



7 May 2018

Subject: SSAC2018-12: SSAC Comments on the Independent Review of the ICANN Nominating Committee Draft Final Report  
To: Professor William Brown, Dr. Mark Engle, and Dr. Greg Rafert

On 27 March 2018, the NomCom Review Working Party published the Independent Review of the ICANN Nominating Committee Draft Final Report for public comment. The Security and Stability Advisory Committee (SSAC) has reviewed the report and appreciates this opportunity to make a public comment.

Per its Charter, the Security and Stability Advisory Committee (SSAC) focuses on matters relating to the security and integrity of the Internet's naming and address allocation systems. This includes operational matters (e.g., pertaining to the correct and reliable operation of the root zone publication system), administrative matters (e.g., pertaining to address allocation and Internet number assignment), and registration matters (e.g., pertaining to registry and registrar services). The SSAC engages in threat assessment and risk analysis of the Internet naming and address allocation services to assess where the principal threats to stability and security lie, and advises the ICANN community accordingly. The SSAC has no authority to regulate, enforce, or adjudicate.

SSAC has a dual role in making these comments as both an Advisory Committee (AC) that has actively participated in the NomCom for many years and as the AC chartered to advise the ICANN Board, ICANN Organization, and ICANN Community on matters of Security and Stability. The process for selection of ICANN leadership (particularly of the ICANN and PTI Boards) and the outcome of that process has a direct and notable impact on the security and stability of the ICANN Organization, the services for which it is responsible, and in turn the Internet's naming and address allocation systems.

The SSAC concurs with the full set of important findings and recommendations in this report and hopes the NomCom leadership will act quickly on these. We are pleased that the overall tenor of these recommendations emphasizes process stability, transparency, accountability, and other ICANN values.

Addressing recommendations that would affect the SSAC directly, the SSAC notes Recommendation 9 from the report which states, "All NomCom members should be fully participating and voting members, except for NomCom leadership." The SSAC understands that to convert its representative to the NomCom to a voting member in order to fully participate in all NomCom activities would require a change to the Bylaws and that the SSAC representative would then also be subject to the same requirements as

other voting members, including the same term limits. This change needs additional analysis and consideration by the SSAC and others who would be affected by this change.

We believe one recommendation could be further strengthened to better align the NomCom with ICANN's values of transparency and accountability. Recommendation 13 states:

Recommendation 13: Publish a "Process Diagram" and codify key elements of the NomCom process. Each year, the NomCom should be required to highlight and explain process changes to the ICANN community in an open session.

Simply "explaining" process changes does not provide the ICANN community with an accountability measure to check and balance the proposed processes that the community finds to be outside acceptable norms. We would like to see a stronger mechanism recommended that would allow the ICANN community to assert some control in this area. At a minimum, a means to block major changes that a majority of the community finds problematic and a process to reconcile them. We note that any process without some sort of accountability measure does not fit into ICANN's values.

The SSAC wishes to thank Analysis Group as the independent examiner performing the NomCom review for producing their assessment report and for allowing the SSAC this opportunity to comment on it.

Rod Rasmussen  
SSAC Chair