the triggering of "special", out-of-cycle reviews, additional clarity is required regarding the need for "supermajority" support of both the ccNSO and GNSO. The term "supermajority" can be interpreted in a variety of ways and, in its most literal sense, would require the engagement and support of most of the ccNSO and gNSO. Has the CWG considered circumstances where support is received from one community and not the other? Would such a circumstance lead to the refusal to proceed with a special review? Does this, in turn, mean that the threshold for commencing a special xc review has been set too high? Furthermore, the deliberations of the IFRT must not be part of an unnecessarily lengthy and complex process. The IFRT should be clearly tasked with reviewing the operations of the PTI (or other entity) and, if necessary, instructing appropriate remedial actions - a process which the CSC would monitor.	

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177.	US Council for International Business	Supportive, with suggestions concerning composition and development of interim process	USCIB agrees that the IANA Function Review (IFR) team should be a "lean" group of about 12 individuals drawn from each stakeholder group and convened for the express purpose of reviewing PTI's performance of the IANA Statement of Work (SOW). We agree with the initial 2-year review, followed by reviews every 5 years.

USCIB also agrees that the IFR Review team should not be a standing group. The IFRs would benefit from fresh perspectives of rotating, different community members every five years. In this regard, we suggest adding some "term-limit" language concerning the selection of the IFR Review team members to ensure diverse participation.

We note, however, that Annex F states that it could take up to "nine months from the appointment of members to the IANA Function Review team to the publication of a Final Report," that will describe the process and working of the IFR. In light of our concerns regarding the separability of IANA functions raised below, we would recommend that an interim process be included in the CWG proposal on the handling of issues related to IANA functions performance. | *The CWG-Stewardship appreciates your feedback. In relation to your latter point, a number of escalation mechanisms are proposed that would allow for interim redress but the CWG-Stewardship will factor your feedback into its subsequent deliberations.* |

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178.	CRISP Team	Support for the IFR as long as it remains scoped to Names only.	* Review Team - The Numbers community requires no additional reviews or organizational structures beyond the Review Committee that is specified in the Numbers community proposal. The Number community's Review Committee is tasked with monitoring the service levels for the Numbers functions and advising the RIRs accordingly. We therefore propose the scope of the contemplated Review Team to be restricted to the monitoring and review of the Names functions. Otherwise, additional review on the implications of a Review Team will be needed which will unnecessarily require further effort to ascertain if this is consistent with the Numbers community proposal given the numbers community has not identified any needs for an additional team. We support the approach of not making it compulsory for the Numbers community to have representatives on the Review Team assuming the Review Team's scope is limited to only the Names functions. We further support the coordination of efforts of the respective parties from the operational communities when appropriate.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*
179.	AFRALO	Disagrees with composition of IRFT	The composition of the IFRT as proposed is acceptable, however we don't think there is need to include a CSC liaison especially as CSC is already dominated by registries and also considering that IFRT also has more seats to the so called "direct customers".	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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180.	AFRALO	Clarification of scope (names-only)	We expect that activity of IRFT would be transparently carried out and community driven. We will like that the scope of IFRT is clarified in ensuring that it's solely for names related function.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*

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181.	InternetNZ	Supportive – suggests increased registry composition	a) The IANA Function Review (IFR) is a vital part of the Proposal and InternetNZ supports it being incorporated in the ICANN Bylaws as a Fundamental Bylaw, unable to be changed except by high thresholds of co-agreement between the ICANN Board and the Community (as set out in the CCWG-Accountability's first public comment report). b) InternetNZ supports the IFR being a multistakeholder group, but does not believe that registries (either ccTLDs or gTLDs) have adequate representation in the proposed composition in Annex F (at p. 52). At the least there should be three representatives of ccTLD and gTLD registries, without allowing registries to become a majority of the IFR's members. c) It is not clear why the IANA Functions Operator (PTI) should provide the Secretariat functions for the IFR. The IFO is the main target of the review, and the IFO should be a narrowly focused technical operations body. It would appear to be more sensible to provide secretariat support for the IFR through ICANN, which is structured and resourced to support such reviews as part of its overall policy work.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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182.	AmCham EU	Supportive	As highlighted in the general comments AmCham EU regrets that portions of the proposal on Separation Review and Framework for Transition to Successor IANA Functions and Operation are not entirely developed or will be developed after the transition. We think important issues such as the separation Review and Framework for transition should be fleshed out and clarified before the transition and not left for a later stage. This would create uncertainty. AmCham EU agrees that the IANA Function Review (IFR) team should be made up of 12 people drawn from each stakeholder group and convened to review the IANA Statement of Work. We also agree with initial 2 years review, followed by 5 years. AmCham EU supports that the IFR Review team should not be a standing group. The IFR would indeed benefit from fresh ideas of rotating members every five years. Hence we suggest adding some language, highlighting the 'term limit' on the selection of the IFR Review team members to ensure diverse participation. Annex F highlights that 'it could take 9 months from the appointment of members to the IANA Function Review team to the publication of the final Report', that will describe the process and working methods of the IFR. In light of the above we ask that an interim process be included in the CWG (or CCWG) proposal on the handling of the issues related to the IANA functions performance.	*The CWG-Stewardship appreciates your feedback and will consider it in its subsequent deliberations.*

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183.	CCWG-Accountability Co-Chairs	Supportive	The CCWG Accountability proposes to incorporate the review system defined in the Affirmation of Commitments into ICANN's Bylaws, including the ability to start new reviews (section 6.2, page 60). Based on your group's proposal, the CCWG introduced a recommendation to create a new review, based on the requirements you set forth.	*The CWG-Stewardship agrees with this perspective and appreciates the CCWG-Accountability's coordination on this issue.*
184.	Rui Zhong / Internet Society of China	Suggestion concerning timing of IFR	It is suggested that after the initial review, the IFR occur every 1-2 years, as 5 years is a long time.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship generally feels that a review carried out every year or every other year (as called for by the comments) would be too frequent. However, the CWG-Stewardship is open to suggestions made that a recommendation for the frequency of the regular reviews could be deferred to completion of the first review.*

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185.	CENTR Board of Directors	Supportive, but requests further details concerning where and how IFRT will be established and raises possible undermining of independence as a result of funding by IFO	The dual structure that is expected to monitor (Customer Standing Committee - CSC) and review (IANA Functional Review Team - IFRT) the PTI replaces the role currently executed by the NTIA. It allows both customers and other stakeholders to oversee IANA's performance and evolution. Considering the importance of such functions, we deem appropriate that further details be provided regarding where and how exactly these organisations are going to be established. Concerning the IANA Functional Review Team, in order to be truly multistakeholder, it will need funds to provide travel assistance and a state of the art remote participation system for its meetings. We understand that it is assumed that the IFO will provide the IFRT with the necessary support and resources. This however could undermine IFRT independence from the subject of their review.	*The CWG-Stewardship appreciates your feedback and notes that some of this information concerning the IFRT is already available in Annex F of the proposal. Nevertheless, the CWG-Stewardship will review your feedback and incorporate this feedback into subsequent work. The CWG-Stewardship recommends that the IFRT will be an internal-to-ICANN body defined within the ICANN Bylaws. As such, ICANN will provide secretariat and other support for the IFRT.*

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186.	KISA	Supportive / geographical balance should be considered in composition	The Internet Community of Korea supports the proposed structure and composition of the IFRT(IANA Function Review Team). Aside from this, we'd like to reiterate that sufficient consideration be given to the geographical balance in the composition of IFRT. We have previously emphasized the importance of geographical balance of MRT(Multi-stakeholder Review Team) on the first draft proposal of CWG. The members of the ICG, CWG Stewardship, CCWG-Accountability were selected based on the multi stakeholder model, but we note that the selection process did not have mechanisms to ensure a more balanced regional representation. Thus, there are regions which have lower representation as well as regions and countries that have a significantly higher number of members in the groups. We understand that one of the more important criteria for the selection of members in those groups was their willingness to exert their time and effort and that may be the reason for the disproportion in regional representation. However, we strongly believe that regional balance be included as an important criteria in the composition of the IFRT since it will need to fully represent the global community.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship supports the principle of geographical balance but notes that implementation is difficult for a group of this small size, particularly where experience is key. To these ends, the CWG-Stewardship recommends that a principle that, to the extent possible, groups appointing more than one representative strive to have representatives from different geographic regions.*

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187.	Internet Governance Project	Supportive	Just as pre-transition ICANN was held accountable by the possibility that NTIA would not re-award it the IANA functions contract, so the post-transition IANA should be held accountable by the possibility that ICANN, acting with the support of its broader community, would not re-award it the IANA contract. For this accountability measure to be effective, the review, re-bidding and selection process must be quick and efficient. We urge the CWG to simplify and expedite the IFR process and to develop a clearer, more efficient re-bidding and selection process.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations*
188.	CCG-NLU	Clarity needed concerning consequence of negative IFR	4. What will be the consequence of an unfavourable IANA Functions Review? This is not specified currently in the draft proposal.	*The CWG-Stewardship appreciates your feedback and notes that this information is available in Annex F of the proposal. The CWG-Stewardship will include your question as a general FAQ (see* *https://community.icann.org/x/oJk0Aw).*

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189.	DIFO	Supportive – seeks broader ccTLD composition	DIFO welcomes regular reviews of PTI and agree that a first review after two year and then once every five years seem to be a sensible period. DIFO support a list that includes a minimum of issues a regular reviews should contain. It is important to have a possibility of ad hoc reviews, and neither the regular not the ad hoc reviews should be limited in scope. DIFO finds it essential that the review team as suggested includes non-members of the ccNSO. It is also important the Special Reviews also can be triggered by request from non-members. This includes a need for a process that ensures that any ad hoc review must also be consulted with the ccTLD community that are not members of the ccNSO. In general any structure and processes around reviews shall include the entire ccTLD community and not only the ccNSO members.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations*
190.	CIRA	Supportive and has suggestions on composition	I believe there is a need to hold broad, regular reviews of the operation of the IANA functions, just as the NTIA has periodically carried out by soliciting community input. For this reason, I support the proposed IFRT and the frequency of its reviews – initially in two years, then every five years.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship agrees that the ccNSO is in the best position to appoint this representative and to communicate*

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			While I recognize and accept the need for broad participation in the IFRT, including representatives of the multi-stakeholder community, further discussion is required to determine whether the proposed composition of the IFRT represents the right balance. Consideration should be given to ensuring the direct customers of IANA (that is, top-level domain registries) represent the majority of the composition of the IFRT panel. Moreover, the representation of the ccTLD community should be equivalent to that of the GNSO community. I support the inclusion of a non-ccNSO aligned ccTLD manager on the IFRT. However, the proposal does not identify how this member would be chosen. CIRA recommends that the ccNSO Council have this responsibility, as it is the entity that is in the best position to do so. While the ccTLD community has been fortunate to have two non-ccNSO members volunteer for CWG membership, we must be cognizant that we cannot be assured that suitable non-ccNSO ccTLD managers will always present themselves for participation on the IFRT. This should not preclude ccTLD full participation. To	*with all ccTLD operators about the process. The CWG-Stewardship supports clarifying this in the draft comment.*

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			ensure adequate ccTLD representation on this important team, I recommend that any non-ccNSO ccTLD representatives be chosen by the ccNSO Council, provided candidates with relevant knowledge and experience present themselves.	
191.	AFNIC	Supportive but suggests composition change	Afnic is of the opinion the composition of the IANA function review team should : a. Give more room to IANA direct customers. b. Have an equal representation inside the direct customers between CCTLDS and GTLDS In order to do so, Afnic proposes the following repartition between IFRT members: CCNSO :3 Non CCNSO : 1 GNSO : 4 The rest of the list with no change.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations*

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192.	Digilexis	Supports the general concept of an IFRT.	The IANA Function Review (IFR) will be due every 5 years. We believe that the IANA Function Review recommendation for a separation process should be escalated directly to ICANN Board by the IFR Team (they should be well equipped to do a good enough job for that), although it is up to the Board to request advice or opinion directly from the Supporting Organizations and Advisory Committees or to get such advice or opinion by means of a Cross Community Working Group process. In any event an IFR recommendation for the initiation of (IFO) Separation discussion should be carried out by such CWG (which should include the IFR Team members.) We would also advise that the Customer Standing Committee (CSC) be included as participant in the Separation Review. Perhaps they could also appoint 5 people or at least a couple a liaisons to the Review. The (CSC) is responsible for monitoring IFO performance, particularly in relation to naming services, according to contractual requirements and service level expectations.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations*

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193.	RySG/RrSG	Supportive	The RySG's initial comments stressed the need for the CWG to streamline the IANA oversight mechanisms and to avoid creating extra governance structures to oversee the IANA functions that would unnecessarily complicate what is a simple, technical process. In that vein, we support the revisions made to the second draft report. We would generally like to offer support for the construct of the review team and its process. We will provide more specific feedback as it pertains to the full proposal for the creation of an IANA review team in our response to Question 32	*The CWG-Stewardship appreciates your feedback.*
194.	Sarah Falvey and Aparna Sridhar / Google Inc	Supportive	Google agrees with the proposal to have the IANA Functions Review Team review the performance of the IANA Functions Operator and identify areas for improvement every five years. In proposing the creation of this Review Team, the CWG-Stewardship has struck a good balance between the need to evaluate the performance of the IANA Functions Operator with the recognition that it would inappropriate to create a permanent, standing committee to do so. In order to ensure that the Functions Review Team remains focused on its core mandate, we urge the following: • The Functions Review team should limit its mission to evaluating the performance of the IANA Function	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations*

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			Operator and related IANA oversight bodies, and recommending changes where appropriate. • The proposal should require multistakeholder representatives from a cross-section of the ICANN community, with a focus on technical expertise and experience with IANA. • The Functions Review team must act transparently: Its meetings, procedures, and recommendations must be public. • The CWG-Stewardship should include in its proposal a mechanism to ensure that ICANN acts on the IANA Function Review Team's recommendations and periodic evaluations of its performance. It is critical that its recommendations are acted upon to promote and preserve the community's trust in the performance and accountability of the IANA Functions Operator. If necessary, the CWG-Stewardship should work with the Accountability Working Group to implement its recommendation.	

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195.	SIDN	IFRT should be more balanced	The service that IANA provides with respect to names is by nature a very limited but extremely important one. The direct customers of IANA (the TLD registries) are the first to be aware of that, as their own services heavily depend on it. The direct customers therefore will also be the first to want things changed if that is necessary from a service (level) perspective. On the contrary the direct customers have a high interest in avoiding any changes to the IANA function for other than failures in services because such changes always create the risk of instability of the IANA services. From that point of view we feel that: • the IANA functions review team (IFRT) should be more balanced than currently foreseen, having as many registry appointed members as non registry appointed members seems more logical; • the mechanism by which a decision within ICANN will be taken on significant changes with regard to IANA should include opportunities for the registries to veto such changes. (to be arranged by the CCWG).	*The CWG-Stewardship appreciates your feedback on the IFRT composition and will factor this into its subsequent deliberations* *In relation to your second point, the CWG-Stewardship would like to remind the commenter that the CCWG-Accountability has been tasked to review and address the broader ICANN accountability issues and as such the CWG-Stewardship would like to refer the commenter to the CCWG-Accountability to submit feedback on this issue directly.*

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196.	Nominet	IFR to be established using existing models within ICANN, strong representation of operational customers on IFRT	We believe that the IFR should be established using existing models within ICANN, whether based on the Affirmation of Commitments reviews or the cross-community working group model). Fundamental to both of these mechanisms is the outreach to the wider community - we would welcome an explicit statement of this principle in any review process. Given the role of the IFR to maintain operational excellence for IANA services, we believe that the IFRT should bring in a strong representation from operational customers. The review should be focused on performance and development, looking at delivery against agreed service levels and operational requirements and making recommendations for improvements in the contract.	*The CWG-Stewardship appreciates your feedback on the IFRT structure and composition and will factor this into its subsequent deliberations*
197.	Centre for Democracy & Technology	Supportive, but question ability of Board to reject IFR recommendations and PTI providing secretariat	The IFR is a central element in the overall proposal and is an appropriate review mechanism for ensuring that the broader Internet community has an opportunity to contribute to the assessment of the performance (and more) of the IANA functions operator. We fully support the two-year post transition IFR and then periodic five year reviews thereafter. This periodicity is an essential component of ensuring the accountability, performance and reliability of the IANA functions.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *In relation to the role of the ICANN Board, the CWG-Stewardship notes that this role has been limited to ICANN Board approval, which we believe is requisite in both instances. To address related concerns, in the revised process*

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			CDT also supports the IFR's inclusion as a fundamental bylaw. While we agree that the IFR does not need to be a standing entity, there needs to be a mechanism for ensuring that it can be quickly and effectively assembled should a Special IFR be called for (which we understand to be an interim IFR that can be called for in exceptional circumstances). The membership of the IFR/SIFR should be broader than that of the CSC and should involve the SOs and ACs, as is outlined in the proposal. We do not support the PTI/IFO providing the secretariat for the IFR, particularly as the IFR will be reviewing the performance of the PTI/IFO. Further, we do not see any reason why an IFR should not be able to make the same recommendations as a SIFR, up to and including separation – perhaps this is intended but it is not clear in the text. We note in points 4 and 5 of accompanying FAQ that the Board would review recommendations from the IFR and either adopt, modify or reject them. We question whether it is appropriate that the Board's has the ability to reject IFR (community) recommendations. We would suggest that the CWG look again at this and discuss whether it would be more appropriate that the Board adopt or if there is disagreement ask for further clarification/seek to find common ground with the IFR on	*details have been added that rejection of these recommendations would have to be handled by the board in accordance with the thresholds and procedures for rejecting the output of a PDP.*

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			its recommendations.	
198.	NCSG	Supportive	We believe that the IANA Function Review (IFR) is a critical part of the overall transition proposal. First and foremost it establishes the imperative of having periodic reviews, 2 years post transition and then every 5 years thereafter. The IFR (including explicit mention of the special reviews and the periodicity) should be enshrined in the ICANN bylaws as a fundamental bylaw - as is proposed in the consultation document. This review process is an essential part of ensuring that the IANA functions meet both the performance expectations of the community and are subject to an appropriate level of scrutiny to ensure the IANA functions and their operation remain fit for purpose. We agree that the review process should incorporate inputs from the CSC, the PTI and others as appropriate. We note that that the composition of the PTI Board as we have outlined above in #9 will also ensure that the views of the broader community and customers of the IANA functions are taken into account in the review. We agree that the IFR does not need to be a standing committee although a mechanism should be identified to ensure that if a special review is called for the IFR can be quickly and efficiently put in place.	*The CWG-Stewardship appreciates your feedback.*

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199.	ISPCP	Supportive – makes suggestions on periodicity	ISPCP support establishing the IFR and fixing it within the ICANN bylaws in principle. However with regard to the periodicity we suggest to be more flexible. The schedule could be fixed after the first IFR (2 years after the transition).	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations*
200.	ALAC	Concerns about composition and mandate	Comments here also apply to Annex F The IFR must also be allowed to review the CSC and its effectiveness as well as recommend changes to its composition and charter. As an integral and extremely important part of the overall transitioned IANA, the CSC cannot be exempted from the periodic review that the CWG has wisely mandated. The composition of the IFRT is problematic in that it is envisioned as a relatively extensive process and allowing only 1 person per most stakeholders can have continuity implications. At the very least, the composition must allow at least one Alternate per stakeholder. It is unclear whether the mandate of the IFR is purely the names component of IANA, or will cover the entire range of IANA operations. Related to this, it is unclear what organizations outside of ICANN might be included in the IFRT.	*The CWG-Stewardship appreciates your feedback on the IFRT structure and composition and will factor this into its subsequent deliberations. The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions, and the IFRT is limited to naming functions as a result.*

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201.	JPNIC	Supportive	It is reasonable to have IFR for IANA function to evolve, and Special Review to addressing issues emerging time to time.	*The CWG-Stewardship appreciates your feedback*
202.	NIRA	Supports the general concept of an IFRT, but does not generally support IFRT as proposed.	NIRA welcomes the recommendation that III.A.i.d -IFR be included in the "Fundamental bylaw" as part of the work of CCWG Accountability. However, the composition of IFRT as shown in Annex F, seems skewed towards GNSO (RYSG, RsSG, CSG, NCSG and GNSO). What of non-GNSO representation? (.ARPA, .INT, .GOV and .EDU) GAC, and ALAC had one each, the equal footing of the Multistakeholder principle seems to be absent here. NIRA believes that GAC and ALAC should each have regional representatives to the IFRT because this seems to be the strongest oversight mechanism. Itsrecommendation can cause a separation, rebid and another transition.	*The CWG-Stewardship appreciates your feedback on the IFRT composition and will factor this into its subsequent deliberations. The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions, and the IFRT is limited to naming functions as a result.*

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203.	Business Constituency	Supports the general concept but requests further details	The Business Constituency agrees that an IANA functions review team should be constituted solely for that purpose, rather than established as a standing body vulnerable to mission creep. It is already difficult for businesses - especially small and medium size enterprises - to participate fully in ICANN today, and increasing the complexity and number of standing committees would have made the process even more difficult to follow. The IANA functions review group should be defined more clearly. Its processes should be open and transparent, and its remit should be limited. Moreover, ICANN should adopt a requirement to implement recommended process improvements arising from the IANA functions review. As we have seen in the context of the Accountability and Transparency review teams, conducting the review and making recommendations is useful only if those recommendations are actually implemented.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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204.	IPC	Comments concerning composition	It is particularly important that the composition of the IFR Team be multistakeholder and not be dominated by registries. We recognize that the members of the IFR Team need to be capable of conducting an operational and performance review, but we believe that the varied skill sets required in this regard are not the exclusive province of registries. Indeed, fluency in contract review and compliance can be found in various stakeholder groups, not least the IPC. On a related note, we view favorably the statement that the IFR Team will be open to "participants" as well as "members." As with the CWG, it is important that these participants are not "second class citizens," and that they are able to participate fully in the work of the IFR Team, except as to votes or formal consensus calls (which should be rare).	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations*
Section III – Proposed Post-Transition Oversight and Accountability – CSC				

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205.	Brian Carpenter	Proposal does not consider number and protocol communities / None	If the CSC is to monitor the performance of all IANA functions, the appropriate escalation will be different in the other two cases. So this statement is fundamentally incomplete. Also, the whole proposal to set up a theoretically independent legal entity clearly requires the consent of the addressing and protocol parameter communities. Therefore, the setting up of a Customer Standing Committee also requires their consent. How is that to be obtained? The CSC is not intrinsically a bad idea, but it isn't the naming community's call alone.	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. It has one deliverable which is a proposal to the U.S. Government NTIA regarding the transition of stewardship of the IANA functions to the global multistakeholder community. See* https://www.ianacg.org/ *for further details.* *The CWG-Stewardship would also like to point out the comment from the NRO, which notes the willingness of the RIRs to provide a numbers community liaison to the CSC. Furthermore, the CWG-Stewardship would like to clarify that the CSC would only monitor the IANA naming services.*

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206.	Axel Pawlik / NRO Executive Council	Supportive / note willingness of RIRs to provide liaison to CSC	We note that the CWG proposes a Customer Standing Committee to perform the operational responsibilities towards monitoring of performance of the IANA naming function, and the RIRs would be willing to provide a numbers community liaison for that Customer Standing Committee in consideration of the dependency that the numbers community has on IANA naming services related to the global reverse DNS domains (IN-ADDR.ARPA, IP6.ARPA).	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *Given that RIRs are also a direct customer of IANA, the offer to include a Liaison to the CSC is welcomed. It is noted that the Liaison must also submit an Expression of Interest to the NRO for approval purposes.*
207.	auDA	Supportive	auDA strongly supports the concept of a CSC for the day-to-day monitoring of the IFO. This group must be small and agile and should be comprised of direct registry customers. As such, the membership composition proposed by the CWG is acceptable. Critical to the success of the CSC is members' ability to contribute the necessary time and expertise to the process. While, as stated above, members of the PTI Board (or alternative structure) should possess relevant management, legal and organisation-management expertise, members of the CSC must have technical and operational expertise, reflective of the CSC's direct operational oversight function and associated requirements of community stakeholders.	*In the CWG-Stewardship proposal, individuals interested in joining the CSC must provide a statement of interest and demonstrate their eligibility. The decision of whether or not to appoint an individual to the CSC is left to the relevant community. For further detail, please see Annex G.*

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208.	US Council for International Business	Supportive	We appreciate the how the Customer Standing Committee (CSC) is conceptualized to perform oversight functions currently handled by NTIA. In particular, we support the manner in which the proposal prescribes the CSC's role as primarily operational.	*The CWG-Stewardship appreciates your feedback.*
209.	CRISP Team	Supportive so long as independence between the Names and Numbers mechanisms is maintained.	* Customer Standing Committee - We understand the role of the CSC is to review the service level of the Names related IANA Functions. The Numbers community has proposed a separate mechanism for service level review of the IANA Numbering Services. We observe they are independent and do not see any issues so long as this independence is maintained, but we note the possibility of communication between the groups as needed.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.* *The suggestion from CRISP is welcomed and regular communication between the CSC and the Numbering review counterpart is considered advantageous. As such this communication will be recognized in the CSC Charter.*
210.	AFRALO	Support for strict scope of CSC mission	CSC is proposed to be largely dominated by the "so-called" direct customers, and would strongly suggest that the prerogatives of the group be strictly defined within its intent of monitoring and its report transparently available to the community. We would support including a liaison to CSC from the IFRT.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria. Rather than a liaison, the IFRT will consult with the CSC as part of conducting its review.*

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211.	Chinese Stakeholders' Joint Submission	Supportive	We support the concept of a CSC for the day-to-day monitoring of the PTI performance. In addition, CSC should be small and responsive and should be comprised of the direct customers of the IANA names function.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*
212.	InternetNZ	Supportive	a) InternetNZ supports the role and composition proposed for the Customer Standing Committee. Day to day oversight of the IANA functions should predominantly be by the users of these functions. b) The constitutional documents for the CSC must make clear how inappropriate ICANN influence on the CSC or its functions can be assured. c) It should be noted for clarity that the GAC Liaison proposed for the CSC should not be from the same entity as a government-operated TLD.	*The CWG-Stewardship appreciates your feedback and will incorporate this feedback into subsequent work.*
213.	Government of India	Supportive	The proposed Customer Standing Committee (CSC) could play a useful role, by constantly reviewing the technical aspects of the naming function as performed by PTI. This, combined with the proposed periodic IANA Function Review (IFR), would act as a check on the PTI. However, this brings into greater relief the lack of similar checks and balances on the performance of the policy development role with respect to names.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria. The CWG-Stewardship notes that the ICANN policy development role is outside the scope of the CWG-Stewardship.*

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214.	CCWG-Accountability Co-Chairs	Supportive	Section 1.4, on page 12 of the CCWG Accountability interim proposals, acknowledges the intention of the CWG Stewardship to create a Customer Standing Committee. The CCWG Accountability did not at this point consider specific Bylaw changes related to the CSC. It would however not contradict any of the CCWG Accountability proposal. It might therefore be more appropriate if this recommendation was drafted and specified directly as one of the CWG Stewardship recommendation.	*The CWG-Stewardship appreciates your feedback and will incorporate this feedback into subsequent work.* *It is envisaged that the CSC will be formally recognized in the ICANN bylaws and the CSC Charter will be the primary governing document regarding the work of the CSC.* *It is also envisaged that the role of the CSC in monitoring the performance of IANA's naming function will be recognized in ICANN's contract with the PTI.*
215.	Rui Zhong / Internet Society of China	NA	Since CSC will be set to monitor the performance of PTI, how to ensure the PTI could improve its performance according to CSC's recommendation?	*The CWG-Stewardship notes that although the CSC is not mandated to initiate a change in the IANA Functions Operator or has a mechanism to 'force' PTI action, it could escalate to the ccNSO and/or the GNSO, which might then decide to take further action using agreed consultation and escalation processes.*

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216.	CENTR Board of Directors	Supportive, but requests further details concerning where and how CSC will be established	The dual structure that is expected to monitor (Customer Standing Committee - CSC) and review (IANA Functional Review Team - IFRT) the PTI replaces the role currently executed by the NTIA. It allows both customers and other stakeholders to oversee IANA's performance and evolution. Considering the importance of such functions, we deem appropriate that further details be provided regarding where and how exactly these organisations are going to be established. We would recommend further clarity on the organisational structure of the CSC, including its juridical profile – a Committee within the PTI or ICANN, and its funding mechanisms.	*The CWG-Stewardship appreciates your feedback and notes that some of this information concerning the CSC is already available in Annex G of the proposal. Nevertheless, the CWG-Stewardship will review your feedback and incorporate this feedback into subsequent work.* *It is envisaged that the CSC will be recognized in ICANN's bylaws and that the CSC Charter will be the primary governing document. The Charter currently provides for the composition of the CSC and the selection process for inclusion.* *The CSC is expected to have a strong working relationship with staff of the PTI that are responsible for administering the naming function.* *In the event that remedial action is required to address issues of non-performance that have been unable to be resolved with the PTI, the first point of escalation would be to the PTI Board*

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217.	DIFO	Supportive	DIFO supports the establishing of a CSC, and that the CSC is kept small. The composition should as suggested be a representation of direct customers. DIFO welcomes liaisons as long as this doesn't affect any flexibility of the group. In the selection process it is important that non-members of the ccNSO are included, so they are able to be members of the CSC.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
218.	CIRA	Supportive	I was pleased to see that the CSC has been retained from the December proposal, and support the fact that it be co-chaired by appointees representing the GNSO and ccNSO. This recognizes the fact that it is the direct customers of IANA that should lead the monitoring its operational performance. CIRA supports the inclusion of the Internet Architecture Board, as the operator of .ARPA, as well as liaisons from the route server community on the CSC.	*The CWG-Stewardship appreciates your feedback*

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219.	Italy	Not supportive of CSC and its composition	In addition to the PTI, the CSC will be the second entity that will be competent only for the IANA Naming function. In the *Council Conclusion on Internet Governance*, agreed by European Member States on November 27th 2014, it has been stated that it is important to seek *cooperation alongside other stakeholders with entities in charge of the Internet Protocol and other information technology specifications*. For that reason, we believe that the creation of these two entities dealing only with the IANA naming function does not head in that direction. There is a strong interconnection among the three IANA functions and we think that this interconnection should be reflected at least in the CSC. In addition, one of the key principle required by NTIA is that any proposal should *support and enhance the multi-stakeholder model* while both PTI and CSC are not multistakeholder entities.	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. See* <u>https://www.ianacg.org/</u> *for further details.* *It is not clear to the CWG-Stewardship how a corporation can be multi-stakeholder. Also, the fact that the CSC itself is not multi-stakeholder does not mean that the overall CWG-Stewardship proposal is not multi-stakeholder.*

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220.	AFNIC	Supportive	The composition as well as the functions and responsibilities of the CSC are in line with Afnic's expectations. However, we note that its secretariat would be provided by PTI. In order to guarantee the smooth and independent functioning of the CSC, Afnic would recommend that the budget allocated to it should include an independent secretariat.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *The Design Team responsible for developing the CSC was supportive of a Secretariat provided by the PTI. This was on the understanding that the PTI would have the necessary expertise to support the work of the CSC. While recognizing that there could be benefits associated with the independent secretariat, they are not considered to outweigh those of a knowledgeable PTI secretariat.* *It is anticipated that the costs associated with providing a secretariat will captured as part of the overall budget required for PTI.*

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221.	RySG/RrSG	Supportive	The RySG and RrSG support the recommendations in this section including the CSC charter in annex G (item 33). The RySG and RrSG are firmly of the view that the narrow remit of the CSC be maintained and that the composition of the CSC not be increased. Monitoring the performance of IANA will be an important role in a post-transition environment and we believe that the CSC should not be distracted unnecessarily with other tasks	*The CWG-Stewardship appreciates your feedback*
222.	Sarah Falvey and Aparna Sridhar / Google Inc	Supportive, but concerns about creating a new structure – suggestions to address these concerns	We agree that the multistakeholder community must assume NTIA's stewardship role in monitoring ICANN's performance to ensure that the IANA functions themselves are being carried out in an accurate and efficient ways. However, we continue to have concerns about creating a new structure to perform these tasks — it will likely increase complexity, bureaucracy, and further obfuscate issues of authority, governance, and dispute resolution. Noting that there is strong support in the community for the creation of a CSC, we offer some suggestions below for ensuring that the CSC provides useful and meaningful oversight over the IANA functions. Specifically, this committee's scope should be strictly technical and include only: (1) monitoring the performance of the naming functions for any technical irregularities or issues; (2) ensuring that the IANA functions operator maintains appropriate service levels for services associated with naming; and (3) raising and	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *It is acknowledged that the roles and responsibilities of members versus liaisons is not clearly stated and should be addressed.* *In order to make a distinction between Members and Liaisons the following is provided:* *Liaisons shall not be members of or entitled to vote on the CSC, but otherwise liaisons shall be entitled to participate on equal footing with members of the CSC.*

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			addressing any persistent performance deficiencies related to naming. Because the CSC's remit should be technical and it should have no role in setting or reevaluating policy, its composition should be limited to the direct customers of the IANA naming functions (gTLD and ccTLD operators) and related experts or liaisons as that group sees fit. Currently, the proposal does not provide clear roles and responsibilities between members of the CSC and liaisons to the CSC, and these roles must be clarified before moving forward. Finally, the overall membership of the CSC should remain small. It is not necessary for the technical oversight over the IANA functions to be broadly representative in order for the group to accomplish their narrowly stated mission. Also, a smaller group is more likely to be operationally efficient.	

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223.	SIDN	Supportive	The service that IANA provides with respect to names is by nature a very limited but extremely important one. The direct customers of IANA (the TLD registries) are the first to be aware of that, as their own services heavily depend on it. The direct customers therefore will also be the first to want things changed if that is necessary from a service (level) perspective. On the contrary the direct customers have a high interest in avoiding any changes to the IANA function for other than failures in services because such changes always create the risk of instability of the IANA services. From that point of view we feel that: • The customer standing committee (CSC), having the very limited role as is currently foreseen, should ,as is currently foreseen, only be populated by a limited number of people appointed by the RySG and the ccNSO through their own mechanisms and taking into account the position of the non--- member TLD registries/managers	*The CWG-Stewardship appreciates your feedback.*

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224.	Nominet	Supportive	We welcome the clear references in the document to the importance of basing post-transition arrangements around the requirements of the customers. This acknowledges that the JANA functions operation is a critical service for registries and its effective operation is of direct concern to TLDs. As such we welcome the recommendations for a Customer Standing Committee and the role of that committee in first-level interaction with the IANA functions operator on issues related to the provision of the service. In particular, we welcome its primary role in addressing problems before they become serious. This solution-based approach to underpin the stewardship of the IANA functions is, we believe, vital. Through the draft proposal, given the technical and operational nature of this committee's role, we believe that the direct customers of the service should have a major say in any key decision.	*The CWG-Stewardship appreciates your feedback.*
225.	Nominet	CSC should be based within existing structures	We do not believe that the CSC should be a separate legal entity, but should be based within existing structures.	*The CWG-Stewardship appreciates your feedback and notes this is in line with its current thinking.*

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226.	Nominet	Supportive	We welcome the approach adopted for the Customer Standing Committee. We see this as the key part of the oversight mechanism, based on working with the IANA functions operator to address issues of concern in a cooperative way. The CSC should be predominantly an expert committee focused on resolving any problems. Membership should be appropriate for this role. The effectiveness of the committee will depend on membership with good technical and operational expertise. However, we also recognise that there will be a significant workload for members of the committee. Given the heavy demands in ICANN on volunteer efforts, serious thought needs to be given to ensuring good level engagement in this key accountability structure.	*The CWG-Stewardship appreciates your feedback.*
227.	ISPCP	Supportive	ISPCP supports the creation as well as the proposed role of the CSC.	*The CWG-Stewardship appreciates your feedback*
228.	ALAC	Concerns with CSC escalations	The ALAC presumes that all the deliberations and output of the CSC will be completely transparent. Any exclusions must be explicitly documented. The following comments here also apply to Annex J. The ALAC does not believe that the ccNSO or the GNSO	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *It is intended that the CSC will work transparently and that a key role of the CSC should be to engage with the wider*

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			are the appropriate bodies to which the CSC should escalate problems. There are several reasons for this. • The ccNSO and GNSO are policy bodies. As such, they should not be in the direct path to address IANA operational issues. That violates one of the prime principles of IANA being operated under the auspices of ICANN. • The GNSO does not have the processes to investigate or otherwise address operational issues with PTI. The staff assigned to the GNSO are explicitly Policy staff. • Although the GNSO is a multi-stakeholder body, it has a restricted number of multistakeholders, and assigning escalation to the GNSO would put these stakeholders is a privileged position relative to the rest of those within and outside of ICANN. • Annex J implies that the only real recourse that the GNSO or the ccNSO would have would be to invoke the community empowerment mechanisms being designed by the CCWG. It makes no sense to first go to the one or two registry SOs instead of going to a community-wide group that actually has the 6 power to take action. This intermediate step will only delay and possible action. The concept of the Multistakeholder Review team from the original Contract Co model indeed made sense. In this model, it would simply be the empowered group of	*community.* *However, there will be cases where complete transparency will not be appropriate and as such the CSC should have the discretion to maintain confidentiality in the rare cases where this is justified. Examples of this could include issues of security (where it may be necessary to limit CSC members' access to such information) or where ccTLD redelegation requests are malicious action aimed at undermining confidence in the registry.* *The remit of the CSC is very narrow and does not provide for the CSC to initiate an IANA Function Review or Special Review in its own right. However, it does have the ability, after exhausting avenues of remedial action without satisfaction, to bring this to the attention of the ccNSO and the GNSO's Registry Stakeholder Group as these bodies are representative of the large body of direct customers of the IANA*

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			stakeholder representatives who actually have the power to act on a CSC concern. This group must be provided with staff resources to allow it to function properly.	*naming function. (Note: this is a change that it would be more appropriate to escalate via the ccNSO and RySG).* *The concerns about the GNSO and ccNSO not being appropriate bodies for the CSC to escalate problems because they are policy bodies are noted and the GNSO has been replaced by the RySG. The ccNSO, while a policy body, is also largely an organization that deals with common issues of ccTLDs across various jurisdictions. It is also noted that the ccNSO and ccTLDs have had a long-standing relationship with IANA and are well-positioned to make assessments regarding performance. Similarly, the members of the RySG are also well-placed.* *It seems reasonable that the CSC should report back to the ccNSO and the RySG which would be able to assess from its membership whether the recommendation was appropriate.*

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				If the decision is made to pursue escalation, we agree that the process then needs to become multi-stakeholder. *ALAC identifies the CSC as being the equivalent of the MRT from the previous model: we do not believe that this is correct (the CSC was a separate entity in that model, too). The MRT role in the current model is that performed by the IFR and it would be via the IFR that wider issues (ie beyond the performance of the IANA Functions Operator) would be addressed.*
229.	JPNIC	Supportive	It is adequate that CSC's performance review on IFO will trigger the consideration of ccNSO and/or GNSO.	*The CWG-Stewardship appreciates your feedback*
230.	Business Constituency	Supportive	The BC supports the proposal to limit the Customer Standing Committee's remit to operational excellence. The Customer Standing Committee should focus narrowly on operational issues. To guard against mission creep, we recommend that the group remain limited to a small number of members.	*The CWG-Stewardship appreciates your feedback*

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231.	IPC	Supportive, but CSC should be sufficiently multistakeholder	The IPC acknowledges that the remit of the CSC is narrowly focused on operational performance of the IANA Function operator. However, it is still important from a governance perspective that the composition of the CSC be sufficiently "multistakeholder" so that the CSC is not essentially run by and for the benefit of registries. For similar reasons, it is important that the work of the CSC be open and transparent. The IANA Function is a critical resource used by every person or thing that interacts with the Internet. As such, it is quintessentially a public resource, and its oversight should reflect that. The fact that the registries are nominally its "customers" is not dispositive. There may be times when the needs of the "customers" are not aligned with the global public interest. The CSC needs to be able to act in that higher interest, and not merely as a "special interest." As with the IFR Team, the CSC should be open to "participants" as well as "members," able to participate fully in its work.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *The remit of the CSC is solely about the performance of the IANA naming function. While we accept the premise that the IANA function is a critical resource that benefits all Internet users, it was considered important that the composition of the CSC have strong representation from registry operators that have a direct relationship with IANA and understand the requirements in terms of level of services required to ensure their businesses operations continue on a day-to-day basis.* *The composition of the CSC will include Liaisons from other parts of the ICANN community and it is intended that Liaisons will participate on equal footing with members with the exception of voting.* *The work of the CSC will be transparent to the extent possible. There will be public sessions and updates on the work of the CSC, and there will be opportunities to review the work of the CSC through the IANA Function Review.*

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231. a	Liu Yue		If PTI could come from the outside of ICANN and be supervised under the contract and accountable for communities, then it should not be necessary to establish CSC. Because the members of CSC are mainly from Registries. Through various channels, Registries could make comments and provide suggestions on decisions of root zone management, design of IANA functions contract terms, operation of IANA functions, etc. as well as participate in the progress of oversight and accountability. In addition, there are contracts between gTLD Registries and ICANN, which could have mutual restraint according to the contract terms. The ccTLD operators could also possible establish binding mechanisms with ICANN and provide services based on contracts or other forms, to ensure their own interests.	*The CWG-Stewardship has agreed on PTI as an ICANN affiliate. The CSC's role is to monitor day-to-day performance. The CSC is not a legal entity.*
Section III – Proposed Post-Transition Oversight and Accountability – Service Level Expectations				

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232.	auDA	Questions whether development of re-defined SLEs is essential prior to the IANA transition / Maintain status quo with continuous improvement post-transition	auDA welcomes the DT's commitment to working with IANA staff to develop a set of SLE's for the posttransition environment. It is critical that the perspectives and experience of current IANA staff are acknowledged and reflected in final documentation. However, auDA questions whether the development of re-defined SLEs is essential prior to the IANA transition. The current transition process is significantly complicated and auDA proposes that the maintenance of the "status quo" regarding SLEs is adequate and further goals relating to continuous improvement should be addressed post-transition. auDA welcomes the opportunity to comment in detail, when the DT's work (or other post-transition work) is finalised.	*The CWG-Stewardship notes that DT-A is aiming to improve the existing SLEs as part of the final proposal, however, if not completed in time, there may be a number of guidelines to help inform subsequent work. The current draft of the proposal already includes a process for continuous improvement via review by the CSC as well as the IFRT.*
233.	InternetNZ	Supports the work of DT-A and cautions against possible deterioration of service levels post transition	d) InternetNZ does not want service levels to worsen as part of the IANA Stewardship transition. e) As such, we strongly support the work of the Design Team working on service level expectations. New SLEs that are appropriate given current service levels must form part of the transition, to assure customers that IANA service won't deteriorate immediately following transition or over the longer term.	*The CWG-Stewardship appreciates your feedback*

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234.	CENTR Board of Directors	Requests assurances that the transition plan will target a further refinement of IANA productivity and efficiency	As ccTLD operators and therefore, direct IANA customers, we have been working in close contact with ICANN to improve IANA's performance, including its level of responsiveness toward its stakeholders, over the last decade. Consequently, we believe that the essence of a sound transition plan is the assurance that it will be targeting a further refinement of IANA productivity and efficiency and assures that IANA delivers a service on a non-discriminatory basis.	*The CWG-Stewardship appreciates your feedback and notes that the current draft of the proposal already includes a process for continuous improvement via review by the CSC as well as the IFRT.*

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235.	CENTR Board of Directors	SLEs should be in place before transition	It is not clear how the initial contract and statement of work is going to be drafted. If the current NTIA contract and SOW are used, it would take two years (until the first IFR) until there is an opportunity to discuss Service Level Expectations, SLEs. As there is a significant gap between the current SLEs and the contractual requirements, it would not only be a missed opportunity to bring them closer together, but there is also a risk that service levels might deteriorate while still fulfilling the requirements in the renewed contract. We therefore ask that the SLEs are in place before the transition. In case the current contract is adapted to reflect the current service levels, it is unclear who would be responsible for deciding on these clauses. We regret that the draft proposal does not include details on the Service Level Expectations. We understand that there are issues regarding the disclosure of proprietary information and we urge all parties to come to a swift solution. The SLEs section is the keystone for this proposal.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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236.	Eliot Lear	NA	Are there not existing service levels agreed with NTIA?	*The CWG-Stewardship acknowledges that the current arrangements require the development of Performance Standards and NTIA approval of these agreements - which has been done. The CWG-Stewardship is investigating if any changes are required to these and what such changes should be prior to the transition.*
237.	DIFO	NA	There is a need for a mechanism that provide incentives for PTI to keep striving for best practice and enhancing the professional level of the operational part.	*The CWG-Stewardship appreciates your feedback.*
238.	CIRA	Support	I fully support the CWG's work to further elaborate service level expectations (SLEs) for the performance of the IANA functions. I look forward to reviewing these SLEs once they are completed.	*The CWG-Stewardship appreciates your feedback.*
239.	AFNIC	Awaiting detail on SLEs	As already stated, and given the fact PTI will be an ICANN fully owned entity, we feel the need to be much more specific on SLEs, because there will be no tender prior to the contracting between ICANN and PTI. For a decade or so, CCs as well as GTLDs have worked on IANA SLEs, and what need to be done to increase the SLEs to a better level. We therefore strongly believe that SLEs should be part of the transition proposal, as a starting point.	*The CWG-Stewardship appreciates your feedback.*

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240.	SIDN	Restrict the work to what is currently necessary.	Restrict the work to what is currently necessary. We notice a tendency in the CWG to work out certain aspects to a level of detail that does not seem currently necessary. Another example is the whish to update the SLE's. While it would certainly be a benefit if the SLE's would be updated in the process (IANA's actual performance is on a significant higher level than the current SLA) SIDN does not feel that this should in any way block or slow down the finalization of the work of the CWG. Given the limited time for the CWG to finalize its proposal it might be wise to postpone (the finalization) of this work until later.	*The CWG-Stewardship appreciates your feedback and notes that DTA is aiming to improve the existing SLEs as part of the final proposal, however, if not completed in time, there may be a number of guidelines to help inform subsequent work.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
241.	Nominet	Concerned about the lack of progress	We are concerned at the lack of progress in establishing the current service level commitments for the provision of the service. This is a key element for the oversight of the new service. The starting point for the SLEs should be that included in the current contract, subject to any necessary updating because of the withdrawal of the NTIA. While it might be "nice" to increase commitments to recognise the current performance of the IANA functions operator, we believe that this should be resisted unless there are clear operational reasons for change. On the other hand, we think there needs to be a clear statement on processes to amend and update the SLEs post transition and in response to customer requirements. We would note that SLEs need to be appropriate to the needs of the customers: they should be based on operational requirements only. We would also note that not all service levels will have equal weight in assessing the performance of the operator. Service levels can have a direct impact on the cost of providing the service and this should be considered in setting commitments.	*The CWG-Stewardship appreciates your feedback and notes that DTA is aiming to improve the existing SLEs as part of the final proposal, however, if not completed in time, there may be a number of guidelines to help inform subsequent work.*

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242.	Nominet	Lack of detail	We are concerned that there is little detail about the service level expectations. Bearing in mind that these will be the basis for measuring the effectiveness of the PTI, these metrics should be clearly specified as soon as possible. The service levels in the current contract should be the basis for the post transition environment unless it is clear that they are no longer appropriate. The stewardship transition should not be an opportunity unilaterally to establish new levels without clear justification. SLEs should not be set higher simply to reflect current levels of performance, but based on operational need. However, it is important to establish a process to keep the SLEs under review post transition and to agree and implement new commitments as and when needed.	*The CWG-Stewardship appreciates your feedback and notes that DTA is working on the details as well as metrics.*
243.	ISPCP	Supportive	ISPCP support the work undertaken to measure future SLEs with the high quality level provided at present.	*The CWG-Stewardship appreciates your feedback.*

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244.	ICANN Board	Supportive	Development of SLEs/SLAs. The Board notes how important it is that there be appropriate and meaningful SLEs/SLAs for the naming functions customers of the IANA functions, as well as appropriate system design for the root zone updating functions. We encourage the CWG, and in particular the naming-related customers of the IANA functions, to work closely with ICANN staff to make sure that SLEs/SLAs and system design requirements are feasible, attainable and well understood.	*The CWG-Stewardship appreciates your feedback.*
Section III – Proposed Post-Transition Oversight and Accountability – Escalation Mechanisms				
245.	auDA	Supportive	auDA welcomes the detailed work done by the CWG on the development of escalation procedures for a range of scenarios, including "ordinary" customer complaints (including identification of staff contact information for escalations) and emergency situations where a critical failure of the IFO has occurred. These procedures are critical to the success and robustness of the post-transition environment.	*The CWG-Stewardship appreciates your feedback.*

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246.	AFRALO	Suggestion for alternative escalation path	We are concerned about the escalation path of the CSC as currently proposed and we suggest that CSC escalates to PTI Board who may ask for a review (from the IFR) or any other action they judge appropriate than the "direct customers" of IANA	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *DTC has concerns with the DTM recommendation that PTI Board may ask for a review from the IFR.* *In the event that the CSC does not resolve the issue with the PTI Board, it would be the CSC that decides the next course of action. The existing Remedial Action Plan identified the path as VP, IANA; President GDD; ICANN CEO/Board. The plan needs to be reviewed in light of developments since it was drafted.*

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247.	InternetNZ	Supportive but requires further details	a) InternetNZ supports detailed escalation procedures being set out in advance of the transition, so that both the IFO and the community can be confident that a robust framework is in place to deal with any issues. b) More detail should be provided before the proposal is finalised, than that set out in Annexes I, J and K. c) InternetNZ also would like to see clear explanations for each process as to how vexatious or eccentric complaints can be dealt with in a manner that does not waste everyone's time and money. This may include a channel for complaints from members of the public (as opposed to those from IANA functions users/customers) to be directed to the ICANN Ombudsman.	*The CWG-Stewardship appreciates your feedback and is of the view that its proposal meets these criteria. To better illustrate the escalation mechanisms, the CWG-Stewardship has developed flowcharts and expects to include them as part of the Final Proposal. Furthermore, DT-M is working on further details to be included in the final proposal.*
248.	Rui Zhong / Internet Society of China	Question concerning third-party arbitration	As the Proposal, a series of issue resolution mechanism will be set. We are wondering whether it is possible to draw into the third-party arbitration body if the resolution mechanism fails to solve the disputes or appeals.	*The CWG-Stewardship would like to note, as also referenced in the proposal, nothing in these processes prevents a TLD an operator to pursue other applicable legal recourses that may be available.*

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249.	CENTR Board of Directors	Timelines should be meaningful	The proposed escalation process requires timelines to be meaningful	*The CWG-Stewardship appreciates your feedback and notes that timing for certain steps has been included in the proposal but also observed that it is not possible to dictate timing for each step of these processes as it will to a large extend depend on the nature of the issue how quick it can be resolved.*
250.	CENTR Board of Directors	Recommends development of flow chart.	We recommend any escalation and problem resolution processes be adequately explained with a flow chart.	*The CWG appreciates your feedback. To better illustrate the escalation mechanisms, the CWG-Stewardship has developed flowcharts and expects to include them as part of the Final Proposal.*
251.	CIRA	Supportive	CIRA agrees that the existing customer complaint resolution processes and mechanisms need to be strengthened, allowing for the possibility of mediation and review by the CSC. I have noted that the final step available in the case of an individual customer complaint is to seek redress with an Independent Review Panel (IRP). I understand the IRP is under review by the CCWG, so this, as noted in the proposal, creates a dependency between the work of the CWG and the CCWG, something I will discuss later in this letter.	*The CWG-Stewardship appreciates your feedback and reminds the commenter that there is strong coordination between the CCWG-Accountability and CWG-Stewardship.*

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252.	CIRA	Seeks more clarity on process for Problem Resolution	I note that if recommendations made by the CSC do not lead to acceptable improvements by the IANA functions operator, the CSC may, through the Problem Resolution Process, escalate the issue to the ccNSO and/or the GNSO. These organizations would have the authority to decide to take further action using agreed upon consultation and escalation processes, including the IRP and the CCWG- Accountability Work Stream 1 accountability mechanisms (once completed). While I am generally supportive of this process, greater clarity and detail are required, including determining whether the ccNSO and/or the GNSO could access the IRP in this situation.	*The CWG-Stewardship appreciates your feedback and is of the view that its proposal meets these criteria. To better illustrate the escalation mechanisms, the CWG-Stewardship has developed flowcharts and expects to include them as part of the Final Proposal.*
253.	RySG/RrSG	Recommends development of diagram	Escalation is mentioned in a number of sections; the proposal would greatly benefit from a single description of how all the pieces fit together. We recognize and appreciate the fact that the CWG Design Team M is developing flow charts to more clearly illustrate the three escalation mechanisms proposed. We suggest that an additional diagram be added that shows how the three mechanisms fit together.	*The CWG appreciates your feedback. To better illustrate the escalation mechanisms, the CWG-Stewardship has developed flowcharts and expects to include them as part of the Final Proposal.*

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254.	Sarah Falvey and Aparna Sridhar / Google Inc	Recommends development of a chart	The CWG-Stewardship's proposal includes a variety of potential escalation mechanisms for both direct and indirect customers of the IANA functions. These include the existing customer service complaint resolution process, a new problem resolution process for persistent performance issues and systemic problems, the existing root zone emergency process, recourse to the ombudsman or to mediation, and invocation of the Independent Review Process being developed by the Accountability Working Group. While these methods likely meet the needs of both direct and indirect customers of the IANA functions in ensuring that their complaints are addressed, Google suggests that the CWG-Stewardship prepare a comprehensive chart indicating who can seek which types of redress, and whether exhaustion of any particular remedy is required either by the complainant, by ICANN, or by the CSC before escalating to a subsequent stage of in the dispute resolution process. Without such an understanding, parties with grievances will not know how to navigate these processes and will be unable to take advantage of the dispute resolution mechanisms at their disposal. A chart will also help the Accountability and Stewardship tracks make sure that the various redress mechanisms work well together.	*The CWG-Stewardship appreciates your feedback. To better illustrate the escalation mechanisms, the CWG-Stewardship has developed flowcharts and expects to include them as part of the Final Proposal.*

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255.	Centre for Democracy & Technology	Concerns re. step 3 of problem management and lack of detail	We have some concerns that Problem Management step 3 on page 68 - where it is suggested that the CSC escalates to the ccNSO/GNSO - is adding a layer of escalation that may not be necessary. If requests for remedial actions are not being addressed by the IANA functions operator then there is, one must accept, a breakdown in the relationship and trust between the customers and the IANA functions operator. If this is the case, and remedy is not possible, it would seem appropriate for the CSC to call for a SIFR. A trusted relationship between the CSC and the IANA functions operator is absolutely essential to the stability, security and resiliency of the DNS. Further, the lack of detail relating to how systemic problems will be addressed is concerning. We would suggest that systemic issues/problems should be subject to an SIFR and not just left to the 5 year IFR. Again, the stability, security and reliability of the DNS are paramount, and systemic problems - which are precisely the potential issues this stewardship framework is designed to address - must be dealt with as soon as they are identified.	*The CWG-Stewardship notes that the CSC charter was largely done prior to the discussions on the PTI Board, as such escalation to the GNSO and ccNSO was the chosen escalation path at the time. Escalation to IFR was considered beyond the scope of the CSC, instead as any issues raised would relate directly to the technical performance of IANA, ccNSO and GNSO were considered to have direct access to broader community input on this issue and would be in a position to make an assessment on appropriate next steps. The GNSO and ccNSO step is an approval step with multi-stakeholder involvement, not an escalation mechanism as such. Having only the CSC initiate an Special IFR may not be appropriate considering its limited remit and size.*

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256.	NCSG	Concerned about inconsistencies and lack of detail	While we agree that the CSC should address issues of concern related to performance directly with the IFO, there may be inconsistencies between the review processes related to the CSC and its responsibilities and the IFR. According to the consultation document p. 58 "in the event that a material change in the IANA naming services or operations would be beneficial, the CSC reserves the right to call for a community consultation…" seems to be duplicative of the IFR and in particular the special review that is a component of the IFR. In addition the proposed CSC consultation process seems at odds with the IFR in that any result of the consultation would be approved by the ccNSO and RySG, a much smaller subset of the community than involved in an IFR. Our preference would be for any such material changes be reviewed as a part of the IFR special review process. The process for addressing "systemic problems" on p 68 needs to be further elaborated as this is a key part of any escalation process. While it may be convenient to footnote to "IRP and CCWG Accountability WS 1 mechanisms", filling this escalation gap with a fully spelled out and credible community based process that is proven and effective will be essential prior to the finalization of the proposal.	*The CWG-Stewardship appreciates your feedback and notes that the CSC charter was largely done prior to the discussions on the PTI Board, as such escalation to the GNSO and ccNSO was the chosen escalation path at the time. As a result, there may be inconsistencies between CSC and IFR escalation mechanisms. The CWG-Stewardship believes these have been addressed in the next iteration of the proposal.*

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257.	ISPCP	Supportive but requests further detail on solving systemic issues.	The 3 escalation mechanisms described are supported to be introduced. However more details are requested with regards to the definition and solving of systemic issues.	*The CWG-Stewardship appreciates your feedback. Systemic issues may also be addressed through the review system that the CWG-Stewardship proposed.*
258.	LACTLD	Supportive	The escalation mechanisms facing problematic circumstances are adequate and the introduction of these entities to resolve specific problems concerning the registries in the Problem Resolution process help to understand the specificities of clients of the names community. Nevertheless, we consider that it is essential that these mechanisms become clearer in case the Separation Revision mechanism should require activation.	*The CWG-Stewardship appreciates your feedback.*
259.	Business Constituency		The CWG-Stewardship should clarify the escalation processes available to direct and indirect customers of the IANA functions. In particular, given that separating the functions from ICANN has the potential to create substantial operational risks, the procedures for invoking separation must be more clearly defined.	*The CWG-Stewardship appreciates your feedback. To better illustrate the escalation mechanisms, the CWG-Stewardship has developed flowcharts and expects to include them as part of the Final Proposal.*
Section III – Proposed Post-Transition Oversight and Accountability – Separation Review				
260.	auDA	Lack of details / further details needed regarding what could trigger separation and escalation paths	There is a lack of detail on the proposed separation process, particularly regarding the role of SOs and ACs in said process. It is unclear what could trigger separation (or a separation review) and escalation paths at this extreme stage of review must also be made clearer.	**The CWG-Stewardship acknowledges that further details are required on the separation review and is actively working on this issue.**
261.	US Council for	Lack of details / mechanisms to accomplish separability	We note that Annex C singles out "separability" as one of the 10 principles and criteria that should underpin	*The CWG-Stewardship appreciates your feedback and will factor this into its*

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	International Business	should be explicitly included	decisions on the transition of NTIA stewardship for names functions. The annex states that any proposal must ensure the ability: i. To separate the IANA Functions from the current operator (i.e., ICANN) if warranted and in line with agreed processes; ii. To convene a process for selecting a new IANA Functions Operator; and iii. To consider separability in any future transfer of the IANA functions. We are deeply concerned that portions of the proposal on Separation Review and Framework for Transition to Successor IANA Functions Operation are insufficiently developed or "postponed" to be developed post-IANA Stewardship Transition. It is critically important that the CWG-Stewardship proposal give some teeth to its recognition of the right of customer communities of the IANA functions (i.e., Names, Numbers, and Protocols) to separate from ICANN and choose another operator of their global registries. Thus, we strongly recommend that robust mechanisms to accomplish the above separability concepts be explicitly included in the CWG proposal with the requirement that any such transition should maintain at least the service	*subsequent deliberations.*

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			level agreements for the naming functions of the existing contract and the existing security, stability, and resiliency of the DNS and Internet. Furthermore, the CWG should work closely with the CCWG to ensure appropriate accountability for these mechanisms.	
262.	DCA Trust	Not supportive with regards to proposed timing / IFR should be every year immediately after transition and then every 2 years.	The IANA Functions Review should be every year in the immediate period after the Transition, and every 2 years in the Post-Transition regime. The five years that has been specified is very long.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. However, the CWG-Stewardship generally feels that a review carried out every year or every other year (as called for by the comments) would be too frequent. However, the CWG-Stewardship is open to suggestions made that a recommendation for the frequency of the regular reviews could be deferred to completion of the first review.*
263.	China Academy of Information and Communications Technology (CAICT)	Seeks further detail on the mechanism for replacement of PTI	Fourth, according to the designed mechanisms of the proposal, ICANN, as a contract given party, has the possibility to replace the PTI. So it's necessary to make a completed and accurate description about the standards and mechanisms of replacement.	*The CWG-Stewardship appreciates your feedback and is working towards further describing the mechanisms that would lead to the replacement of PTI.*

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264.	InternetNZ	Considers this duplication of IFR	In respect of a "special review", InternetNZ queries whether this is the same as the concept of a Separation Review. If so, more detail is needed in this part of the proposal, and if not, more detail is needed elsewhere.	*The CWG-Stewardship acknowledges that further details are required on the separation review and is actively working on this issue. A separation review could be a Special IFR but a special review would not necessarily have to be a separation process.*

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265.	InternetNZ	Supportive but seeks assurances of no ICANN Board involvement	b) InternetNZ presumes that this Separation Review is the same as that discussed in conjunction with the IANA Functions Review. We note and support the flow of reviews: that a Separation Review can be triggered only by a Functions Review. c) The details for a Separation Review must be developed and should be subject to community consultation before the proposal is finalised. d) InternetNZ strongly recommends that the need for a Separation Review if established by the IFR should lead to a community-convened CWG, not one convened by the ICANN Board. What would happen if the Board chose not to convene such a CWG? e) InternetNZ also strongly recommends that, where the findings of a Separation Review relate to requiring an RFP to select a new IANA Functions Operator, there be no role for the ICANN Board in approving the decision. This applies provided a Separation Review is comprised in a suitably multistakeholder manner. In such a situation ICANN, as the owner/member of the PTI IFO, would have an unmanageable conflict of interest and would face very grave difficulties in dealing with such a recommendation in an appropriate way. f) It is unlikely that Board approval subject to the mechanisms the CCWGAccountability is proposing (review and redress processes) is appropriate in this situation. That is why the CWG that conducted such a Separation Review must be the binding forum making the decision.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship notes that the role of the ICANN Board has been limited to ICANN Board approval, which we believe is requisite in both instances. To address related concerns, in the revised process details have been added that rejection of these recommendations would have to be handled by the ICANN Board in accordance with the thresholds and procedures for rejecting the output of a PDP.*

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266.	CCWG-Accountability Co-Chairs	Request for further detail	We have noted that a Separation review is also being discussed within the CWG. This could also be addressed by the CCWG Accountability. However, since it is still in process, it is not explicitly referred to at this stage. The CWG Stewardship might wish to provide additional details through the CCWG accountability public comment, which ends on June 3rd.	*The CWG-Stewardship acknowledges that further details are required on the separation review and is actively working on this issue.*
267.	CENTR Board of Directors	Lack of detail / provide further details concerning the approval procedure	This is one of the most crucial elements in the proposal and unless more detail is added, could turn into its main weakness. We recommend to clearly define the approval procedure for a decision that leads to separation of the IANA functions. We believe the CWG's proposal should include clear and undisputable guidance, including: a) The scenarios when a separation could be considered; b) The documentation requirements for all steps in the process; c) The decision making process and d) The voting rules. Considering the broader level implications for a possible separation of the IANA function and subsequent appointment of a new IANA operator, we believe that a supermajority of direct IANA customers should be required.	*The CWG-Stewardship acknowledges that further details are required on the separation review and is actively working on this issue.*

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268.	DIFO	Supportive – composition suggestion to include broader ccTLDs	In case of a Separation review it is necessary to involve all customers and therefore to have mechanisms that include the non ccNSO members in the process.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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269.	CIRA	Supportive – seeks further detail on severity of process	The section on 'separation review' states that a possible outcome of an IANA Function Review may include a recommendation that could ultimately lead to separation of the IANA function from its operator. I accept that this aspect of the proposal requires further work, and will follow its development closely and provide input as appropriate. That being said, I the proposal should more clearly layout the process by which separation of the IANA function from ICANN could be effected.

CIRA recommends that this aspect of the proposal be designed to ensure that such a decision to recommend a process that could lead to separation is not taken lightly. It should only occur after a significant consultation with the community, including an appropriate role for the direct customers of IANA. The current text suggests that a 'supermajority vote' of both the ccNSO and the GNSO would be required. I support this provision, though certain questions remain unanswered. 'Supermajority' needs to be defined in this context, and clarity is needed to ensure it is a supermajority of the ccNSO Council, as obtaining a supermajority of all 150+ ccNSO members (over 100 if this were by a two thirds majority) would be impossible to achieve. | *The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship acknowledges that further details are required on the separation review and is actively working on this issue. The CWG-Stewardship observes that in a GNSO context, supermajority is defined in the ICANN Bylaws.* |

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270.	AFNIC	Supportive and seeks further detail	Afnic agrees with the principles set forward in the proposal. However, the separation review should be further elaborated in our view.	*The CWG-Stewardship appreciates your feedback.*
271.	RySG/RrSG	Supportive and seeks further detail, concern about underrepresentation of registries	We support the defined escalation paths through which issues are first addressed through the CSC and then referred to the relevant supporting organizations before an emergency review or determination to separate is triggered. However, further details are needed around the separation mechanism itself, such as what conditions or issues would support the initiation of a separation review, what criteria would be assessed in evaluating potential successor operators, and the process by which the community would agree upon a successor operator. As an initial criterion we believe that the decision to initiate a separation review should only occur if it is supported by a majority of the direct customers of the IANA Naming Functions, namely ccTLD and gTLD registry operators. This would provide a check to ensure that the functions were not moved arbitrarily while its customers remained satisfied with IANA's performance. While it is true that a decision to separate would affect the whole community, registries, as direct customers of the IANA function, are disproportionately affected and any decision has the potential to affect the day---to---day business operation of registry operators, which in turn	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship acknowledges that further details are required on the separation review and is actively working on this issue.*

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			would affect all domain name registrants and Internet users. Additionally, we are concerned about the underrepresentation of registries in the proposed structure of the Cross Community Working Group that would be responsible for managing the separation process that followed a separation review. The current structure does not even guarantee a single appointment by a member of the gTLD registry community. As an alternative, we propose that a structure that is multi---stakeholder in composition but provides for some weighted representation by registries should be used.	

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272.	Sarah Falvey and Aparna Sridhar / Google Inc	Lack of details	Equally importantly, the CWG-Stewardship must further clarify the procedures for moving the IANA functions to a new operator. This process is termed "separation review" in the draft proposal, and some ideas for implementing a potential separation are set forth in Annex L. As the group rightfully recognizes, transitioning the IANA functions away from the current operator could itself create significant risks for the stability and security of the DNS. As such, the community should fully understand how such a separation may be invoked before agreeing to establish separation procedures. As currently drafted, Annex L fails to provide any meaningful detail regarding these processes. When providing additional detail, the CWG-Stewardship should specify precisely when separation procedures may be invoked, how they can be invoked, how a standalone would be funded, and how the proposed escalation and transition mechanisms ensure the security and stability of the DNS. We recognize that the CWG-Stewardship is discussing this issue and look forward to reviewing and commenting on this proposal when it is more fully developed.	*The CWG-Stewardship appreciates your feedback and will work to provide you with further details. The CWG-Stewardship acknowledges that further details are required on the separation review and is actively working on this issue.*

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273.	Nominet	Supportive	We support the plan for a separation mechanism in the case of refusal by, or inability of, the PTI or IANA Boards to correct serious and persistent failure of the ANA functions operator. It is a measure of last resort. We welcome the approach of the proposal to base stewardship on resolving issues and on remedial action: "a Separation Review ... would only occur if other escalation mechanisms and methods have been exhausted." We would, however, suggest that this step should only be started following an open consultation and with the support of the ccNSO and the RySG. While the review team should be broadly multi-stakeholder in nature, it should include strong representation from registries. Having decided to go ahead with a rebid of the IANA functions operator role, the development of an RfP needs to be carried out in an open consultative manner and the final approval should be required from the ccNSO and the RySG.	*The CWG-Stewardship appreciates your feedback and will consider your suggestions with regards to the steps involved.*

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274.	Centre for Democracy & Technology	Supportive, but further details are needed	As noted earlier, we fully support separation as a key element of the proposal and support its inclusion as a fundamental bylaw. However, the separation review text needs greater elaboration and further discussion. For example, if a separation review is needed should it not be initiated through the community rather than the ICANN Board? We are uncomfortable with the proposed role of the ICANN Board in the separation review given that PTI is an affiliate of ICANN and the Board is the PTI contractor/provider of oversight. For the same reasons we are not convinced that the ICANN Board should have to approve the recommendations of the community with regard to separation. If the community were at a stage where the escalation and appeals mechanisms had been exhausted – and the room for maneuver very limited – ensuring the continuity of the DNS through separation could well be the only option left, and that is a decision that the community should take itself.	*The CWG-Stewardship acknowledges that further details are required on the separation review and is actively working on this issue.*

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275.	NCSG	Supportive	We fully support the addition of a fundamental bylaw to enable separation of PTI from ICANN or ending the contract with PTI and switching to a new IFO. We believe that rebidding the contract for the names-related IANA functions should not be made so difficult, complex and time-consuming as to give PTI a de facto monopoly on the service. We also question why the recommendations of an IFR, when developed through recognized community processes and subsequent to the exhaustion of all remedial processes, would have to be approved by the Board. Rather, if the Board has specific issues with the recommendations these should be subject of a process of discussion to find common ground. Hopefully, the Board would have been made aware of the challenges that the community is trying to address and such recommendations should come as no surprise for the Board and therefore have their agreement.	*The CWG-Stewardship appreciates your feedback. The CWG-Stewardship notes that the role of the ICANN Board has been limited to ICANN Board approval, which we believe is requisite in both instances. To address related concerns, in the revised process details have been added that rejection of these recommendations would have to be handled by the ICANN Board in accordance with the thresholds and procedures for rejecting the output of a PDP.*

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276.	ISPCP	Supportive	The ISPCP supports the basic possibility of separation through a review as defined and to be fixed in the ICANN bylaws. The threshold to initiate an SR is set high since it presupposes the exhaustion of other escalation mechanisms and methods. In addition the elaboration of criteria to be fulfilled by a potential successor IFO seems to be necessary.	*The CWG-Stewardship appreciates your feedback.*
277.	ALAC	Request for clarity	It is unclear what is to be "separated" from what. This is an important issue, and given previous versions of this proposal have had VERY different meanings for the word, this proposal must be explicit as to the type or types of separation contemplated.	*The CWG-Stewardship appreciates your feedback and will seek to further clarify this at it finalizes its proposal. We also refer you to a general FAQ (see https://community.icann.org/x/oJk0A w).*
278.	Business Constituency	Supportive	The BC supports the inclusion of separation review. We believe there should exist a well-defined process to consider and initiate separation of the IANA Functions, as well as identification of a new IANA Functions Operator, in the event that all other attempts at remedial efforts have been exhausted. Such a last resort option preserves the current status quo and is the ultimate accountability mechanism currently provided by NTIA's contract with ICANN.	*The CWG-Stewardship appreciates your feedback and acknowledges that further details are required on the separation review and is actively working on this issue.*

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279.	IPC	Suggestions concerning separation review	The IPC suggests that the IFR Team should make a recommendation regarding separation or other measures to be taken if intermediate remediation steps are unsuccessful. These recommendations should then be subject to GNSO/ccNSO approval, Board approval and, if ICANN is reconfigured as a membership organization, Members approval. This should then trigger a separation process (rather than a separation review), with a multistakeholder cross-community group (similar in composition to the IFR Team) running that process.	*The CWG-Stewardship appreciates your feedback and will take into account your suggestions.*
Section III – Proposed Post-Transition Oversight and Accountability – Framework for Transition to Successor IFO				
280.	auDA	Supportive	auDA supports this position.	*The CWG-Stewardship appreciates your feedback.*
281.	US Council for International Business	Lack of details / mechanisms to accomplish separability should be explicitly included	We note that Annex C singles out "separability" as one of the 10 principles and criteria that should underpin decisions on the transition of NTIA stewardship for names functions. The annex states that any proposal must ensure the ability: iv. To separate the IANA Functions from the current operator (i.e., ICANN) if warranted and in line with agreed processes; v. To convene a process for selecting a new IANA Functions Operator; and vi. To consider separability in any future transfer of the IANA functions.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. The CWG-Stewardship acknowledges that further details are required with regards to the separation process and is actively working on this issue, but is of the perspective that the framework for a transition to a successor IFO is sufficiently detailed at this stage.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
			We are deeply concerned that portions of the proposal on Separation Review and Framework for Transition to Successor IANA Functions Operation are insufficiently developed or "postponed" to be developed post-IANA Stewardship Transition. It is critically important that the CWG-Stewardship proposal give some teeth to its recognition of the right of customer communities of the IANA functions (i.e., Names, Numbers, and Protocols) to separate from ICANN and choose another operator of their global registries. Thus, we strongly recommend that robust mechanisms to accomplish the above separability concepts be explicitly included in the CWG proposal with the requirement that any such transition should maintain at least the service level agreements for the naming functions of the existing contract and the existing security, stability, and resiliency of the DNS and Internet. Furthermore, the CWG should work closely with the CCWG to ensure appropriate accountability for these mechanisms.	

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
282.	RySG/RrSG	Supportive	The high level framework for a transition proposes some solid, supportable principles. Specifically, we would like to support the following recommendations: □ That a detailed transition plan be completed within 18 months; □ That the transition be reviewed yearly, and that a comprehensive review be performed every 5 years; and □ That the budget for the above be explicitly allocated While many key functions and procedures of the IFO are documented, we think it important that all processes are inventoried to ensure that there are no gaps. Lastly, prior to any transition, and perhaps as part of the regular reviews, effort should be undertaken to capture informal processes and institutional knowledge within the IFO. These details will help ensure a smooth transition process and ongoing improvement.	*The CWG-Stewardship appreciates your feedback.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
283.	ISPCP	Supportive but makes suggestion re: costs	One important criterion for the potential transition to a successor IFO should be the cost estimate for this successor IFO. E.g. in the FY16 operational budget plan ICANN expects a $ 2.3 M budget for the IANA department operations. Successor IFO cost estimates should be benchmarked against this figure.	*Separation costs are not required at the point of transition, but this information could be requested to be developed within the first year of implementation. In first year, increase by 10% each of the following until such estimates can be provided:* • *1 year of operating expenses updated on annual basis in escrow for use by PTI, and* • *an additional year earmarked open to low-risk investments.* *The CWG-Stewardship notes that the co-chairs have requested cost estimates for the PTI model from ICANN.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
284.	Business Constituency	Lack of details	The BC is concerned that portions of the proposal on Separation Review and Framework for Transition to Successor IANA Functions Operation are insufficiently developed or left until after the Transition. The BC strongly recommends that robust mechanisms to accomplish the separability concepts be explicitly included in the CWG proposal with the requirement that any such transition should maintain at least the service level agreements for the naming functions of the existing contract and the existing security, stability, and resiliency of the DNS and Internet.	*The CWG-Stewardship appreciates your feedback and would like to point out that it is proposed that the transition framework must be further developed into a detailed, fully functional, transition plan within 18 months of the date of implementation of the overall IANA Stewardship Transition. The CWG-Stewardship also recommends that, once developed, the full Transition to Successor IANA Functions Operator Plan should be reviewed every year by IANA staff, in conjunction with the CSC/Community as necessary, to ensure that it remains up to date and reviewed every five years to ensure that it remains fit for purpose.*
Section III – Proposed Post-Transition Oversight and Accountability – Root Zone Maintainer Function				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
285.	Richard Hill	Concerned about concentration of power	PTI would decide on all changes to the root zone file. If PTI is a wholly-owned subsidiary of ICANN (which is what is proposed), then that means that, in effect, ICANN is in control of the root zone file. In my view, this creates a dangerous concentration of power. In particular if ICANN and PTI are legally resident in the USA, because they would be subject to US private law, meaning to US Congress and US court interpretations of US laws.	*PTI would only be authorized to direct changes to the root zone file if appropriate policy has been followed and communicated according to the processes in place. Should PTI not follow those directions and/or make up its own directions existing accountability measures as well as those created by the CCWG-Accountability would be available to provide redress. As noted above, the CWG-Stewardship does not agree that a jurisdiction in the US would make the scenario outlined by the commenter anymore likely than any other jurisdiction.*
286.	auDA	Supportive	auDA notes and supports the changes proposed to the RZM Administrator role.	*The CWG-Stewardship appreciates your feedback.*
287.	US Council for International Business	Supportive / further information on Root Zone Maintainer Role transition	In the current system, NTIA approval is required for the implementation of all changes to the Root Zone environment. USCIB supports the CWG-Stewardship recommendation that this role be eliminated in the transition. However, we also support the proposal that there must be a clearly established structure and process to replace the NTIA approval function for "major architectural and operational changes."	*The CWG-Stewardship appreciates your feedback. With regards to the entity performing the Root Zone Maintainer Function, the CWG-Stewardship notes that per its charter 'The issue of who performs the Root Zone Maintainer (RZM) role is not in scope for the CWG-Stewardship and should be dealt with*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
			The draft recommends that "the entity responsible for such approvals establish a process for consultation with impacted bodies as well as with those with wide experience in the specific technology or process to ensure that prudent but effective changes are made." Although it may be possible to infer that the CWG-Stewardship recommendation expects that the responsible entity would be ICANN or VeriSign, it is essential for the recommendation to explicitly establish which entity will have this role, and further, that it explicitly establish the process that would be utilized for consultation to ensure a high level of community support for major changes. USCIB commends the drafting group for identifying this issue and strongly recommends that the community be given an update on the parallel process of transitioning the Root Zone Maintainer role. As noted in the CWG draft, that process remains under-defined by NTIA. Direct insight into the plan for this separate transition would help to ensure that there is a well-established structure and process for approval of major architectural and operational changes to the Root Zone environment. Specifically, we urge that the proposal include a mechanism that would enable tracking of content changes in the Root Zone and reversal if necessary.	*in a subsequent effort as needed' (see https://community.icann.org/x/2grxAg).* *The NTIA addressed the transition of the Root Zone Maintainer function will be a separate process in its "IANA Functions and Related Root Zone Management Transition Questions and Answers" on 18 March 2014. See http://www.ntia.doc.gov/other-publication/2014/iana-functions-and-related-root-zone-management-transition-questions-and-answ for further details.*

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			Finally, USCIB commends the recommendation that any future proposal to combine the remaining two roles within the Root Zone Maintainer be a topic of public consultation with the multistakeholder community.	

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
288.	Mikhail Medrish	Requests that CWG-Stewardship addresses the transition of Root Zone Maintainer Function.	The text of the document by Cross Community Working Group on Naming Related Functions does not contain a link or a reference to any document or another source confirming what NTIA "has said" on that issue. My attempts to find any source confirming that «The NTIA has said that there will be a parallel but separate transition process» finished unsuccessfully. Hence, I arrived to the conclusion that such document does not exist, so the abovementioned phrase is actually groundless. In this connection, I consider it necessary: • to add to the CWG-Stewardship proposals a proposal on transfer of the functions defined in the Cooperative Agreement between the NTIA and Verisign as a Root Zone Maintainer, from VeriSign, Inc. to Post Transition IANA (PTI). This should include transfer of equipment, personnel, intangible assets and other kinds of resources deployed for implementation of the root zone management functions. • to set a proper timeframe within which the root zone management functions should be transited to PTI, and the Cooperative Agreement between NTIA and Verisign should be terminated.	*The CWG-Stewardship appreciates your feedback. With regards to the entity performing the Root Zone Maintainer Function, the CWG-Stewardship notes that per its charter 'The issue of who performs the Root Zone Maintainer (RZM) role is not in scope for the CWG-Stewardship and should be dealt with in a subsequent effort as needed' (see https://community.icann.org/x/2grxAg).* *The NTIA addressed the transition of the Root Zone Maintainer function will be a separate process in its "IANA Functions and Related Root Zone Management Transition Questions and Answers" on 18 March 2014. See http://www.ntia.doc.gov/other-publication/2014/iana-functions-and-related-root-zone-management-transition-questions-and-answ for further details.*

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289.	InternetNZ	NA - Makes recommendation for Root Zone Maintainer relationship with ICANN	a) InternetNZ supports the ending of the Authorisation role currently carried out by the NTIA. b) In respect of subsection 4 on page 29, as referred to in the discussion of Principles in this comment, InternetNZ strongly supports a blanket rule that ICANN or the IFO should not ever be able to become the Root Zone Maintainer. The separation of these roles and the retention of the Maintainer role in a separate company is fundamental to avoiding the creation of a single point of failure in the root. It would be preferred if the ICANN Mission was clear that operating the primary Root Zone was out of scope for ICANN, as this would then ensure any changes to this situation (per the proposals of the CCWG-Accountability) would require community co-decision in a transparent manner through changes to a Fundamental Bylaw. c) There simply needs to be a clear contractual link between the IFO and the RZM that obliges the root to reflect the decisions of the IFO. That would logically be between ICANN and the RZM. If a new IFO was selected, ICANN (as the steward of the DNS in this Proposal) would oblige the RZM to follow the instructions of the new IFO.	*The CWG-Stewardship appreciates your feedback. With regards to the entity performing the Root Zone Maintainer Function, the CWG-Stewardship notes that per its charter 'The issue of who performs the Root Zone Maintainer (RZM) role is not in scope for the CWG-Stewardship and should be dealt with in a subsequent effort as needed' (see https://community.icann.org/x/2grxAg).* *The NTIA addressed the transition of the Root Zone Maintainer function will be a separate process in its "IANA Functions and Related Root Zone Management Transition Questions and Answers" on 18 March 2014. See http://www.ntia.doc.gov/other-publication/2014/iana-functions-and-related-root-zone-management-transition-questions-and-answ for further details.*

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290.	Government of India	NA - Supports recommendation for Root Zone Maintainer to be included in transition	We support comments made by stakeholders in comments relating to the previous draft proposal, that the role of the Root Zone Maintainer should be included within the scope of the present transition process, though we understand that it is not within the scope of the CWG-Names.	*The NTIA addressed the transition of the Root Zone Maintainer function will be a separate process in its "IANA Functions and Related Root Zone Management Transition Questions and Answers" on 18 March 2014. See http://www.ntia.doc.gov/other-publication/2014/iana-functions-and-related-root-zone-management-transition-questions-and-answ for further details.*
291.	AmCham EU	Supportive / further information on Root Zone Maintainer Role transition	AmCham EU supports the CWG recommendation that the replacement for the NTIA approval function should be clearly designated, especially for major operational changes. Trust in the security and stability of the Internet is strictly linked to the security and stability of the Root Zone Management Architecture and Operation. The draft recommends that the 'entity responsible for such approvals establish a process for consultation with impacted bodies as well as with those with wide experience in the specific technology process to ensure that prudent but effective changes are made'. Although it is expected that the responsible entity be ICANN or Verisign, it is essential for the recommendation to establish which entity will have this role and to establish explicitly the process that would be used for consultation	*The CWG-Stewardship appreciates your feedback. With regards to the entity performing the Root Zone Maintainer Function, the CWG-Stewardship notes that per its charter 'The issue of who performs the Root Zone Maintainer (RZM) role is not in scope for the CWG-Stewardship and should be dealt with in a subsequent effort as needed' (see https://community.icann.org/x/2grxAg).* *The NTIA addressed the transition of the Root Zone Maintainer function will be a separate process in its "IANA*

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			to ensure a high level of community support for major changes.

AmCham EU recommends as well that the community be updated regularly on the parallel transition of the Root Zone Maintainer role. Direct insight into the plan for this separate transition would ensure that there is a well-established structure and process for approval of major architectural and operational changes to the Root Zone environment. We in particular propose that the CWG include a mechanism that would enable tracking of content changes in the Root Zone and reversal, if necessary.

Finally AmCham EU recommends that any future proposal of combing the remaining two roles within the Root Zone Maintainer be a topic of public consultation within the global multi-stakeholder community. | *Functions and Related Root Zone Management Transition Questions and Answers" on 18 March 2014. See http://www.ntia.doc.gov/other-publication/2014/iana-functions-and-related-root-zone-management-transition-questions-and-answ for further details.* |
| 292. | Swedish Government Offices | Concerned about proposed change | An observation that we make is that the NTIA not only "authorize" but also check change requests for compliance with relevant policies as part of the authorization process, and that this function of the NTIA represents a continuous monitoring of all changes to the root zone and as such represents a control function that is external to ICANN and IANA. By not replacing these functions of the NTIA role of today there will be no | *The CWG-Stewardship notes that, as part of the Transition process, the NTIA has provided reference material indicating that the verification performed by the NTIA staff for authorizing changes to the Root Zone was usually limited to verifying that IANA confirmed that policy was* |

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			external compliance checking and there will be no continuous monitoring. While these issues can be regarded as matters of operation that can easily be replaced, we emphasize the additional role of these functions as sources to build global trust of the integrity and neutrality in the management of internet root zone. By replacing the oversight role of the NTIA with functions that are internal to the PTI, or bilateral between PTI and its customers, what has been criticized as a black box can be argued to be replaced by another black box. This is an issue that is more symbolic than operational, but symbolic attractiveness is perhaps as necessary a feature as operational excellence in order to gain global consensus on the IANA-transition.

This problem can however quite easily be solved. Annex N argues for a principle of transparency and that change requests could be made public at the time of the actual request. With such a setup, all interested parties will have equal and instantaneous access to information about changes to the root zone. With such a solution the oversight role of the NTIA is not discontinued but replaced by anybody and all that holds an interest in following all changes to the root zone. This should also be completed with a function where the interested public is invited to, if they were to spot a misstep in the process, | *followed for making the request. This was the basis for the CWG-Stewardship recommending that the authorization of changes to the Root Zone be discontinued post transition. The document provided by NTIA is available here:* *http://www.ntia.doc.gov/files/ntia/publications/ntias_role_root_zone_management_12162014.pdf.*

The CWG-Stewardship is developing flow charts and diagrams to further illustrate the processes and mechanisms envisioned. |

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			notify suitable chain in the operation, probably the CSC since a) they are suggested to monitor IFO performance against SLA targets (although they are not tasked to continuously monitor performance, but "on a regular basis" and post hoc), and b) there are suggestions for remedial action procedures with means to escalate any irregularities (Annex G). The CSC should include any such notifications and actions taken as a result, in their periodic reviews. If it is not possible to publicly disclose all aspects of the administration of changes to the root zone in real time (or close to it), the CWG should consider extending the task of the CSC to perform regular monitoring to make it a continuous monitoring. As a related comment, it is desirable that the next version of the CWG-Stewardship proposal include a flowchart for registry changes that reflect the changes suggested by the CWG-Stewardship.	

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293.	CENTR Board of Directors	Supportive / review inconsistencies when referring to the NTIA authorization function	We welcome the removal of the authorisation function for TLD change requests which should further streamline one of the most clerical functions of IANA. However we noticed inconsistencies throughout the proposal when referring to the NTIA authorisation function. Sometimes it only refers to root zone changes and omits the approval of changes to the Whois database. (e.g. III.A.iii.a.1.c).	*The CWG-Stewardship recommended that the NTIA Authorization function related to Root Zone *AND* WHOIS changes is not longer needed. As such, any reference to the Root Zone authorization function would need to be changed to include Root Zone WHOIS as well.*
294.	CENTR Board of Directors	Urges concern with regards to frivolous redelegation requests	With regard to III.A.iii.a.3, we urge to treat frivolous redelegation requests with care as disclosure could harm the reputation of the current TLD manager.	*Although the CWG-Stewardship did not advocate publishing redelegation requests, the group acknowledges that it was used as an example of a possible report. The CWG-Stewardship suggests keeping the example, since it has been an often requested report, but adding a caveat to this effect.*
295.	CENTR Board of Directors	Supportive of separation of IFO and Root Zone Maintainer	We support the continued separation of IFO and Root Zone Maintainer.	*The CWG-Stewardship appreciates your feedback.*

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296.	CCG-NLU	Needs further background on reasoning for not replacing authorization function	Our last comment pertains to changes in root zone management. If US oversight and approval of changes to the root zone will be done away with post-September, what are the checks in place for the system that follows? The root zone is a critical internet resource, and if private entities will assume control over what was once the function of the US government, their accountability to the global community becomes paramount. 5. What were the CWG's reasons to do away altogether with the requirement of "authorisation" to root zone changes?	*The CWG-Stewardship notes that, as part of the Transition process, the NTIA has provided reference material indicating that the verification performed by the NTIA staff for authorizing changes to the Root Zone was usually limited to verifying that IANA confirmed that policy was followed for making the request. This was the basis for the CWG-Stewardship recommending that the authorization of changes to the Root Zone be discontinued post transition. The document provided by NTIA is available here: http://www.ntia.doc.gov/files/ntia/publications/ntias_role_root_zone_management_12162014.pdf.* *The CWG-Stewardship and CCWG-Accountability are separate proposals, dependent on and expressly conditioned upon one another.*

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297.	AFNIC	Supportive	Afnic understands this part of the proposal relies heavily on NTIA's decision about the contract with the current Root Zone Maintainer. Afnic supports CWG-Transition views on the necessary change in the contract between NTIA and the RZM to make sure that, in any case, the RZM has to comply with PTI's request. Furthermore, Afnic's opinion is that the same principles of accountability including oversight by the community should apply to RZM and that it should be reflected in the current proposal. [ANNEX N] Afnic would like to add to c) that any major change in the software and new steps on the automation should be reviewed by CSC prior to its full implementation.	*The CWG-Stewardship appreciates your feedback and notes that although a public comment forum might be warranted, the CWG-Stewardship does not see having a community 'vote' on such matters as seems implied by the word 'oversight'. The CWG-Stewardship agrees that there should be a linkage between any advisory group that would recommend that significant changes be approved and the CSC and expects to incorporate this into its proposal.*

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298.	Digilexis	Supportive	We agree that the entity that will be responsible for approving major architectural and operational changes should consult "with the bodies involved in such changes as well as with those with wide experience in the specific technology or process…" We also think it is desirable that at some point in that process the wider community – the global community of users – be involved, that is, consulted and widely informed about the changes envisioned and what they entail for or avail to users.	*The CWG-Stewardship appreciates your feedback. The CWG-Stewardship would like to point out that that there are a number of additional steps that will need to be completed following the finalization of the CWG-Stewardship proposal before it is submitted to the NTIA such as review and consolidation with the proposals of the other operational communities by the ICG which will include further opportunities for public comment.*
299.	RySG/RrSG	Concern about root zone maintainer transition	There is still uncertainty with regard to Root Zone management, since NTIA has done nothing to deal with its contract with VeriSign as the zone file maintainer. We request NTIA begin to deal with this work as soon as possible and communicate its plans to the CWG and ICG.	*The CWG-Stewardship appreciates your feedback but would like to suggest that you direct your comment to NTIA.*

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300.	Nominet	Supportive, but suggestion that IFO check the accuracy of proposed changes	We fully agree that, post-transition, no authorization for TLD change requests is needed. We would suggest, however, that the IANA functions operator check the accuracy of all proposed changes with the appropriate registry operator. Any checks, balances and verifications should be done with the final customer. The study proposed under c. should be carried out between the IANA functions operator and direct customers. Concerning III.A.iii.a. 2. - 'The entity responsible for such approvals" is not identified.	*The CWG-Stewardship appreciates your feedback and will consider your suggestions in its subsequent deliberations. As the CWG-Stewardship understands it all changes are currently verified with registries. The CWG-Stewardship agrees that it is reasonable to specify that direct customers be included. The CWG-Stewardship confirms that it should be the ICANN Board that is the entity responsible for such approvals and will update this accordingly.*
301.	ISPCP	Supportive	The ISPCP support to and the NTIA role regarding TLD change request authorization. In particular we support the CWG recommendation to undertake a study with respect to additional checks and balances.	*The CWG-Stewardship appreciates your feedback.*
302.	LACTLD	Supportive	We consider that the removal of the authorization to the changes requested by TLDs is a highly positive measure. Even though this is a decision in which there is not much to add, we would like to highlight that we believe this measure recognizes a trajectory of consolidation of ccTLDs.	*The CWG-Stewardship appreciates your feedback.*

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303.	CNNIC	Supportive	We noticed that the current proposal lacks the description of the relationship among ICANN, PTI and Verisign in the post-transition root zone management architecture. Thus, the CWG should be urged to clarify the relationship among the parties as soon as possible. The root zone management system should be made more transparent, and the powers and responsibilities should be more decentralized.	*The CWG-Stewardship appreciates your feedback. With regards to the entity performing the Root Zone Maintainer Function, the CWG-Stewardship notes that per its charter 'The issue of who performs the Root Zone Maintainer (RZM) role is not in scope for the CWG-Stewardship and should be dealt with in a subsequent effort as needed' (see https://community.icann.org/x/2grxAg).*
304.	JPNIC	Supportive – suggestion for architecture change approval mechanism	We agree that no external authorization is needed for changes to the Root Zone Content and the associated WHOIS database. For changes to the Root Zone Management Architecture and Operation, a replacement of the approval function is definitely needed. We would suggest a new advisory committee within ICANN to deal with Root Zone Management Architecture and Operation which consists of the experts, and suggest CWGStewardship to provide an expected scheme in the proposal. We agree that the separation between the IFO and the Root Zone Maintainer should be kept during the transition and be considered post-transition as one of next steps based on better understanding on the new IFO operations.	*The CWG-Stewardship appreciates your feedback and will consider your suggestions in its subsequent deliberations in view of providing further details.*

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305.	Government of Denmark	NA -- Concern about root zone maintainer transition	We also understand that the role of the Root Zone Maintainer is not within the scope of the CWG Stewardship. However, we do believe that this issue should be addressed within the final IANA transition plan.	*The NTIA addressed the transition of the Root Zone Maintainer function will be a separate process in its "IANA Functions and Related Root Zone Management Transition Questions and Answers" on 18 March 2014. See http://www.ntia.doc.gov/other-publication/2014/iana-functions-and-related-root-zone-management-transition-questions-and-answ for further details.*
306.	Business Constituency	Supportive with request for clarification	The BC welcomes the effort of the CWG to work on the basis of the results of the December 2014 public consultation which highlighted a high degree of satisfaction with the current arrangements and that any new mechanism should ensure security, stability and resiliency of the DNS. The BC supports the CWG recommendation that the replacement for NTIA approval function should be clearly designated, especially for major operational changes. Trust in the security and stability of the Internet is strictly linked to the security and stability of the Root Zone Management Architecture and Operation. A solid approval function and transparent process must be defined in details before the transition and must not be left open to be defined at a later stage. The current draft proposal states: "The entity responsible for such approvals will establish a process which	*The CWG-Stewardship appreciates your feedback and will consider your suggestions in its subsequent deliberations.* *The "entity responsible for such approvals" is the ICANN Board.* *With regards to your comment concerning the root zone maintainer, the CWG-Stewardship notes that the NTIA addressed the transition of the Root Zone Maintainer function which will be a separate process in its "IANA Functions and Related Root Zone*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
			allows for consultation with impacted "bodies involved in such changes as well as with those with wide experience in the specific technology or process to ensure that prudent but effective changes are made." Although it is possible to guess from the CWG-Stewardship recommendation that the responsible entity would be ICANN or VeriSign, it is essential for the recommendation to explicitly establish which entity will have the role of approval, and to explicitly establish the process that would be used for consultation to ensure a high level of community support for major changes. The BC also recommends that the community be given an update on the parallel process of transitioning the Root Zone Maintainer role. Knowing the plan for this separate transition would help to ensure that there is a well-established structure and process for approval of major architectural and operational changes to the Root Zone environment. Specifically, we call the CWG to include a mechanism that would enable tracking of content changes in the Root Zone and reversal if necessary. Finally, the BC supports the recommendation that any future proposal to combine the remaining two roles within the Root Zone Maintainer be a topic of public consultation with the global community.	*Management Transition Questions and Answers" on 18 March 2014. See http://www.ntia.doc.gov/other-publication/2014/iana-functions-and-related-root-zone-management-transition-questions-and-answ for further details.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
307.	IPC	Concerned by the elimination of the NTIA approval and validation function	The IPC is concerned by the elimination of the NTIA's approval and validation function. First, this eliminates a helpful check on the accuracy of information being transmitted from the IANA Function Operator to the Root Zone Maintainer (currently, Verisign). Second, with regard to gTLD delegations, this eliminates a key NTIA validation – that ICANN's processes leading up to a delegation were consistent with ICANN policy. The IPC believes that this provided NTIA with the opportunity for oversight over ICANN's actions leading up to delegation. We understand that, in practice, this was a "self-validation" by ICANN, and that the NTIA did not investigate the delegation of each gTLD for compliance. Nevertheless, with the elimination of the validation step, an opportunity for oversight and accountability is lost. This underscores the interdependence between the CWG-Stewardship and the CCWG-Accountability and the importance of enhancing ICANN's accountability prior to the transition of IANA stewardship and oversight.	*The CWG-Stewardship notes that, as part of the Transition process, the NTIA has provided reference material indicating that the verification performed by the NTIA staff for authorizing changes to the Root Zone was usually limited to verifying that IANA confirmed that policy was followed for making the request. This was the basis for the CWG-Stewardship recommending that the authorization of changes to the Root Zone be discontinued post transition. The document provided by NTIA is available here:* *http://www.ntia.doc.gov/files/ntia/publications/ntias_role_root_zone_management_12162014.pdf*
Section III – Proposed Post-Transition Oversight and Accountability – ccTLD Delegation Appeals				
308.	auDA	Supportive	auDA supports the current exclusion of appeals mechanisms relating to the delegation and redelegation of ccTLDs from the current CWG process.	*The CWG-Stewardship appreciates your feedback.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
309.	InternetNZ	Supportive	a) InternetNZ supports the ccNSO developing relevant global policies on ccTLD delegation matters, including appeals mechanisms, consistent with the findings of the Framework of Interpretation work recently concluded. It is not appropriate for the CWG-Stewardship to propose mechanisms to deal with these. b) InternetNZ is making its views known in the ccNSO regarding the importance of progressing such work.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*
310.	CCWG-Accountability Co-Chairs	Supportive	When addressing enhancements to review and appeal mechanisms (both in sections 4.1 - IRP and 4.2 Reconsideration process), the CCWG-Accountability initial proposals state that "as requested by the CWG-Stewardship, decisions regarding ccTLD delegations or revocations would be excluded from standing, until relevant appeal mechanisms have been developed by the ccTLD community, in coordination with other interested parties."	*The CWG-Stewardship appreciates your response and coordination.*
311.	AFNIC	NA	Afnic strongly believes this ccTLD Delegation Appeals is part of policy and not of operations, but recognize there is still work to do to make sure such an appeal mechanism exists, and that it's CCNSO's task to elaborate a proposal for such a mechanism, in conjunction with all interested parties.	*The CWG-Stewardship appreciates your feedback*
312.	JPNIC	Supportive	We appreciate the research described in Annex O and agree that ccTLD Delegation Appeals would be considered as one of next steps.	*The CWG-Stewardship appreciates your feedback*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
313.	Government of Denmark	NA	With regard to ccTLD delegation/redelegation, we have taken note of the decision by the CWG Stewardship not to develop an appeals mechanism for ccTLD's and that this issue has been deferred to the ccNSO/Framework of Interpretation Working Group. In this regard, we would like to emphasize the importance of adhering to applicable national legislation, where such legislation exists, on issues related to the technical coordination of the IANA function.	*The CWG-Stewardship appreciates your feedback*
Section III – Proposed Post-Transition Oversight and Accountability – IANA Budget				
314.	auDA	Supportive of transparency and itemization of IANA-related costs, but concerns regarding complexities moving these costs to PTI / similar level of clarity can be delivered through ICANN internal divisions	auDA supports the transparency and itemisation of IANA-related costs but notes concerns expressed above regarding complexities associated with "moving" these costs to a PTI, as currently envisaged by the CWG. auDA believes that similar levels of budgetary and asset-management clarity can be delivered through ICANN-internal divisions.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
315.	US Council for International Business	NA / Further details on how IANA Functions would be paid for if one of the operational communities would decide to end the relationship with ICANN	We note that Annex P provides IANA naming operations cost analysis and estimates of the how much it would cost ICANN to fully absorb such costs. In short, ICANN would continue to provide financing for the administration of all three IANA functions. As previously discussed, separability is one of the central principles on which decisions concerning the transition of NTIA stewardship functions is based. If, indeed, one or all three of the IANA communities decide to end the relationship with ICANN, where will the funding come from to pay for IANA naming operations? A possible alternative would be for the PTI to hold the IANA budget. Since funds currently are derived from registry fees, a new mechanism would be needed to enable the channeling of such funds to PTI. In any event, this issue must be more thoroughly examined and explored in considering the implications of exercising more dramatic accountability actions.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
316.	CRISP Team	Does not oppose but notes a different approach to the budget in the Numbers community	* Budget of the IANA Operations - We observe a difference in the approach between what is proposed by the CWG-Stewardship and the Numbers community, but we do not observe any material issues of incompatibility at this point. - The current draft of our SLA defines cost-based fees for the RIRs to pay to the IFO. If this proposed fee structure is adopted, we do not observe the need to provide detailed input on the budget on the IANA operations, as the RIRs will be paying a fee with a fixed maximum amount and it is incumbent on the IFO to manage its funds appropriately to successfully meet its contractual obligations. At the same time, we do not observe issues for the ICANN community to have more powers to provide input on the budget, given it will have no discretion regarding, and not make decisions about, the contracted fees for the IANA Numbering Services defined in the SLA.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations. Where aspects of the proposal may overlap with the other operational communities, the CWG-Stewardship is committed to working with these communities to solve overlaps.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
317.	InternetNZ	Suggestions concerning operations process	a) The IANA Functions Budget should indeed be rendered transparent, with resourcing supplied by ICANN. b) The CWG-Stewardship could consider the InternetNZ experience. The analogy would operate as follows: a. ICANN's annual setting of expectations for PTI would include its views about the level of resources required to operate in the coming year. b. The PTI Board would respond to the expectations set by ICANN for its year's operation and the SLE framework it is operating in, and propose (with full transparency) its annual Operating Budget as part of its annual operating plan. It would have to explain any significant variations from the expectations ICANN had set. c. ICANN would approve and then fund that Operating Budget, from general ICANN resources and contributions (as IANA is funded today). d. Concerns about the cost of the IANA Functions Operator would be addressed by the IANA Functions Review	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *PTI will submit a budget to ICANN 9 months in advance, and ICANN would be required to approve it at least 3 months in advance of the fiscal year. And, CWG-Stewardship supports budget transparency.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
318.	AmCham EU	Budget separation for each operational community	AmCham EU believes the proposal is not very specific and further details would be required, i.e. if funding is to come from ICANN there should be further details on how it will take the separation arrangement for each community into account. If there is separation by one of both of the other communities and one or more of the communities decide down the line to end the relation with ICANN.	*The CWG-Stewardship appreciates your feedback and notes that its scope is only to address the IANA naming services. Budgeting for other communities is an issue for those communities to take up with ICANN directly.*
319.	CCWG-Accountability Co-Chairs	Supportive but needs further details	The CCWG Accountability initial proposals address this requirement directly in Section 5.2, which introduces a new power for the community to "consider strategic & operating plans and budgets after they are approved by the Board (but before they come into effect) and reject them based on perceived inconsistency with the purpose, Mission and role set out in ICANN's Articles and Bylaws, the global public interest, the needs of ICANN stakeholders, financial stability or other matters of concern to the community." Due to the proposed creation of the Post Transition IANA organization, the CWG will need to develop a proposed process for the IANA-specific budget review. It could be made a component of the bigger review. The CCWG Accountability is available for further coordination between the two groups on that aspect.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *CWG-Stewardship agrees with the comment of the CCWG-Accountability chairs for the first year's budget and notes that a process should be developed possibly as part of the implementation of the proposal.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
320.	Eliot Lear	Funding should be assured for all IANA functions.	The funding model for IANA functions should not change, even if providers do change. That is- if the names community wishes to take their business outside of the PTI, that other organization should be funded for names, but the PTI should continue to be funded for other functions. This should be enshrined as a primary priority of ICANN and enshrined in the charter of both organizations.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria. The CWG-Stewardship is addressing IANA naming services.*
321.	CCG-NLU	NA - Seeks clarification	7. What does the CWG mean when it says "the IFO's comprehensive costs should be transparent for any future state of the IANA Function." What legal or policy mechanisms have been introduced in this proposal to introduce such transparency?	*Mechanisms relating to budget transparency and community oversight are being addressed by the CCWG-Accountability. The CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see* *http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
322.	DIFO	Supportive	DIFO supports that the IANA Budget shall be specified to a level of details that makes the cost of the different operational areas within IANA transparent to the community. It is also important that the budget can ensure the community that sufficient funding is used on IANA for operational excellence, a secure and stable operation and continously development of the service.	*The CWG-Stewardship agrees with this perspective and is of the view that its proposal meets these criteria.*
323.	RySG/RrSG	Supportive	The RySG and RrSG support the recommendations in this section including item 43, Annex Q.	*The CWG-Stewardship appreciates your feedback.*
324.	Sarah Falvey and Aparna Sridhar / Google Inc	Suportive, with request for more information concerning FY16 budget and impact of CWG-Stewardship proposal	Many of the CWG-Stewardship's proposals may increase the overall cost of performing IANA functions effectively. For example, establishing a subsidiary will require ICANN to incur legal fees associated with incorporating a new entity, and secretariat services are likely to be required for both the CSC and the IANA functions review teams. While these costs may or may not be substantial, the CWG-Stewardship should prepare an assessment of the financial impact of the changes. We understand that the CWG-Stewardship plans to assess the following financial factors after the proposal is finalized for supporting organization/advisory committee approval and again after approval by the IANA Stewardship Transition Coordination Group (ICG): • Identification of any existing IANA naming services	*The CWG-Stewardship appreciates your feedback and notes that a communication has already gone out from the CWG-Stewardship Chairs to request further information concerning the FY16 budget and possible future costs.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
			related cost elements that may not be needed after the IANA Stewardship Transition, if any; • Projection of any new cost elements that may be incurred as a result of the IANA Stewardship Transition and in order to provide the ongoing services after the transition; and • A review of the projected IANA Stewardship Transition costs in the FY16 budget to ensure that there are adequate funds to address significant cost increases if needed to implement the transition plan without unduly impacting other areas of the budget. While we understand that the CWG-Stewardship has not conducted such an analysis to date because the proposal is still being evaluated by the broader community, Google underscores the need for the community to understand the cost considerations associated with the proposal before implementation takes place. We also appreciate the CWG-Stewardship's recognition of the need to increase budgetary transparency around the IANA functions. Understanding these costs will be necessary to determine whether management is being appropriately funded and to provide projections for further technical projects to improve the operation of the IANA functions. Further, should the IANA functions effectively become their own legal entity within the larger ICANN organizational framework, it makes sense to create a	

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
			separate budget and budgeting process solely for the operation and management of this subsidiary. The stewardship proposal should also specify that the funds currently collected from registries and registrars to support the naming functions must be transitioned to posttransition IANA, as any underfunding of IANA could be profoundly destabilizing for the DNS. Budgetary separation will also provide greater clarity as to the overall operational costs of managing the IANA functions, which up to this point has been lacking.	
325.	Nominet	Supportive	We welcome greater clarity on budgets: this is an important part of accountability. Decisions by the PTI, or recommendations by the CSC or the multi-stakeholder community (such as through the IFR) can have significant implications on the cost of the service and these costs are born by the registries (and, eventually, by registrants). It is important that value for money is taken into account as a factor in making any recommendation for change	*The CWG-Stewardship appreciates your feedback.*
326.	ISPCP	Supportive	Important for the IANA cost analysis is the ability to benchmark against potential external offers. So full transparency is needed in particular re shared resources and support functions.	*The CWG-Stewardship appreciates your feedback.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
327.	ALAC	Suggestion for consolidation	The Annex N, 2.c comment on the need for budget to support R&D should be 8 included here.	*The CWG-Stewardship appreciates your feedback and will consider your suggestion into its subsequent deliberations.* *The CWG-Stewardship recommends that there needs to be flexibility to allow for spending related to R&D for other special project (e.g. DNSSEC, IPv6) which would need to be covered as part of PTI operations (as also recommended by DT F). These would be included in the draft budget which is expected to be given to ICANN at least 9 months in advance of the start of the applicable fiscal year.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
328.	IPC	Lack of clarity with regards to PTI funding and expenditures	We note that, if PTI is a separate entity, it will, by definition, have an itemized budget. This should alleviate some concerns regarding granularity of the ICANN budget. However, budget transparency is a means to an end – ensuring that PTI is adequately funded and that expenditures are appropriate. It is not entirely clear how the community will be able to express concerns regarding these issues. We urge the CWG to clarify this matter.	*The CWG-Stewardship appreciates your feedback and will consider your suggestion into its subsequent deliberations.* *Budget process referred to previously (PTI will submit a budget to ICANN 9 months in advance, and that ICANN would approve it at least 3 months in advance of the fiscal year). 1 year of operating expenses updated on annual basis in escrow, and an additional year kept for funding PTI only should be kept in low-risk investments. Both years of funds would be for use of funding PTI in case ICANN is unable (for some future reason) to fund PTI. Appropriateness of expenses will be handled through CCWG-Accountability process.*
Section III – Proposed Post-Transition Oversight and Accountability – Regulatory Obligations				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
329.	RySG/RrSG	Supportive, but encourages exploring whether waivers can indeed be obtained as suggested prior to the transition.	As SAC069 points out the difficulty in being able to obtain the necessary exemptions or waivers from the US Office of Foreign Asset Control (OFAC) is hard to assess. The IFO will almost certainly need to be able to interact with entities within jurisdictions under the OFAC purview and we would encourage the CWG to ensure that the necessary licenses will be available prior to the transition. The notion that a single license may be acquired to cover ICANN, the IFO and the RZM is supported and encouraged. We have some concern that without the NTIAs oversight, the obtaining of OFAC waivers may become more difficult and would encourage that this be determined as soon as is practicable.	*The CWG-Stewardship appreciates your feedback but suggests that this is an issue that is further explored by the ICG as the issue is not specific to the naming community.*
330.	NIRA	NA	NIRA do not understand the full implication of this to the sovereignty of Nigeria. NIRA requests for further clarifications and implications of this to the business relationship between NIRA and the IANA Function Operator (IFO) regarding delegation and redelegation transactions ie where US government slams a sanction or other trade restrictions.	*The sovereignty of Nigeria, or any country, will not be affected by the IANA Stewardship Transition.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
330. a	Liu Yue		ICANN should ensure that the decisions related to IANA functions would be transparent and accountable for communities, so that decisions would not be controlled by some certain peoples or groups. In order to better fulfill its responsibilities, ICANN should change the status subject to the laws of the United States and become a more neutral and independent international organization, which could promote ICANN to be better accountable for the community.	*The CWG-Stewardship agrees with the principles of accountability and transparency for the IANA Functions. ICANN's jurisdiction is not in scope of the CWG-Stewardship's work.*
Section III – Implications for the interface between the IANA Functions and existing policy arrangements				
331.	RySG/RrSG	Supportive	The proposal seeks to retain the functional separation between the policy development process and the IANA Functions. The RrSG and RySG are both satisfied with the current IANA naming services and support the recommendation in this section. Maintaining functional separation is of the utmost importance to the integrity, stability and availability of the IANA Functions and ensures the IANA Functions will remain unimpeded by the policy development process.	*The CWG-Stewardship appreciates your feedback.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
332.	NCSG	Lack of detail	The single sentence in the proposal is far from adequate nor does it reflect the importance that many of the stakeholders in ICANN's community and outside have bestowed on this principle. We would like to re-emphasize the absolute imperative of ensuring the separation between the policy development processes and the IANA functions. Given that under the current proposal the ultimate oversight of the IANA functions rests with ICANN - the community and the Board - ensuring that the affiliate is not only legally separate but that it is independent in its governance is essential. The PTI Board is/should be responsible for the performance of the IANA functions - and therefore have the ability to address any deficiencies - which in turn requires that it be adequately independent of ICANN, but representative of the community, in its composition as we have noted above. The role of ensuring the neutrality, effectiveness and independence of the IANA functions will fall to the PTI - so its Board should be empowered to take measures to ensure that independence and separation between policy and the IANA functions remain sacrosanct.	*The CWG-Stewardship appreciates your feedback and will factor this into its deliberations on this section.*
Section IV – Transition Implications				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
333.	RySG / RrSG	Lack of detail	As this section is under development and in draft form, it is difficult to identify missing or incomplete implications. Additionally, the structure described in Section III is not yet finalized. Open questions such as those regarding the composition of the PTI board, the process of separation, and the legal structure of the PTI make it difficult to comment on implications with specificity. There are also several broad issues that may be missing from this section. These include the impact on community involvement, uncertainties about funding, the implications of the separation process, and the effects of the CCWG Accountability proposal. Subsection IV.D, which references timelines, does not mention the effects of possible delays created by CCWG Accountability or the receipt of workflows and process documents from IANA. We recommend adding further implications that capture the more recent iterations of the proposed post transition structure.	*The CWG-Stewardship appreciates your feedback and will factor this into its deliberations on section IV.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
334.	IPC	Lack of detail	The IPC finds Section IV to be significantly underdeveloped and as such, not adequately responsive to the ICG's RFP. This section should not be given short shrift. It would not be useful to comment on what currently has been put forth in this section, although we do note the reference to the "Stress Tests" developed by the CCWG, and see this as indicating the potential for a step in the right direction. We understand that the CWG recognizes that this section needs further work. We urge the CWG to give this Section of the response substantial attention, since the implications (positive or negative) and potential issues arising from acting to implement the proposal are critically important to any judgment about whether to endorse the proposal as a practical matter. We look forward to seeing an appropriate response when the chartering organizations are asked for their approval.	*The CWG-Stewardship appreciates your feedback and will factor this into its deliberations on Section IV.*
Section V – NTIA Requirements				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
335.	DCA Trust	Not supportive, concerns regarding accountability	It is important to stress that ICANN was supposed to only facilitate the Transition Process on behalf of the NTIA, but the Draft Proposal that has been developed by the IANA Stewardship Transition Coordination Group has now positioned ICANN as the principal IANA Functions Operator, with both policy making and operational responsibilities; the latter role to be exercised through a wholly-owned ICANN subsidiary. There is therefore no proper separation of powers - and such a structure would lack the necessary checks and balances required for proper accountability. The PTI will only be accountable to ICANN and not to the community that is expected to take responsibility for the Post IANA Transition system.	*The CWG-Stewardship would like to remind the commenter that the CCWG-Accountability has been tasked to review and address the broader ICANN accountability issues and as such the CWG-Stewardship would like to refer the commenter to the CCWG-Accountability to submit feedback on this issue directly.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
336.	RySG/RrSG	Supportive	We believe that the proposal generally meets the four transition criteria posited by the NTIA as follows: *Support and Enhance the Multi---Stakeholder Model* As noted above, the IANA Stewardship transition marks the NTIA's confidence that ICANN and the multi---stakeholder model that underpins it have evolved and matured such that NTIA oversight over IANA is no longer necessary. We believe that transitioning the functions to ICANN and having performance oversight be carried out by IANA customers and other elements of the ICANN community, through the CSC and the IFRT, respectively, support and enhance the Multi---stakeholder model. *Maintain the security, stability, and resiliency of the Internet DNS* As noted above, we believe that the performance of the IANA functions is currently satisfactory. We hope that the continuity provided for within the draft proposal, wherein the functions remain within ICANN and operational requirements are carried over into a Statement of Work between ICANN and PTI will continue to provide for security, stability, and resiliency in the performance of the IANA Naming Functions and in the Internet DNS at large. We do note that in the event that sometime in the future, a decision is made to separate the IANA function from ICANN, due consideration must be given to ensuring that security and stability of the DNS is not compromised in any way. *Meet the needs and expectations of the global customers and partners of the IANA services* In the Registries Stakeholder Group's comments on the previous iteration of the Naming Proposal we had noted that in proposing cumbersome oversight structures the	*The CWG-Stewardship appreciates your feedback and will factor this into its deliberations on section V.*

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#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
337.	IPC	Lack of detail	As with Section IV (but to an even greater extent), there is nothing here to comment on, other than the absence of a response. We look forward to seeing an appropriate response when the chartering organizations are asked for their approval.	*The CWG-Stewardship appreciates your feedback and will factor this into its deliberations on Section V.*
Section VI – Community Process				
338.	RySG/RrSG	Lack of detail	We recognise that this section of the proposal will be completed toward the end of the process and hence reserve our comments until that happens.	*The CWG-Stewardship appreciates your feedback.*
339.	NCSG	Supportive	The hiring of legal counsel by the CWG was productive and on the whole the advice of the Sidley-Austin team has been helpful and neutral. Going forward, however, the CWG chairs should make sure that Sidley advice remains related to our evolving needs and they do not become advocates for specific solutions.	*The CWG-Stewardship appreciates your feedback.*
340.	IPC	Lack of detail	See comment on section V	*The CWG-Stewardship appreciates your feedback and will factor this into its deliberations on Section VI.*
Annex B – Oversight mechanisms in the NTIA IANA Functions Contract				
341.	IPC	Recommendation to replicate oversight mechanisms	We urge the CWG to replicate these oversight mechanisms to the greatest extent appropriate in any new agreement or other documentation controlling ICANN and/or PTI's activities in connection with the IANA Function.	*The CWG-Stewardship appreciates your feedback and will factor this into its deliberations.*
Annex C – Principles and Criteria				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
342.	Richard Hill	Unknown / Add principles on jurisdiction and intellectual property	I don't see anything in that Annex regarding jurisdiction and intellectual property rights. As indicated above, I think that these are very important issues that should be reflected in Annex C. For example, it should be explicitly stated that the intellectual property rights regarding the IANA function should be transferred to an independent entity, as proposed by the numbers community. And it should be explicitly stated that the IFO should be granted immunity of jurisdiction (but subject to suitable binding arbitration) or, failing that, be incorporated/registered/resident in an a neutral jurisdiction, such as Switzerland.	*The CWG-Stewardship has recommended that ICANN remain the IANA Functions Operator. The jurisdiction of ICANN is not under consideration for the IANA Stewardship Transition. The CCWG-Accountability has committed to addressing the question of ICANN's jurisdiction in Work Stream 2 of their work. Please refer to the CCWG-Accountability to submit feedback on this issue directly.* *The CWG-Stewardship has recommended that the issue of IANA intellectual property rights (IPR) be dealt with through dialogue with other operational communities, as the issue is not limited to the naming community. Should there be an IPR issue that is naming specific, the CWG-Stewardship would obtain input from its legal counsel.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
343.	Italy	Suggested addition	ANNEX C We suggest adding the following sentence to Point 7.v: "be appealed by significantly interested parties. Furthermore they must give adequate guarantees of independence through uncostly procedures".	*CWG-Stewardship appreciates your feedback, but has chosen not to edit its Principles document at this stage.*
344.	RySG/RrSG	Supportive	The RySG and RrSG support the principles in this annex.	*The CWG-Stewardship appreciates your feedback.*
345.	IPC	Supportive	We believe that the Principles and Criteria adopted by the CWG are reasonable and appropriate, and clearly reflect the harmonization of viewpoints among diverse stakeholders that is a necessity for the functioning of the multistakeholder model.	*The CWG-Stewardship appreciates your feedback.*
Annex E – IANA Contract provisions to be carried over post-transition				
346.	Richard Hill	Unknown / Add provisions on intellectual property and data rights	The existing provisions on intellectual property rights and data rights should be added.	*The CWG-Stewardship has recommended that this issue be dealt with through dialogue with other operational communities, as the issue of IANA intellectual property rights (IPR) is not limited to the naming community. Should there be an IPR issue that is naming specific, the CWG-Stewardship would obtain input from its legal counsel.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
347.	IPC	Supportive	As a general matter, the sections appear to be appropriate. However, without a review of the actual text accompanying these section headings, it is not possible to give any kind of meaningful comments or input. We look forward to reviewing the proposed Term Sheet for the post-transition IANA Contract, which will allow us to provide substantive comments.	*The CWG-Stewardship appreciates your feedback*
Annex F – IANA Function Reviews				
348.	Richard Hill	Not supportive / IFR should include stakeholders outside of the ICANN community	The proposed review team consists entirely of stakeholders from ICANN. This is not representative of the global multistakeholder community, which is broader than ICANN. The NTIA's intent is "to transition key Internet domain name functions to the global multistakeholder community". The current proposal is not consistent with that intent, because it proposes to transition a key element, the review process, to the ICANN community, which is much narrower than the global multistakeholder community.	*The IFR specifically foresees input from anyone interested through public comment. Furthermore, even though existing ICANN stakeholders would be responsible for appointing review team members, this does not exclude the possibility of 'external' stakeholders being appointed for those seats.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
349.	RySG/RrSG	Supportive but need to ensure transparency and limited scope	As noted above we are generally supportive of the creation of the IANA Function Review Team (IFRT). Specifically, we support its creation as it allows for meaningful multistakeholder input into the overarching management of the functions while maintaining technical flexibility and day---to---day oversight by the direct customers of the IANA functions. While we would not support the creation of a standing committee or body to carry out these review functions, as currently drafted the IANA review team would be stood up every five years with members appointed from the various stakeholder groups and relevant technical liaisons. As such, instituting a review cycle of once every five years seems appropriate to not only unduly burden the community with review work while at the same time providing an effective review mechanism for the management of the IANA functions. However, it is critical that the IFRT remains open and transparent and limited in scope and remit to deal with concerns around mission creep, in order to mitigate the concerns we raised with the creation of the Multistakeholder Review Team in response to the previous CWG draft Proposal.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
350.	Nominet	Supportive but concerns about proposed composition	While we welcome the idea of a multi-stakeholder review team, we would note that there should be a strong representation from the customers of the service. The model proposed in Annex F is, we believe, poorly balanced between customer and non-customer interests and expertise, and between the ccNSO and the GNSO. A selection based on the cross-community working group model would be an appropriate way to select membership. If the model in Annex F is used, we would suggest increasing registry representation to four members each for both ccTLDs and gTLDs to ensure a strong input based on operational requirements. The membership could then be: four ccTLDs (of which at least one non-ccNSO) and 4 RySG with the remainder as defined in Annex F An alternative, if it is important to keep membership to 12, would be to increase ccTLD registry participation to three (encouraging diversity of registries) and reducing GNSO membership to four, balancing more fairly the ccNSO and GNSO input into the process.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *The CWG-Stewardship has agreed to increase ccTLD/ccNSO membership on the IFR.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
351.	IPC	Supportive but concerns about proposed composition	Overall, the proposal regarding IANA Function Reviews seems appropriate. The IPC does take exception to the "Composition of Review Teams," where the IPC is not accorded a seat at the table. The proposed IFRT has a single seat denoted as the "Commercial Stakeholder Group" (CSG) seat. The CSG is merely a container used for internal governance purposes within the GNSO. It has no existence independent of the three disparate constituencies that were placed in the CSG. Thus, as a practical matter, the views and experiences of each constituency will be absent from the IFRT, replaced by a single individual who will have to bring forth a homogenized and synthetic compromise that is only a shadow of three robust and diverse organizations. Hopefully, "participants" from the IPC will be able to participate in the work of the group on an equal footing, enabling the IPC to bring its unique strengths and viewpoints to the table.	*The CWG-Stewardship appreciates your feedback, but has decided not to modify composition per IPC's comments. The IFRTs will be open to observers.*
Annex G – Proposed Charter for CSC				
352.	DCA Trust	Suggestions concerning 'ownership' and structure of CSC	The Customer Standing Committee should be a legal personality – with non-governmental status - and should be owned by community members and groups - such as those that should exercise stakeholding and ownership over the Post - Transition IANA structure. Its ownership should also thoroughly reflect the multi-stakeholder	*The CWG-Stewardship appreciates your feedback, however, as proposed, the mission of the CSC would be to ensure continued satisfactory performance of the IANA function for the direct customers of the naming services and*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
			character of the community. For independence and purpose of accountability and non-interference, the CSC should not be part of the governance structure of ICANN. The CSC should have an independent board that is comprised of its members to ensure that it is separately governed from ICANN. This would ensure that ICANN will not be able to influence, nor play any role in the, activities of the Customer Standing Committee. The CSC's performance of the monitoring of the IANA Functions Operator Performance should also be subject to monitoring and evaluation; and its activities subject to independent juridical review as may be necessary. This is to ensure that the CSC takes full responsibility and remains accountable for the work that it is supposed to do. The escalation of any matter that is within the purview of the CSC Escalation should be to the CSC's supervisory board. Multi-Stakeholder IANA Function Review should form a sort of supervisory role over the CSC. A Tripartite ICANN-PTI - CSC Framework should be convened every six (6) months to constructively manage any inter-process cooperation issues between these different bodies.	*as such it has been proposed to keep the CSC small and comprised of representatives with direct experience and knowledge of IANA naming functions.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
			The Customer Standing Committee should be a legal personality-with non-governmental status - and should be owned by community members and groups - such as those that should exercise stakeholding and ownership over the Post-Transition IANA structure. Its ownership should also thoroughly reflect the multi-stakeholder character of the community. For independence and purpose of accountability and non-interference, the CSC should not be part of the governance structure of ICANN. The CSC should have an independent board that is comprised of its members to ensure that it is separately governed from ICANN. This would ensure that ICANN will not be able to influence, nor play any role in the, activities of the Customer Standing Committee. The CSC's performance of the monitoring of the IANA Functions Operator Performance should also be subject to monitoring and evaluation; and its activities subject to independent juridical review as may be necessary. This is to ensure that the CSC takes full responsibility and remains accountable for the work that it is supposed to do. The escalation of any matter that is within the purview of the CSC Escalation should be to the CSC's supervisory board. Multi-Stakeholder IANA Function	

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
			Review should form a sort of supervisory role over the CSC.	
353.	RySG/RrSG	Supportive	The RySG and RrSG supports the recommended charter for the CSC as contained in this annex.	***The CWG-Stewardship appreciates your feedback.***

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
354.	ALAC	Suggested changes	Page 60, Annex G Although it may not hurt, the concept of a unaffiliated registry being allowed to be a Liaison does make sense as Liaisons are from groups that are explicitly not registries. The proposal says that Members and Liaisons "will be appointed by their respective communities in accordance with internal processes", but also that "the full membership of the CSC must be approved by the ccNSO and the GNSO". Those two specifications conflict with each other. Similarly, it is unclear how the ccNSO and GNSO will address geographic diversity or skill sets while honoring the first premise. If stakeholders appoint their own Members or Liaisons, no further approval is needed. Do the term limitation and staggered appointment rules apply just to Members (which makes sense) or also Liaisons (which doesn't). Page 61, Annex G CSC Charter changes should be approved by the Community and not just the ccNSO and GNSO. The proposal puts the non-Registry parts of the GNSO in an inappropriately privileged position compared to stakeholders that are not part of the GNSO. Page 62, Annex G Same comment in relation to the review of the CSC.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *In order to address geographic diversity and skill sets of 'members' it is proposed that ccNSO and RySG meet to consider their potential candidates and give due consideration to these aspects. These elements are less important for Liaisons.* *Members terms will be limited and staggered, as will Liaisons, given they will contribute on equal footing with members.* *Any changes proposed to the CSC will be subject to public comment and ultimately approved by the ccNSO and GNSO.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
355.	IPC	Concerns regarding composition	We repeat with even greater emphasis our concerns expressed regarding the composition of the IFRT, and are dismayed at the marginalization of the IPC in the composition of the CSC. Here, the IPC will be represented (to the extent such a thing is possible) by a single individual representing the Registrar Stakeholder Group, the Non-Commercial Stakeholder Group and the CSG. This problem is compounded by the absence of any "participant" concept, or even an "observer" concept. We urge the CWG to rethink this, so that the global multistakeholder community can participate in the oversight role being handed on from the NTIA.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.* *Addressed in 231 (above).* *In order to address geographic diversity and skill sets of 'members' it is proposed that ccNSO and GNSO meet to consider their potential candidates and give due consideration to these aspects. These elements are less important for Liaisons.* *Members terms will be limited and staggered, as will Liaisons, given they will contribute on equal footing with members.* *Any changes proposed to the CSC will be subject to public comment and ultimately approved by the ccNSO and GNSO.*
Annex I -- IANA Customer Service Complaint Resolution Process for Naming Related Functions				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
356.	RySG/RrSG	Supportive	The RySG and RrSG support the proposed IANA Customer Service Complaint Resolution Process for Naming Related Functions with the understanding that the CWG is continuing to work on Phase 2 of this process. Please also see our comments on question 16 about escalation procedures generally.	*The CWG-Stewardship appreciates your feedback.*
Annex J - IANA Problem Resolution Process (for IANA naming services only)				
357.	RySG/RrSG	Supportive	The RySG and RrSG support the proposed IANA Problem Resolution Process for IANA naming services with the understanding that elements of this process are still being developed by the CWG. Please also see our comments on question 16 about escalation procedures generally.	*The CWG-Stewardship appreciates your feedback.*
Annex K – Root Zone Emergency Process				
358.	RySG/RrSG	Supportive	The RySG and RrSG support the proposed Root Zone Emergency Process. See our comments for item 16.	*The CWG-Stewardship appreciates your feedback.*
Annex L– Separation Review				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
359.	Nominet	Lack of clarity, need for process for the development of an RFP	We do not understand in what way the role of a separation review differs from that of the special review described in Annex F: that process would seem adequate and appropriate for informing decisions, subject to open consultations and clear decision thresholds. We see no good reason why, in the case of continued poor performance of the PTI (which, when other escalation mechanisms and methods have been exhausted, is the only reason for separation), the PTI would transfer out of ICANN (and hence out of the general oversight structure of !CANN. Should separation of the IANA functions operator role from ICANN be necessary, this should be through an RfP-led process and the ICANN PTI subsidiary/affiliate should be wound up. On the other hand, a process for the development of an RfP to replace a failing operator is needed.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations, which will aim to provide further details on this aspect of the proposal.*
360.	IPC	NA	We understand that this section has been significantly reworked by the CWG after the draft proposal was released for comment. The IPC will therefore reserve comment until such revised section has been released.	*The CWG-Stewardship appreciates your feedback.*
Annex M - Framework for transition to a successor IANA operator				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
361.	NCSG	Detailed functional transition plan should be developed	The ability of the incumbent operator to seamlessly separate the IANA functions on a technical level is critical to the stability and security of the DNS. The detailed fully functional transition plan should be developed as a priority and be subject to either a community review, an SSAC review or review by an independent authority for its applicability, depth of content and its ability to be executed if required.	*The CWG-Stewardship appreciates your feedback and would like to point out that it is proposed that the transition framework must be further developed into a detailed, fully functional, transition plan within 18 months of the date of implementation of the overall IANA Stewardship Transition. The CWG-Stewardship also recommends that, once developed, the full Transition to Successor IANA Functions Operator Plan should be reviewed every year by IANA staff, in conjunction with the CSC/Community as necessary, to ensure that it remains up to date and reviewed every five years to ensure that it remains fit for purpose.*
Annex P --- IANA Operations Cost Analysis				

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
362.	RySG/RrSG	Supportive	The RySG and RrSG call attention to the following recommendations in the proposal: ☐ Recommendation 2 in Section III.A.iv.a. (IANA Budget): "Future Fiscal Year (FY) ICANN Operating Plans & Budgets, and if possible even the FY16 ICANN Operating Plan & Budget, include at a minimum itemization of all IANA operations costs in the FY ICANN Operating Plan & Budget to the project level and below as needed." ☐ Recommendation 3 in Annex Q: "A review of the projected IANA Stewardship Transition costs in the FY16 budget to ensure that there are adequate funds to address significant cost increases if needed to implement the transition plan without unduly impacting other areas of the budget." The RySG and RrSG recommend that future analyses similar to the one contained in Annex P for FY15 be done for the following as soon as feasible: ● FY16 Budget approved by the Board ● Approved FY16 Budget as modified to include recommendations from the CWG Stewardship and CCWG Accountability work stream 1 Future draft and final FY Budgets.	*The CWG-Stewardship appreciates your feedback and notes that a communication has already gone out from the CWG-Stewardship Chairs to request further information concerning the FY16.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
Other Comments				
363.	Richard Hill	Unknown / provide further information concerning IANA trademark	I don't see any references to who would own the IANA trademark (currently owned by ICANN) and the IANA.ORG domain name. Nor any references to who (if anybody) owns the rights to the IANA databases.	*The CWG-Stewardship has recommended that this issue be dealt with through dialogue with other operational communities, as the issue of IANA intellectual property rights (IPR) is not limited to the naming community. Should there be an IPR issue that is naming specific, the CWG-Stewardship would obtain input from its legal counsel.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
364.	CRISP Team	Seeking clarification and coordination between communities on IPR issue	* Intellectual Property Rights (IPR) - According to our understanding, the CWG-Stewardship proposes the IPR to be transferred to PTI as the IFO. We would like clarification from the CWG-Stewardship on whether the proposal is met by a license granted to PTI to use certain intellectual property, or only if the ownership of the IPR itself is transferred to PTI. If it is the latter, it will create incompatibility with the Numbers proposal, which proposes that the IPR be transferred to the operational communities. The Numbers proposal indicates that the IETF Trust is an acceptable entity to receive the transfer of ownership of the IPR. We are however flexible and open to discuss with the CWG-Stewardship and the IETF on any alternative suggestions for the recipient of this transfer, and we would like to further coordinate on this matter. As a starting point, we have suggested to the CWG-Stewardship Chairs to have a call between the Chairs of the three operational community groups.	*The CWG-Stewardship has recommended that this issue be dealt with through dialogue with other operational communities, as the issue of IANA intellectual property rights (IPR) is not limited to the naming community.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
365.	Chinese Stakeholders' Joint Submission	Concern with CWG-Stewardship working method	We are concerned with the working method of CWG. We understand that forming a CWG is more efficient in working out a proposal. However, it is possible that the community is unsatisfactory with the proposed model. Therefore, we wonder whether CWG could propose more than one model and leave them to the ICANN community to decide which one is more preferable. Once the choice is made, CWG could play a more active role in formulating an action plan to implement that model.	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. In addition to its open Public Comment proceedings, the CWG-Stewardship is an open group with 150 participants. All of its meetings are recorded and all of its drafts are posted. To learn more about the CWG-Stewardship, and to join the group, please see:* *https://community.icann.org/x/37fhAg*
366.	CENTR Board of Directors	IPR issues should be taken into account in the transition plan	We believe all aspects relating to intellectual property rights held by ICANN and/or IANA, including trade names, should be taken into account in the transition plan. Therefore, a pre-transition agreement should be produced to ensure that all intellectual property rights (such as any rights to use the name IANA, copyright or trademark rights) and the relevant domains are transferred to the new operator.	*The CWG-Stewardship has recommended that this issue be dealt with through dialogue with other operational communities, as the issue of IANA intellectual property rights (IPR) is not limited to the naming community. Should there be an IPR issue that is naming specific, the CWG-Stewardship would obtain input from its legal counsel.*
367.	CENTR Board of Directors	Ensure separation between IFO and creation of policy	Regarding "policy and operations", it should be underlined that the IANA functions operator is never to set or create any policy.	*The CWG-Stewardship appreciates your feedback and is of the view that this is clearly reflected in the proposal.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
368.	KISA	Supportive	The Internet Community of Korea hopes the CWG's proposal will get sufficient support and consensus from a broad global multi-stakeholder community. Also, we hope CWG's proposal on the naming function will be developed in such a way that it won't conflict with the other proposals submitted by protocol parameters and numbers community.	*The CWG-Stewardship appreciates your feedback and notes that the CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. It has one deliverable which is a proposal to the U.S. Government NTIA regarding the transition of stewardship of the IANA functions to the global multistakeholder community. See* https://www.ianacg.org/ *for further details.*
369.	Eberhard Lisse	Missing element of the proposal	The proposal does not address IANA administrative and operative accountability sufficiently, which in terms of the CCWG-Accountability Charter (!) it is supposed to do.	*The CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
370.	Digilexis	Jurisdiction of incorporation needs to be other than US.	While not covered by this proposal, we still want to raise the cross-cutting jurisdictional issue relevant, in our view, to the whole current evolution of the Internet governance ecosystem. It really would make a difference to find an international solution which should be as neutral as possible to this issue for two main reasons. 1) Access to the judicial system: the US is probably the country where litigations are the most and routinely part of the political culture and socio-professional life, and yet its judicial system is probably among the most costly in the world. Too many global Internet stakeholders may not readily have access to it, which may result in tipping the system to their disadvantage. 2) As a top world political power, the US often finds itself in the position to take sanctions against its foes around the world which may interfere with Internet related activities, especially when these may even the slightest involve Internet institutions based in the US due to the threat of litigations, although those activities may have nothing whatsoever to do with the reasons for the sanctions. Unfortunately, such situations invite politics back in the Internet governance processes which should be open, fair and equally inclusive of all stakeholders regardless of nations, religions, opinions or wealth.	*The CWG-Stewardship appreciates your feedback*

#	Who / Affiliation	General Direction (supportive of the mechanism or not) / Suggested Changes	Concerns/ considerations/ rationale/ new issues	CWG-Stewardship Response (which may include new information as a result of the continued discussions) / Recommended action
371.	Digilexis	Edits and stylistic notes	With more than one Board being referred to (e.g., PTI Board) in the report/proposal and while it's true that the Board which is of ICANN is often specified as "ICANN Board," it still would be helpful to always specify which Board one is referring to in every instance. The use of the mere word 'Board' may lead to confusion. In a number of instances (particularly in the annexed portions), annexes were referenced in a way that does not correspond to the organization of the current document. Obviously portions of this text were drafted separately with their own annexes. Please make sure this kind of inconsistencies be corrected in the next iterations.	*The CWG-Stewardship appreciates your feedback and will improve organization of the document in preparing the final proposal*
372.	RySG/RrSG	Legal Separation of the IANA Department could require backing of the other customer communities	Legal Separation of the IANA Department could require backing of the other customer communities (IETF and RIRs) One issue that has not been addressed in the proposal to "ring---fence" ICANN's IANA department into a wholly---owned affiliate/subsidiary is whether this recommendation has the support of the other two IANA customer communities. Though the issue of separation of ICANN's policy---making responsibilities and technical role in operating IANA uniquely affects the naming community (as ICANN has no policy---related role for the numbering or protocol parameter communities) each of	*The CWG-Stewardship appreciates your feedback and notes that the CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. It has one deliverable*

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			these communities is affected by the IANA department's performance of their respective functions. As such, these other communities are implicated in the decision to move the IANA department into the proposed new subsidiary, PTI, even if their agreements with ICANN would not necessarily change.

Little has been done to socialize this recommendation with the other customer communities, and it is critical that this be recognized as a dependency in the existing proposal. While this work is likely to take place through the IANA Coordination Group, which oversees the development of the three respective proposals and will ultimately be tasked with integrating these proposals, we believe that it is advisable to inform and get support from these customer communities as soon as possible, whether they participate directly in PTI or not. We appreciate the fact that the numbering community communicated that it has no present problems with the naming proposal.

Likewise, further consideration should be given to how separation would be carried out in the event that not all communities agreed that a transition of their functions was necessary. | *which is a proposal to the U.S. Government NTIA regarding the transition of stewardship of the IANA functions to the global multistakeholder community. See https://www.ianacg.org/ for further details.*

The CWG-Stewardship notes that regular informal conversations are taking place between the Chairs of the different groups that are responsible for preparing the transition proposals to ensure regular updates and exchanges of views. |

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373.	Sarah Falvey and Aparna Sridhar / Google Inc	Ensure co-ordination between CWG-Stewardship and CCWG-Accountability	As both the CWGStewardship and the Accountability Working Group recognize, their processes are interdependent. To that end, Google recommends that the two groups coordinate closely to ensure that they identify all interdependencies and eliminate redundancies. For example, Google is pleased to note that the CWGStewardship now suggests that parties seeking individual redress in connection with a failure to properly perform the IANA functions can avail themselves of the Independent Review Process being developed by the Accountability Working Group. Relying on the process being developed in the Accountability Working Group, rather than developing a separate appeals process for IANA specific actions and decisions, eliminates delays and reduces the risk of forumshopping and inconsistent adjudications. At the same time, the CWGStewardship is now dependent on the Accountability Working Group to fully develop this recommendation. This is only one example of the numerous instances in which the CWGStewardship will need to rely on the Accountability Working Group. To be clear, Google does not regard these interdependencies as indicating any flaw in the process; rather, they generally suggest that the two groups have minimized structural and operational changes. Nevertheless, they do highlight the need for very close coordination, especially as both proposals are being developed and finalized in parallel.	*The CWG-Stewardship and CCWG-Accountability proposals are separate proposals, dependent on and expressly conditioned upon one another. The CWG-Stewardship has provided references in its proposal, where applicable, to the linkage and dependencies with the CCWG-Accountability. Through regular coordination, the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet its requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html.*

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374.	Nominet	Multi-stakeholder oversight needs to be supportive of direct customer needs	Other elements of the proposal have a direct role for the wider multi-stakeholder community. This is important: we believe that multi-stakeholder oversight is key to guaranteeing wider accountability and the good stewardship of the function. However, this "oversight" by the community should be supportive of direct customer needs: we would not expect it have a view contrary to the good performance of the system. Hence, we strongly believe that, for changes that fundamentally impact the operation of the service to customers, decisions need to be endorsed by the operational community. We would hope that conflict between user needs and the multi-stakeholder community's vision would not happen and that divergence of views would be addressed early in any process, recognising that decisions should be closely focussed on the effective operation of theIANA functions service.	*The CWG-Stewardship appreciates your feedback and is of the view that the proposal takes into account both the need for multi-stakeholder involvement as well as the needs of direct customers.*

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375.	ISPCP	Concern with timing and coordination on implementation	In order to make the proposal for the IANA stewardship transition acceptable to the NTIA a clear schedule for the implementation is needed to be included. This schedule is to be coordinated with the other operational communities (CRISP, IANAPLAN) as well as with the CCWGaccountability	*The CWG-Stewardship appreciates your feedback and would like to point out that there are a number of additional steps that would need to be completed following the finalization of the CWG-Stewardship proposal before it is submitted to the NTIA such as review and consolidation with the proposals of the other operational communities by the ICG which will include further opportunities for public comment as well as stress testing.*
376.	ICANN Board	NA – seeks clarity	When discussing the IANA Functions throughout the proposal, there is the potential that some of the references could be understood to refer to the IANA functions as a whole, and not just the naming/root zone management related functions. We recommend that the proposal would benefit from more clarity on this.	*The CWG-Stewardship appreciates your feedback and will improve on clarity of the document in preparing the final proposal*

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377.	ICANN Board	NA- relationship with other communities and structural details	Relationship with other operating communities: The CWG proposal has a lot of structure built in for the operation of the naming-related functions. Is it envisioned that PTI will operate the IANA functions as required by the Numbers and Protocol Parameters communities as well as the root zone management function? If so, how can some of this complexity be moderated to allow adequate space for other operational communities to participate, if they wish, while still keeping in line with the narrow technical scope of the IANA functions? Alternatively, is there any provision for their oversight of their IANA functions by separate arrangement with either ICANN or PTI? It seems there are a variety of configurations possible here, but any expectations or constraints on PTI regarding the other IANA functions should be clear in the proposal.	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The CWG-Stewardship will consider the submitter's questions in finalizing structural proposal.*
378.	ICANN Board	NA – timeline for implementation	What is the expected timeline for implementation of the proposal including testing against the NTIA criteria and accountability, and how will this impact the timing of the transition?	*The CWG-Stewardship is preparing an updated timeline, including implementation, and will consider this question. See Section IV B.*
379.	ICANN Board	NA – separation and coordination with other communities.	With regards to separability, what steps for an escalation mechanism and separation ensure meeting the criteria set out by NTIA, and are there ways to manage that within the respective operational communities?	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*
380.	LACTLD	New issue on delegation	On delegation / transfer / revocation. This is a theme of uttermost relevance for ccTLDs. Considering that the PTI structure and its scope are not entirely defined and that	*CWG-Stewardship appreciates your feedback and will factor this into its subsequent deliberations.*

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			in the CCWG Accountability proposal it has been reiterated that the mechanisms of delegation revocation will be defined by the community of ccTLDs in the development of its own processes2 , these new structures / reforms envisaged by the stewardship and operation of IANA functions will have repercussions in the current processes and mechanisms of delegation / transfer / revocation. Since this is a central component in the horizon of expectations of a registry we believe the proposal should be clearer on this issue. We have concerns that despite the fact that it is stated that this will be addressed later on within the ccTLD community, currently there is no clarity regarding who will be the entity responsible for defining when a process of delegation / transfer / revocation has been fulfilled in order for the IANA Functions Operator (IFO) to make effective those changes. From the current CWG proposal, there are several entities that could be potentially involved in this function: a) The ICANN Board; b) The PTI; c) The IFO; d) the Customer Complaint Resolution; e) The CSC. As it can be noted, this theme should be more effectively upheld in order to establish the mandate of these entities with respect to this issue. In addition, the CWG proposal addresses the consideration of "stress tests" that the	*The CWG-Stewardship has chosen not to address delegation and redelegation, and has left the process at it currently stands, with ICANN Board approval. To further inform this debate, the CWG-Stewardship refers the commenter to the Framework of Interpretation Working Group and its recently released report.*

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			CCWG Accountability report considers (p. 32, section IV.C) on ICANN's response when faced with a government request to manage (transfer) the incumbent ccTLD. We believe that the results of this exercise should constitute a solid documented evidence and input which the CWG should necessarily consider in its final proposal.	
381.	CNNIC	NA – concern with coordination among communities	We concerns about the inconsistency which will probably occur during the integration of the three proposals put forward by the three operational communities, namely, the naming, number and protocol communities. We expect that the three communities come up with a unified and feasible proposal under the coordination of ICG.	*The CWG-Stewardship is tasked with developing a transition proposal specific to the IANA naming functions. The numbers and protocol parameters communities have already submitted their proposals to the IANA Stewardship Transition Coordination Group (ICG). The ICG's mission is to coordinate the development of a proposal amongst the (three) communities affected by the IANA functions. See https://www.ianacg.org/ for further details.*
382.	NIRA	Requesting public comment on complete proposal	Would the group contemplate another Public Comment since some sections were not available and to give more people the opportunity to comment? The public has not seen or understood the complete picture of the proposal since the work of CCWG Accountability WS1 that has significant impact on the CWG proposal is yet to be	*The CWG-Stewardship is currently working on a timeline to allow for SO/AC review of the final proposal during the ICANN 53 meeting in Buenos Aires. This timeline was developed to coordinate with the broader IANA*

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			incorporated. NIRA would suggest another comment period after incorporating the work of the CCWG- Accountability and completion of every section of the proposal.	*Stewardship Transition process (see https://www.ianacg.org/ for further detail). As such, an additional public comment period is not foreseen. Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CWG-Stewardship does not anticipate that it will need to make further changes in relation to the accountability aspects of the proposal as the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html. The CWG-Stewardship also notes that there will be opportunities to provide input via ICANN SO/ACs during their approval process as well as public comment as part of the ICG's consideration of the proposal.*

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383.	Government of Denmark	NA	Furthermore, it is important to continue the tight coordination between the CWG Stewardship and the CCWG Accountability to ensure there is a joint focus on addressing the outstanding issues and dependencies that exist between the two groups' proposals.	*Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html. The CWG Stewardship will continue to coordinate closely with the CCWG Accountability.*

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383. a	Liu Yue		1. The CWG proposal and CCWG proposal should be considered together. The post-transition accountability and transparency mechanism of ICANN should be designed before IANA transition. If CCWG proposal does not meet the requirements of the community, it is difficult for communities to only agree with CWG proposal separately. 2. The CWG proposal and CCWG proposal should be firstly reach consensus within each community 3. US government should indicate its attitude about the CWG proposal and CCWG proposal in the GAC as soon as possible, and to comply with the consensus of GAC.	*Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see http://forum.icann.org/lists/comments -cwg-stewardship-draft-proposal-22apr15/msg00017.html* *The CWG-Stewardship proposal is expected to be delivered to each of the Chartering Organizations (including the GAC) by 11 June.*

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384.	Business Constituency	Ensure co-ordination with CCWG and impact on budget	The CWG-Stewardship should work with the Cross-Community Working Group on Enhancing ICANN'S Accountability (the Accountability Working Group) to ensure proposals are harmonized. Before implementation, the CWG-Stewardship should share with the community the projected financial impact of any changes it recommends. ICANN's budget has expanded substantially over the last several years, and we should be sure that any changes do not compromise prudent management of ICANN's fiscal resources.	*Based on the feedback the CWG-Stewardship has received to date from the CCWG-Accountability through its regular coordination meetings and community volunteer involvement, the CCWG-Accountability has assured the CWG-Stewardship that it will be able to meet the CWG-Stewardship requirements. For reference, please see* http://forum.icann.org/lists/comments-cwg-stewardship-draft-proposal-22apr15/msg00017.html. *With regards to the budget, the CWG-Stewardship appreciates your feedback and notes that a communication has already gone out from the CWG-Stewardship Chairs to request further information concerning the FY16 budget.See also* **III.A. IANA** *Budget' and in Annex Q of the proposal.*