
ALISSA COOPER:

Hello, everyone. Welcome to this second webinar about the IANA stewardship transition proposal call for public comment. My name is Alissa Cooper and I'm the chair of the IANA Transition Coordination group, also known as the ICG.

Presenting here with me today will be two ICG vice chairs, Patrik Falstrom and Mohamed El Bashir. This webinar is being recorded and the chat sessions are being archived, so please keep that in mind. There's a live streaming audio in all six UN languages and Portuguese. For the details about that, there's a link provided in the Adobe Connect session information window.

We're going to begin with about 45 minutes of presentation material, followed by 45 minutes of question and answer. We ask that you please reserve your questions for the Q&A portion. If you are dialed into the audio line, your microphones will be muted during the presentation portion. When we do get to the Q&A, we will accept questions either by audio or questions that are written into the chat if they're prefaced by the word "question".

The instructions are in the Adobe Connect session information window, as well as in the chat. But we'll go over them again when we get to the end of the presentation material. With that, I think we are ready to start.

What we're going to go over today is, first, a very high level view of IANA and the IANA stewardship transition. Then I will turn it over to my vice chairs who will go through parts of the transition proposal. We will

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talk about the questions that the ICG has put out to the public for public comment, how to submit comments, and then we'll have the Q&A.

To begin at the beginning, we would like to chat just for a minute about what the IANA functions actually are, for folks who may not be familiar with the Internet Assigned Numbers Authority, also known as IANA.

The technical function of the Internet relies on databases which in our world are more often known as registries of unique numbers and names that all computers use to connect to each other online. So when your computer connects to the Internet, when you surf the web, when you send e-mail, the software on your computer is using these numbers and names to communicate with other computers that are also connected to the Internet.

There are three main categories of these registries. The first is domain names, otherwise known as names. The second one is numbers and the third one is protocol parameters. We're going to talk more about what each of these registries actually contain later in the presentation.

The act of administering these registries is what is known as performing the IANA functions. So when we talk about performing the IANA functions, we're really talking about a management task, a clerical task, in short.

Setting the policy for what values go into these registries, essentially deciding what goes into these registries is not part of the IANA functions. That is outside the scope of what IANA does.

Now, to understand the context for the transition, we need to understand what the current oversight model looks like and where it came from.

If we go back in time to 1998, the Internet Corporation for Assigned Names and Numbers (also known as ICANN) was established to maintain the IANA registries under contract with the US government. There's a department within ICANN that is called the IANA Department and the people who work in that department maintain the registries.

The government agency within the US government that holds that contract is called the National Telecommunications and Information Administration, otherwise known as NTIA, and it is a part of the US Department of Commerce. So NTIA maintains this contract with ICANN and conducts oversight over ICANN and IANA within ICANN. It's a non-profit corporation.

NTIA's role historically has been one of stewardship. It is largely symbolic. NTIA does not have any operational role and does not initiate changes to any of the registries that IANA actually manages.

If we fast forward up to 2014, what happened last year is that NTIA announced the transition of its stewardship role to the global multi-stakeholder community. NTIA at that time asked ICANN to convene a process to develop a transition proposal, and in making the announcement, NTIA established a number of criteria and expectations regarding the transition.

The criteria were that the transition proposal must support and enhance the multi-stakeholder model; maintain the security, stability,

and resiliency of the Internet Domain System (also known as the DNS); meet the needs and expectations of the global customers and partners of the IANA services; and maintain the openness of the Internet.

Furthermore, NTIA explains that the transition proposal must have broad community support and must not replace NTIA's role with a government-led or inter-governmental organization solution.

Those were the framing pieces for the transition proposal, and in all the work that has gone on to develop the proposal that we're going to talk about here today. Those criteria and expectations have been in the minds of the people developing the transition proposal.

Looking at the timeline since the announcement, that happened in March of 2014. Shortly afterward, following an ICANN initiated consultation, the IANA Stewardship Transition Coordination Group (also known as the ICG) was formed.

The ICG is comprised of 30 members and two liaisons who represent a broad array of stakeholders. These include stakeholders from what we have called the operational communities. That is, the communities of interest that surround the names registries, the numbers registries, and the protocol parameters registries. The ICG also includes broader stakeholders from business, governments, user communities, and others.

In September of last year, the ICG issued a request for proposal to the operational communities, and the transition proposal that we're going to be talking about today combines these three proposals that the ICG received from each one. We're going to go through each one in turn,

but this is an important structural feature of the combined transition proposal.

The public comment period that launched on July 31st is focused on the proposal as a whole. Each of the community proposals has already been subject to extensive public scrutiny. There have been many, many meetings, mailing list discussions, multiple public comment periods on different conference calls to discuss the details of each of the component proposals.

As a result, the public comment period that we're having now is really focused on how these components fit together. Do they work in combination and do they meet the NTIA criteria?

Suggestions for substantive modifications arising from the public comment period will be referred back to the operational communities. The ICG will not be editing the proposals. That is the responsibility of the operational community.

Issues that have already been discussed in the operational communities will not be relitigated or reopened as part of this process, and we'll provide more detail on the specific questions about which we're seeking public comment at the end of the presentation.

With that, I'll turn it over to Patrik Falstrom, who's going to talk about the names proposal.

PATRIK FALSTROM:

Thank you very much, Alissa. If we look at the names proposal which is delivered by one of the three operational communities, I can start by

looking at what I'm trying to explain what IANA functions are related to names.

The Domain Name System consists of two things. We have the name space management itself and then also operational issues related to the use of the Domain Name System.

The IANA functions touches both of these, but the most well-known one has to do with management of the so-called root zone and the management of the top-level domain. On the slide here you see three examples of top-level domains from which various domain names are delegated.

Most of the changes and actions that IANA do is on direct request from members of the names community. For example, changes of the operator of a top-level domain, change of contact information, change of the technical consideration. For example, information on what name servers manage and respond to [inaudible] responds authorities to queries about the TLD, and other information regarding the domain name itself. For example, where the WHOIS server is for that top-level domain.

Change request goes to IANA, and IANA then updates the various tables and databases it manages.

Some examples of the changes or the things that IANA is managing has to do with changes in the root zone itself. For example, name server records. It might be changes to the WHOIS database for TLDs. For example, contact information for a TLD. It is also related to delegation

and re-delegation of a TLD itself if it is the case that the registry or the administrative organization of the TLD changes.

But it's also some operational issues related to the root zone. For example, key management for DNSSEC, the electronic signing of information in the DNS itself.

IANA also manages a repository of practices for international domain names. So TLDs that accepts registration in the same language can use similar policies. There is a repository that IANA has for that.

There are also some root zone related activities that IANA is taking care of that are, of course, very, very important but these are the things that are most well-known.

If we look at the overall [inaudible] issue for the proposal itself, if we look at the actual oversight, on these pictures here, you don't see any information on the actual operational activities. if we only talk about the accountability to make the pictures a little bit more simple, today on the left side, we see that IANA do have a contract with ICANN and that stipulates how the oversight is to be made. So NTIA do have oversight over ICANN as the IANA functions operator.

Then inside ICANN, there is a specific group that is the IANA that do all of these actions that is stipulated in the contract and elsewhere.

When parties want to have IANA do certain things, they contact IANA function inside ICANN and the IANA function is, on this picture, exemplified by the small box in the down right corner of the ICANN box.

After the transition when the contract with NTIA is going away and, because of that, the oversight, you see the proposal to the right where we have ICANN that is legally separated from the post-transition IANA – that is what we call PTI – where PTI is the one that is the entity that is doing the taking over the IANA or the IANA functions.

There's a contract between ICANN and PTI that explains what PTI is to do. PTI itself do have a board. The customers to IANA do contact IANA or contact PTI to have the IANA actions taken care of.

Then you have also the ability to – then we will have a look at a little bit on the oversight functions in the form of IFR, CSE, and also various different kinds of appeals mechanisms. I will go through them in a little bit more detail later.

If we start to look at the PTI, the entity that is separated from ICANN, its mission is to perform all the existing pre-transition IANA functions. The idea here is that PTI is taking over everything that IANA is doing today. It has a contract with ICANN.

The next body that is important is the Customer Standing Committee, which is ensuring that the performance of the IANA naming functions continues to be of a satisfactory level. It is looking at the various actions that IANA is doing and overlooking that IANA is doing the right thing. It is a standing committee from customers of IANA.

There is also a separate entity called IFR (IANA Function Review) which is established to provide periodic review of PTI's performance and ensures the accountability and quality of service. The IFR is overlooking

the actual relationship between ICANN and PTI to ensure that everything is handled in the way that is acceptable.

There is also a special IFR that has the ability and power to, in the case of separation – complete separation – of the IANA function from ICANN. In that case, IFR is also taking care of those actions.

All of this is of course dependent on quite a lot of accountability issues and oversight. There is a special cross-constituency working group inside ICANN that works on accountability. So there is a dependency between this proposal and the outcome of the CCWG accountability. Here you see a few of those requirements and ideas that is to be coordination between the CWG proposal that we are looking at here, and also the work that is going on in parallel with what the ICG is doing in the CWG accountability.

If we look at a few of these kind of things, we look at, for example, some changes of ICANN bylaws, empowerment of the special IFR to be able to kick off a separation process. There is also an appeals mechanism that is also quite important. For example, in the form of an independent review panel [inaudible] related to the IANA functions. For example, direct customers with [non-remediated] issues or matters referred to by ccNSO or GNSO after escalation can have access to an independent review panel.

So there are a lot of these accountability mechanisms that need to [inaudible] that there is a dependency from the CWG proposal to the CCWG.

I think that is everything from the names proposal. By browser, unfortunately, is [inaudible] so I can't change the slides there. Thank you.

If we look at the CCWG together with the CWG proposal and dependencies, the way this is managed is we do have now a public comment period both for the ICG which is the reason why we have the webinar now, and then we also have in parallel the CCWG do have an open consultation for their proposal. There is an ability for reviewers and people that are looking at both of these to make sure that their comments are synchronized, to make sure that that things are taken care of in a coordination way. So it's possible to comment on both of these at the same time.

With that, I'm handing over to my fellow chairs to present the numbers proposal. Thank you.

ALISSA COOPER: Mohamed, do we have you on audio?

MOHAMED EL BASHIR: Hello, can you hear me?

ALISSA COOPER: Yes, go ahead.

MOHAMED EL BASHIR:

I will go through the numbers community proposal. Basically, NTIA have an important function to be done to the community. Basically, it's the allocation of blocks of IP addresses, or Internet protocol addresses – an autonomous system numbers – to the regional Internet registries, which are the five global regional Internet registries.

There's also the registration of such allocations in the IANA number registries [inaudible]. There is also other related important management [inaudible] registration of special DNS [inaudible] that's performed by the IANA to the RIRs.

Going through an overview of the numbers proposal, currently the five regional Internet registries which is [inaudible] in North America, LACNIC for Latin and South America, and RIPE NCC for Europe and some part of the Middle East, AfriNIC for the African continent, and APNIC for Asia-Pacific.

Those currently have service levels and agreements with IANA. That's the [inaudible] from NTIA on the contract and with ICANN.

The RIRs have expressed their satisfaction with the current performance of the IANA function and they don't think that the current function should be taken away from ICANN, and they expressed their desire for the stability and they don't propose any operational changes.

But they outlined important three factors in their proposal, which is basically – the first one is IANA. ICANN to continue to be the home of the IANA function. And they want the relationship between them and that IANA function to be based on service-level agreements.

The second important factor is the intellectual property related to provisional IANA services to be with the community.

And thirdly, they did propose a review committee which have representatives from each RIR community, or the Regional Internet communities. That should be formed and that should be look at the performance of IANA [against] the service levels.

If you look to the right side, you can see the post-transition proposal and you can see the RIRs having a service-level agreement relationship with IANA, which is within ICANN. They monitor the service-level agreement through a committee that they have, a review committee.

On the next slide, you can see here the review committee, which is [inaudible] representatives of the regional Internet registries where they provide advice to the RIRs and they monitor the performance of the IANA functions through services that [presented] to the numbers community.

They did outline important principles for the service-level agreement with ICANN and IANA, which is basically they are looking for separation from the operational side and the policy development that should be separated. The agreement should have a clear description of the service being provided by the RIRs. It should have an obligation for reporting and those reports should be public and transparent, and they should be [inaudible] accountability. As well, maintaining security is also important to the RIRs.

They also indicated that the SLA should have a review of the operations of the IANA function, and if there is any [failure] in performance, there

should be terms and conditions for termination, ensuring the [inaudible] of the operations.

Also, they indicated that intellectual property rights [inaudible] need to be very clearly outlined in the SLAs and agreements with ICANN. Resolutions, as well, of disputes need to be as well as part of the SLA. And clear [inaudible] for fees or any financial [inaudible] need to be outlined.

Regarding intellectual property, the [inaudible] set some expectations and also they have indicated clear references. So for the expectations, they indicated that the numbers of [inaudible] registries should be public and available to the public. There is public information which could be available. It is currently available for IANA.

But for the non-public information, which is managed by the IANA operator, that should be available and easy to be transferrable to any [inaudible] of the IANA function [inaudible] happened.

The rights for the non-public information should be transferred to the RIRs. The preference of the numbers community regarding the IANA trademark and IANA [inaudible] .org that it should be transferred to the IETF Trust. And already [inaudible] agree that those should be the expectations for the transition. The public [inaudible] performance of the IANA should be also public and available [inaudible].

With that, I hand over to Alissa to continue the [inaudible].

ALISSA COOPER:

Thank you, Mohamed. Here we are on the third component on the transition proposal. I'm going to talk about the protocol parameters. But to understand the protocol parameters, we need to talk a little bit about protocols themselves.

Protocols are standardized patterns of communication that computers use on the Internet to be able to talk to each other. Perhaps the most famous ones are HTTP and IP. These are ways that devices can use so that they can communicate.

When we set out to design protocols, we often end up meeting protocol parameters which are numbers or values that need to be chosen and published so that two separate computers using a protocol can communicate and understand each other.

And to illustrate by way of example, if you've ever visited a website and received an error that says "404 Not Found", 404 is a protocol parameter for the HTTP protocol. It's a number that needed to be chosen so that independent computers and software running on the Internet would be able to understand, "Oh, this is an error," or on the website would be able to say, "I know that I need to send an error. What number should I send? Oh, I'll send a 404." That's just an example of a protocol parameter.

Many of the most important protocols that make the Internet work were developed by the Internet Engineering Task Force (the IETF). The IETF is considered the operational community of relevance for the protocol parameters.

The IETF protocol parameters are maintained in registries on the IANA website. There are more than 10,000 protocol parameter registries that contain hundreds of thousands of parameters.

And just one important distinction about the protocol parameters is that they are not referenced in real-time from the IANA website. When they're referenced is when software is being developed. So as an implementer of software, I might go to the IANA website to determine which number or value I need to code into my application, so that it will work properly when I use it on the Internet.

That's just a high level overview of what do we mean when we say protocol parameter.

If we look at the current situation in terms of the oversight of the protocol parameters function, again, it's helpful to go back in time. The IETF has had an agreement with ICANN that goes back more than 15 years, and that agreement is known as the Memorandum of Understanding (or MOU).

That MOU governs the relationship between the IETF and IANA. There's a leadership body associated with the IETF known as the Internet Architecture Board (or IAB) and the IAB provides oversight over that MOU and ensures that the relationship between the IETF and IANA remains healthy.

In addition to the MOU, the IETF and IANA agree on a regularly updated basis to service-level agreements that establish the performance target for IANA. There's a day-to-day evaluation of how IANA is performing and whether it is meeting the targets set out in the SLAs.

That's the current oversight regimes. You'll see that also in the current regime the NTIA contract provides oversight directly over ICANN itself, but NTIA has no real operational role when it comes to the protocol parameters.

So as we look towards the transition proposal and what the oversight regime would look like in the post-transition phase. You see that not much has changed. The only thing that has changed in the diagram is that the NTIA is no longer in the picture.

That is the [inaudible] of the IETF proposal, which is that no new organizations or structures are required. Over the years, since the creation of ICANN, the IETF, ICANN and the IAB have together created a system of agreements, policies, and oversight mechanisms that already cover what is needed in this space. And the system has worked well without any operational involvement from NTIA.

What the IETF has said is that the IANA protocol parameters registries updates will continue to function day-to-day as they have been doing for many, many years. And the IETF community is very satisfied with the current arrangement with ICANN. So not really any changes here.

However, in the absence of the NTIA contract going forward, the IETF has stated that a few new arrangements may be needed in order to ensure that the IETF community's expectations are met.

The first of those expectations is that the protocol parameters registries are in the public domain, and the IETF community has stated its preference that all of the relevant parties acknowledge that fact.

Secondly, it's possible that in the future the operation of the protocol parameters registries may be transitioned from ICANN to a subsequent operator, and the IETF has stated a preference that as part of the transition ICANN should acknowledge that it will carry out some of the obligations that are defined in the existing contract with NTIA that relate to achieving a smooth transition to subsequent operators should the need arise.

Essentially the IETF's expectation is that the parties involved will work together with subsequent operators to minimize disruption in the protocol parameters registries and other resources associated with IANA.

In the event that at some point in the future a different operator is chosen to run the protocol parameters registries, a different operator from ICANN.

That is a summary of the protocol parameters proposal. I will turn it back to Mohamed to provide a visual summary.

MOHAMED EL BASHIR:

Yes, thank you, Alissa. This slide basically summarizes in a visual way the combined proposals, the final proposal, and the elements to the operational communities.

On the top, you can see the numbers community proposal. Basically, RIRs have a service-level agreement with ICANN and the review committee from the RIRs giving the advice to the numbers community regarding the performance of the IANA functions.

On the left side, you have the IETF protocol parameters community relationship with ICANN post-transition. There is the Internet Architecture Board having an oversight on the MOU between the IETF and ICANN, which will be annually reviewed based on the performance metrics set.

On the right hand down side, there is the numbers community proposal, which is basically it has more changes than the two other operational community's proposal in terms of the legal separation of a new post-IANA transition body that will manage the IANA function. And the numbers community will be reviewing the performance of the IANA function basically by Customer Standing Committee. [It has] different levels of [inaudible] of service issues and complaints.

The first level is to the PTI and the second level is to the Customer Standing Committee. The numbers community as well proposal has the IANA Functions Review Committee, which reviews the performance of the IANA functions.

Visually, this slide will give you an idea about the interaction and relationship between the three communities and the future IANA function operation within ICANN.

For the next slides I will be reviewing and giving you an update about the questions we put forward – the ICG put forward – for comments for the combined proposal.

The focus is we're really be appreciating that if you focus and provide us a feedback on the proposal as a whole. We provide a set of questions to guide this input to us.

The first thing we need to know from you is do you see the proposal – the combined proposal – as complete? And does the operational communities proposals work together in a single proposal as proposed by the ICG? And do you think that the community proposals have appropriate accountability mechanisms [inaudible] IANA functions, especially post-transition which is an important task of accountability and transparency of the function in the future.

And do you see any issues of workability between the proposals? Is there any conflicts or concerns you have in the final combined proposal?

We would like also if you can provide us your feedback and comments on the proposal regarding the NTIA criteria. NTIA in its initial announcement in April of last year has provided a set of criteria which we would like to follow. So do you believe, for example, the combined proposal supports and has a multi-stakeholder model, which is important for the future of the Internet? And do you believe that there is any issues regarding security and stability in the [inaudible] DNS, which is very critical for the ICG? Please identify those if you have any comments about that.

Do you see the proposal is meeting the expectations of the global Internet community, global customers of the DNS, and partners of the IANA services? Here we would like you to outline initial [inaudible] and expectations and provide us guidance, really.

After that, we also would like you to express opinions regarding the combined proposal support the openness of the Internet, which is a core value. We would like [inaudible]post-transition.

And if there is any concerns regarding replacing NTIA, stewardship role with the government [inaudible] organization. Lastly, do you believe this implementation of the proposal will continue to uphold the NTIA criteria for the future, which is [inaudible] criteria set by the NTIA on this part of the transition.

We urge you really to review the proposal and provide us your feedback because your feedback is very important in this process. Either support the proposal or give us your comments and feedback about it.

We did start the comment period on July 31st and it will end September 8th. You can review and submit comments through our public comment website, which is comments.iannacg.org. And if you have any questions or you would like to submit also your comments, you can send it to questions-cig@ianacg.org.

With that, I will hand it over to Alissa for the Q&A session.

ALISSA COOPER:

Thank you, Mohamed. Just one note. We just realized this. The e-mail address on this slide is actually incorrect. It has a typo, so we will get it fixed in the deck that we published, but the e-mail address is actually questions-icg@ianacg.org. So questions-icg. Apologies for that, and we will get it corrected. Jennifer has also posted it correctly into the chat

window, so everyone knows. If you have a question, that's where you should direct it to.

Also, just one more quick note on the comments submission. There are two options for how to submit comments. Either via a web form which is located at the website listed on the slide, or via e-mail. For either option, when submitting your comment, you will receive a confirmation e-mail and you must click on the confirmation link in the e-mail to have your comment posted to the public archive. That's just a note about how we are filtering [spam] out of the comments.

I think we are just about ready to proceed to the Q&A. I just want to reemphasize one of the points that Mohamed made, which is that when submitting public comments, it's equally as important from the ICG perspective to hear from people who support the proposal as it is to hear from people who have concerns about it.

So if you're thinking about submitting public comments and you feel generally supportive of the proposal, don't let that stop you from telling the ICG your opinion. We definitely need to hear from people who support and not just those who have concerns or questions.

With that, I think we are ready to turn to the Q&A portion of the webinar. For Q&A, we will be accepting questions either by audio or in the chat. If you'd like to speak your question, you can raise your hand in the Adobe Connect room by using the raise hand feature at the top of the Adobe Connect window.

The other option is you can post your question into the chat. Please preface any question that you want to have answered with the word

“QUESTION”, preferably in capital letters so we are sure that we can see it. We will go back and forth between questions from the chat and questions from the audio if we have both participants who are dialed into other language phone bridges other than English can make audible interventions. You can ask a question in your own language on your language line, and it will be interpreted on the English line and then we’ll answer it and it will be interpreted back to you. And please state your name when submitting a question.

With that, I think we are ready to begin the Q&A portion. Please go ahead and raise your hand or submit your question into the chat. I see that we have a question from... I guess just one more note I should have said before starting is that we have a number of other ICG members who are here with us in the webinar, so we will be pitching questions to them as appropriate as they come in.

The first question is from [Jan Chang]. “Did the ICG find any incompatibility and even contradicting points when combining the three proposals?”

Thank you for that question. That is a very good question. Compatibility was one of the items that we looked at when reviewing the three proposals together.

As far as compatibility goes, we did identify one issue where we felt that there was a potential for incompatibility between the proposals. That related to the IANA trademarks and the IANA.org domain name.

The numbers proposal detailed specific requirements related to this intellectual property, whereas the other two proposals were silent on this issue.

So as the ICG, we inquired with all of the communities to confirm that indeed their proposals were not actually incompatible because there was a specific set of requirements set out by one community and no particular requirements set out by the other communities.

They did confirm that, in fact, it was not any incompatibility between the proposals. However, the operational communities are in the process of coordinating to ensure that they are all on board with the same proposal, because as it stands right now, because there was only requirements set forth from the numbers community, those [inaudible] requirements that the proposal now puts forth.

So there is ongoing coordination on that point, but from a proposal standpoint, we believe that the proposals were all compatible with each other.

Anyone else from the ICG want to speak to that point, please go ahead right now. Not hearing anyone, so I think we can go to our next question, which is from [Zane Lee]. Go ahead, [Zang Lee]. [Zang Lee], if you're speaking, we cannot hear you. We are working to enable your microphone right now. While we wait for that, if there are any other questions, feel free to raise your hand in Adobe Connect or write your question into the chat. Any other questions while we work out the audio issues?

I see that we have a question from [Julie Z.]. The question is: "Thank you for such a detailed introduction. I just wanted to make sure, what does the IANA mean inside the ICANN box in the number and protocol parameter proposal diagrams? Does it mean another IANA team or does that mean the PTI?"

Thank you, Julie, for your question. I'm just going to go back to this combined picture. If we look at this picture, which I think is the one that's most useful for understanding how the functions come together, indeed what the proposal puts forth is that all of the IANA functions would reside within the PTI. The PTI being the subsidiary of ICANN.

The IETF and the RIRs would maintain their relationship with ICANN, and so they would view the actual administration of the functions by the PTI as ICANN's choice to subcontract that work out to its subsidiary, which I think is why you in the other diagram [inaudible] IANA as the sub-box, because the numbers and protocol parameters community continue to refer to them as the IANA functions and they would be located wherever ICANN so chose. In this case, subcontracted out to the PTI as ICANN's affiliate.

Anyone else from the ICG want to add on? Alan Barrett, do you have anything to add there or do you think I covered it?

ALAN BARRETT:

I think you covered it a little, but maybe I'll add something. When the CRISP proposal was written, the concept of PTI did not yet exist. The CRISP proposal talks about the IANA function being inside ICANN.

When we put that together with all the other proposals, especially the proposal from the CWG, it turned out that the entity called PTI will be created.

From the perspective of the RIRs, I think we don't care whether or not ICANN creates a PTI. But from the perspective of the transition as a whole, ICANN will be creating a PTI and PTI will fulfill the role which appears as [inaudible] little box in the diagram of the numbers proposal.

ALISSA COOPER:

Thank you, Alan. The next question is from [inaudible]: "Will the proposed changes to the process of administration of the Internet affect end users in any perceptible manner? If yes, specify what kind of changes they can expect."

Thank you for the question. I will say that it is my sincere hope that this process will result in no perceptible changes whatsoever. The IANA registries and the administration of them has been working quite smoothly. What we are talking about in this transition is changes to the oversight mechanism for IANA and not really any substantive change to the operational aspects of IANA to the extent that there are operational changes that will take place. The proposal has I think gone to great lengths to try to minimize the change and ensure that there continues to be a stable, secure, and resilient provision of the functions.

If we succeed in this transition, my hope is that Internet users will not notice any changes whatsoever.

Anyone else from the ICG want to comment on that? Okay, we'll go to one more question from the chat and then we'll switch back to the audio.

It's a question from [Padmini]: "Do the different oversight bodies, IFRs, IAB, have an entirely independent constitution from ICANN or the IETF?"

This is a good question, and I think actually the way to answer this question depends on which body we are talking about. For example, the Internet Architecture Board is constituted entirely outside of ICANN. It has a strong relationship with ICANN. It makes appointments to ICANN's board. But the appointments that get made to the IAB itself occur within the IETF community. That's how I would describe for the Internet Architecture Board, but the answer would be different for the different bodies. Perhaps I can get – let's see, who do we have on the call with us? Perhaps I could get Patrik to talk about how that would work in the names community and the relationship between the IFR and ICANN.

PATRIK FALSTROM:

Thank you very much. The IFR and the IANA functions review is empowered to conduct periodic and special reviews of the IANA function. This is something that is specified more in the names proposal itself, and in the actual ICG proposal, it is specified also a little bit more in the [NXF].

The IFR and the special IFR will be incorporated into the Affirmation of Commitments that mandates and reviews set forth by the ICANN bylaws. That is how the community can oversee the relationship

between ICANN and IFR. I hope that helps answering the question a little bit more.

ALISSA COOPER:

Thank you, Patrik. Let's try to switch to an audio question. I think we have [Zang Lee] back on audio. [Zang Lee], go ahead.

I am still not getting audio from [Zang Lee], and I see that the question has been put into the chat, so we will take it that way since we're having trouble with the audio it seems.

The question in the chat from [Zang Lee]: "[What are] the main body of global stakeholders should be to achieve the maximum fairness?"

Thank you for the question. I'm not sure that I fully understand it, necessarily, but I think we've had questions in the past about the breadth of stakeholders to our concerned or [inaudible] issue in the transition, and there has been a lot of different kinds of stakeholders who have already participated in the operational community processes.

One of the questions we've had is why are we putting the proposal out for public comment if there has already been such intense participation from a variety of stakeholders? I think the answer to that is we actually do want to have as broad of input into the transition proposal process as possible.

Part of the reason we are putting the proposal out for public comment now is to try and hear from some stakeholders who have not necessarily been involved in the operational community processes. This is an opportunity to receive input from the wider community who may not

have been following along with all of the details previously. So we are going for breadth in terms of the input into the public comment period.

I hope that answered your question. If it didn't, then please maybe reformulate or add on another question and we can try to get back to that.

Moving on to the next question from [Shilesh]. I will not try to pronounce [Shilesh's] last name for fear of bungling it. [Shilesh] asks: "How is PTI different from the current IANA, and any details how the PTI board would be constituted?"

Perhaps I can have one of our ICG members speak to this question. Can I ask Keith Davidson to answer this question? Keith, are you on the call? Do we have audio from Keith? Okay, that looks like we are still having the audio issues. Could we try perhaps Russ Mundy? I'd really like to have participation from the other ICG members, so if we could get people's mics enabled, that would be excellent. Do we have audio from either Keith or Russ Mundy? Okay.

Well, maybe while we're working on the audio for those folks, I can answer the first part of the question. Then hopefully by the time I'm done doing that, we will have audio for one of the names community participants.

The first part of the question was: "How is the PTI different from IANA?" I think as a practical matter, the composition of the PTI in terms of the staffing and the data and the resources involved is the same as IANA. The proposal is to actually take the IANA department that currently sits within ICANN and just have it transferred to the PTI. So operationally,

the expectation is that there will not be a change in terms of staffing and so forth.

The way in which it is different is that it is a subsidiary of ICANN, so it will no longer be a department internal to ICANN, but would actually be a legally separate entity that is an affiliate of ICANN, and that has implications. Obviously it would have its own board. It would have separate budgeting and so forth.

That's the first part of the question. Do we think we have anyone on the audio side in ICG land who can speak to the second part of the question?

PATRIK FALSTROM:

I can answer the board issue. The PTI, just like you pointed out, being a separate legal entity, it will have a Board of Directors and have the minimum statutory required responsibilities and powers. The construction of the board would be [a range] of 3-5 people appointed by ICANN, which is the owner and the controller of the [inaudible] PTI.

The board could be, for example, could have three directors employed by ICANN or the PTI. Then two additional directors which are independent and nominated, for example, using the ICANN Nomination Committee.

This is something that's supposed to be very lightweight and avoids the need to replicate any kind of complexity that the multi-stakeholder ICANN board have, and we should remember also – it's also pointed out

that of course the IFR is the external body that is overlooking the relationship between PTI and ICANN. Thank you.

ALISSA COOPER:

Thank you, Patrik. Let us move on to the next question which is from Tijani Ben Jemaa. The question is: "Do the CRISP and the IETF accept that there is legal separation between ICANN and PTI, and the seperability proposed by the CWG?"

Perhaps I can provide an answer from an IETF point of view, and then turn back to Alan for a CRISP point of view.

From the IETF perspective, again, IETF intends to maintain its present arrangements with ICANN, and views the subcontracting to the PTI as a choice on ICANN's part as to how the functions will be carried out. In a sense, the IETF leaves it up to ICANN how the protocol parameters functions will be conducted. Should they choose to move them to the PTI, then that is acceptable as long as the requirements from the MOU are met and the SLA performance targets are also met.

Alan, do you want to speak to the numbers proposal?

ALAN BARRETT:

Thanks, Alissa. From the RIRs' perspective, we intend to enter into a contract, also known as an SLA, with ICANN. We will allow ICANN to subcontract the actual operations through PTI, but the responsibility for ensuring that the terms and conditions are met will be governed by a contract that we have with ICANN directly. I hope that answers the question.

We have no objection to ICANN spinning off a PTI subsidiary, but we don't intend to deal with it directly in terms of contract. Thanks.

ALISSA COOPER:

Thank you, Alan. The next question is from Mu-Young Kim. The question is: "Just for clarification, who does the IETF sign up for MOU with, ICANN or PTI? Who do the RIRs sign up for SLA with, ICANN or PTI? Currently, IETF and RIRs are having MOU with ICANN and the IANA function operator. Does it mean new MOU and SLAs [will be] with PTI, IFO, or ICANN? Thank you."

This is essentially that was just answered I think, so hopefully that is understood that the IETF and RIRs will continue to create their new arrangements with ICANN, and it's up to ICANN to subcontract out the work to PTI. Hopefully that is clear now. Thank you for your question.

The next question is from [inaudible]. The question is: "Can you please elaborate more of ownership on the IANA trademark and domain be transferred to the IETF Trust in slide 23?"

Again, here, I will turn it over to Alan. There's a lot of questions about the numbers proposal today it seems, Alan. So if you're willing to elaborate on this provision of the numbers proposal, please [inaudible].

ALAN BARRETT:

Thanks, Alissa. The CRISP team in writing the numbers proposal said that the IANA ITR – that is the trademark and the domain name and there might be some others – should be held by an entity which is independent of the IANA functions operator. So today we see ICANN as

the IANA functions operator, and I think in the used to we would also see ICANN or perhaps PTI as the IANA functions operator.

Even if PTI is seen as the operator, ICANN is not independent from PTI. Leaving those trademarks with... And are they intellectual property with ICANN – would I think not satisfy the terms of the CRISP proposal, which said that it should be held by an independent organization.

The IETF Trust was just a suggestion of an [inaudible] independent organization. We're open to the idea of putting it somewhere else instead. This is just one of the open items that still have to be agreed between all the operational communities. There are some informal talks going on to discuss how to deal with the trademarks. What ends up happening is not yet clear. I hope that answers the question.

ALISSA COOPER:

Thank you, Alan. Appreciate it. The next question is from [Zang Lee]. "Now the United States exerts too much control and influence on the Internet, so how the transfer of the IANA transition could achieve the maximum fare?"

Jean-Jacques, do you want to speak to this question?

JEAN-JACQUES SUBRENAT:

Sure. Thank you, Alissa. Hello, [Zang Lee]. I'll try to answer that question if I understood it correctly, and it is linked to your previous comment I think. Two comments.

The first is when you say about the current authority which oversees the IANA function – in other words, NTIA which is part of the US government – you [say] there is too much... I think this can be explained by historical reasons because the Internet was created, to a large extent, in the United States and it started off on that basis. So what we see today is the continuation of a situation which can very well be explained for historic reasons.

Now, your second part of the question is about transition of the IANA stewardship. How can that be done in the fairest way? I think your mentioning thinking about government roles. In that sense, I would say two or three things. The first is that the ICG, you may have noticed, is composed also of some members of the GAC, the Government Advisory Committee, in which governments are represented more and more, in fact.

In the case of China, for instance, there is a member, one of our colleagues, who is from China. There was one from Japan, etc. I think that's one way of ensuring some representation.

The other way of doing it is of course that, in the future, the post-IANA structures, it will be interesting to see who presents what candidates for things such as the PTI board, the Post-Transition IANA board, amongst [inaudible]. And in all the oversight functions, which would by then be relinquished by the NTIA.

In brief, my reply is, yes, there is a historical situation, which one understands. And second, things are changing. I think it's in that context that the ICG proposal, which is made up of proposals by the

communities, has its importance because it is one of the elements which may make the Internet international. Thank you.

MOHAMED EL BASHIR:

Thank you, Jean-Jacques. I would like just to add one thing. The multi-stakeholder model is a model to ensure the maximum fairness, as [Zang Lee] has indicated in his question about the fairness. The different stakeholders, the governments or private sector or Internet users or registrars or others, they all have their equal level and they all participate in this process in the future. Thank you.

ALISSA COOPER:

Thank you, Mohamed and Jean-Jacques for your answers. Much appreciated. The next question is from [inaudible]. The question is: "Is the PTI only accountable to RIRs and ICANN, or does its geographical location in the US open it up to interference from governmental bodies?"

I was wondering, perhaps, if Lynn St. Amour might be able to answer think about question. Lynn, do you have audio?

LYNN ST AMOUR:

Hello, can you hear me?

ALISSA COOPER:

Yes, we can hear you. Go ahead, Lynn.

LYNN ST AMOUR: I'm sorry, could you repeat the question again? My [inaudible] for moment.

ALISSA COOPER: Yes. The question is: "Is the PTI only accountable to RIRs and ICANN, or does its geographical location in the US open it up to interference from governmental bodies?"

LYNN ST AMOUR: Putting the IANA function responsibility in the PTI doesn't change the other governance structures that have had relationships with it in the past. So governments or the GAC, through ICANN, will still express their concerns and any considerations in roughly the same manner as we do today. That doesn't impact that.

The IETF and the numbers community, their intent is that they would continue to interact with ICANN as the contract holder with respect to performance [inaudible] issues or concerns, but the day-to-day operations of course would happen with the IANA staff which would be resident in the PTI.

ALISSA COOPER: Thank you, Lynn. Daniel Karrenberg, did you want to add on anything? We don't have audio from Daniel, okay. Jean-Jacques, is that a hand raised to add on an answer to this question?

JEAN-JACQUES SUBRENAT: Yes, Alissa, thank you. I think that the question being posed is about jurisdiction at a certain level after escalation. [inaudible] processes [inaudible] when there is a question of legal jurisdiction and the question is [inaudible] under which set of laws does [inaudible]. Part of the legal terms remains that of ICANN, meaning under California law. Thank you.

ALISSA COOPER: Thank you, Jean-Jacques. Russ Mundy, did you have more to add, or Lynn?

LYNN ST AMOUR: I just wanted to comment on a related point, which [Zang Lee] had said earlier. I think it's important that this is well-understood. In one level, there's not a lot that's changing with the US government's oversight role going away. Much of the oversight that the world actually cares about actually happens in the three operating communities. Most of those processes stay the same – sense of openness, inclusiveness, outreach, consensus models. That's where the really robust participation should take place, whether it's support or developing new policies or trying to engage or improve current policies.

I sometimes think the whole question of jurisdiction doesn't actually take into account the real effects [inaudible] the operations and the various roles in each one of the three operating communities.

For years, [inaudible] had to make that more clear. There are three operating communities. There are a minimum of three roles – policy,

oversight, and implementation. I think what we all care about is the policy and the oversight. That takes place in those communities with their own processes that focus on accessibility and openness and fairness and equal voices, and sometimes [inaudible] multi-stakeholderism.

But if people really do have concerns about the processes or want to influence [inaudible] in those operating communities at the time of the policy processes.

I hope that was helpful in terms of adding a little more background and context.

ALISSA COOPER:

Thanks, Lynn. I think it was. I appreciate your additional intervention. Very helpful. Let's take the next question, which is from Tijani Ben Jemaa. The question is: "So I understand from your answer that you, protocols, and numbers don't mind that PTI may be structurally separated from ICANN, since this option is envisaged by the CWG."

I think [inaudible] confirmation from our earlier discussions. I think it is correct that the protocols and numbers communities don't mind the legal separation that is put forth by the CWG. I think that is correct. Thank you for confirming.

The next question, unless – I don't see anybody else jumping in on that one. That's one that we've discussed before. The next question is from [inaudible]. The question is: "Will the SLA between the RIRs and ICANN

be one single agreement or five individual agreements, one per RIR with identical content?”

Alan Barrett, would you like to answer that?

ALAN BARRETT:

Sure. The idea is that there will be a single agreement which will be signed on the one hand by ICANN, on the other hand by the five RIRs. So six signatures all together to a single agreement. A draft of the SLA has been published I think yesterday. It might have been earlier today. If you go to the nro.net website, the very first news item is a call for comments on the draft SLA. You can read it there.

ALISSA COOPER:

Thank you, Alan. That I think brings us to the end of our question queue. We do have a few minutes left, so if there are other questions, please write them in the chat or raise your hand if we have any final questions before we close. I see a few people typing, so we'll just give people a moment in case there's any further questions.

I see a new question in the chat. The question is from [Asha] [inaudible]. The question is: "Has there been any pros, cons, risk analysis done on the transfer on the IANA trademark to the IETF Trust?"

I can give a little bit of a background from the IETF side, and then I ask Alan to give the numbers community perspective.

From the IETF's point of view, the ICG inquired with the IETF about its willingness to support the proposal that came out of the numbers

community. That included an analysis by the IETF trust itself of whether it was willing and able to hold the marks and the domain name. The IETF trust has confirmed that they are willing and able to do that. So there has been some analysis done on that side.

The IETF community also discussed this topic at length in development its transition proposal and again did not have a particular position articulated in its own proposal, but afterward determined that it is willing to support the IETF Trust in holding the mark.

I should say that wasn't necessarily a pro forma conclusion, because the IETF Trust is [limiting] the number of trustees and they have other responsibilities. They did have to make a considered determination of whether this was a responsibility that the Trust itself was willing to take on and that the community was willing to support. And both of those answers were in the affirmative.

Alan, can you speak to this from the numbers point of view [inaudible] analysis that was done?

ALAN BARRETT:

Sure. The CWG contracted a law firm to do an analysis that was published in the past few days I think. It might have been last week. The RIRs have not formally responded to that analysis, but I think we might. I don't know that I can give much more detail than that. I think all I can say for now is that the RIRs [inaudible] difficulty, but clearly some other parts of the community do see a difficulty. It's something we're going to have to discuss and work out.

ALISSA COOPER: Alan, perhaps if you could speak to the analysis that went into the formulation of the numbers position, that's actually more what I was thinking of to the extent that you and the numbers community [inaudible].

ALAN BARRETT: Okay, I can give some background on that. The IANA ITR in our view, speaking as a member of the numbers community and I was a member of the CRISP team at the time, although I am no longer, was that the IANA trademark and the IANA domain name should be associated with all of the IANA functions. That is, names, numbers, and protocol parameters jointly and not with only some subset of the IANA functions.

Because different operational communities might be able to move the operator away from ICANN in the future, we felt it useful to make sure that the intellectual property was held by an independent organization that was not associated with – well, certainly not with the numbering services operator, and preferably also not with the operators of any other parts of the IANA functions.

This is partly to facilitate a transition to another operator if that's ever necessary in the future. For the time being, we are very happy with ICANN as the IANA functions operator. But the possibility does exist that in some distant future, something goes wrong and people want to move the function away from ICANN. And at that time, we felt it would be useful if the intellectual property was held in some mutual place. We believe that the IETF trust is a suitable neutral place partly because the

IETF is the origin of the whole concept of IANA, and part because the IETF Trust has a history of being able to look after intellectual property related to Internet trademarks. They have the IETF trademark and I think a few others.

Is that what you were looking for, Alissa?

ALISSA COOPER:

Thank you. Yes, it was. Thank you, Alan. I think as Alan noted and has been noted in the chat, there is a legal analysis that has been produced by the law firm that the names community has been consulting with in developing its transition proposal and that has just been published a few days ago.

And the other operational communities as well as the names community are still evaluating that analysis. There's more discussion ongoing as regards to the IANA intellectual property issues.

We have hit the end of our allotted time. I think we had one more question that came in before the time ran out, so I think we should take the one final question from Tijani. Otherwise, we will need to wrap at the end of Tijai's question. Hopefully our tech folks and interpreters are able to stay on for just a couple more minutes, so that we can finish that last question that came in before the 90-minute mark.

The question from Tijani Ben Jemaa is as follows: "Sorry. The CWG proposes not only legal separation but a full separation in case the names community finds it necessary. Is this okay for the numbers and protocol communities?"

Thank you, Tijani. I apparently misunderstood your prior question. I think what I would say – and again, we can open up to anyone else from the ICG – is that, actually, each of the communities has the feature that you are referencing, which is that each of the communities independently has established as part of its accountability mechanisms the ability to switch to a different IANA function operator should the need arise. So it's contemplated not only in the CWG portion of the proposal, but also in the others. And these are independent, I would say, accountability mechanisms that each of the communities has built in to their proposal.

I don't think it's necessarily explicit in the proposal itself, but the fact that each community feels empowered to separate I think means that, should a separation occur, they are certainly willing to account for that in their set of accountability mechanisms because they've established that right for themselves, each of them.

Hopefully, that gets more to the question that you were looking for an answer for.

I think at this point we need to close because the interpreters have concluded and already run five minutes over on their time. Thank you to everyone for joining the webinar. The transcript and the audio recording – sorry, not the transcript, but the chat transcript and the audio recording will be available on the ICG website. Please do submit your public comments in the public comment period before September 8th.

Thanks, everyone. And thank you to all the ICG members who joined and answered question. And thank you to all the people who posed the questions. Very good session.

[END OF TRANSCRIPTION]