COMMENTS IN RESPONSE TO THE PUBLIC COMMENT ON THE IFRT’S INITIAL REPORT

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# Notable Comments

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Regarding Recommendations** | **Regarding the general work of the IFRT** | **Concerns** | **Other Notable Comments** |
| **ALAC** | We encourage the ICANN Board to fulfill these recommendations as indicated in the report. | The ALAC also congratulates the IANA Naming Function Review Team for the methodology used in the elaboration of the review. |  |  |
| **i2Coalition** | In particular, we fully agree with both recommendations surrounding further enhancements to the transparency of the IFR process, and call for the swift implementation of both transparency recommendations. | In this first review, the community has done an effective job of ensuring that contracts are reviewed in a proper and timely manner. |  | We are proud of the work the community has done in fulfilling what was promised during the IANA transition, and thank the community for their effective stewardship of this important function |
| **BC** | the BC supports the four recommendations | The BC thanks the IFR team for a job well done and notes the Initial report is in compliance with Article 18 of IANA Naming Function Reviews. The BC further notes that the evaluation of the PTI’s performance found that PTI is operating with a great deal of operational efficiency and is serving the needs of IANA customers.  It is also pleasing to note that the IFR identified no major areas of deficiency or operational improvement that PTI has not already identified internally or in conjunction with the CSC. | , we are concerned that the first two recommendations call into question PTI’s accountability to the community, for which the BC was a major proponent. Could that gap be an oversight from scheduled staff activity list? |  |
| **NCSG** | All four recommendations elaborated by the IFRT are adequate and should be adopted, with priority on the first two (IFRT-2020-Rec1 and Rec2) that have a more potentially positive impact. At this moment, the first one is in the process of being implemented, while the second one already has; | The initial report seems to have found that the functioning of the PTI is generally adequate and commendable, with few proposals of changes; | Other observations  The NCSG highlights, when the moment comes, the need of establishing spaces for policy discussion related to the .INT TLD (p. 15). | and the section of the report related to Section 18.3.(c) of the Bylaws.  Although the Report seems to refer to the above-mentioned Section as “5.4” (see pp. 13, 14 and 52), the contract clauses are analyzed in Section 5.3 (p. 15-51) of the document. It’s also worth mentioning that Section 5.5 is skipped right after. |
| **RySG** | We are pleased to note that the RySG supports each of the recommendations contained therein, as we believe they will increase transparency and improve efficiencies going forward. | We note that the review progressed according to its schedule after the Review Team was established and we are encouraged to see the ICANN community fulfilling the commitments made during the IANA transition. |  |  |
| **RSSAC** | the RSSAC supports all four of the recommendations in section 2 of the IFRT Initial Report. |  |  |  |

# At-Large Advisory Committee (ALAC)

**ALAC Statement on IANA Naming Function Review (IFR) Initial Report**

On 08 October 2020, Public Comment opened for ​IANA Naming Function Review (IFR) Initial Report​. On the same day, an At-Large ​workspace was created for the statement. The At-Large Operations, Finance and Budget Working Group (OFB-WG), decided it would be in the interest of end users to develop an ALAC statement on the Public Comment, and Ricardo Holmquist, Chair of the OFB-WG, volunteered to draft the ALAC statement.

On ​03 November 2020​, Ricardo Holmquist presented to the OFB-WG on points of consensus. The OFB-WG provided input on the At-Large points of consensus, and a draft statement was developed.

On 13 November 2020, Ricardo Holmquist shared the first draft of the ALAC statement which was copied by staff onto a Google Doc. ICANN Policy staff in support of the At-Large community ​posted the Google Doc and draft to its workspace​ and issued a call for comments to the OFB-WG.

On ​18 November 2020​, the OFB-WG discussed the ALAC statement, including any final comments from the OFB-WG members. The OFB-WG made final comments on the ALAC statement and recommended it be submitted to ICANN Public Comment.

On 19 November 2020, Ricardo Holmquist finalized the ALAC statement. The ALAC Chair, Maureen Hilyard, requested that the statement be ratified by the ALAC before submission to ICANN Public Comment.

On 25 November 2020, staff confirmed the online vote resulted in the ALAC endorsing the statement with 14 votes in favor, 0 votes against, and 0 abstentions. Please note 93.33% (14) of the 15 ALAC Members participated in the poll. The ALAC Members who participated in the poll are (alphabetical order by first name): Abdulkarim Oloyede, Dave Kissoondoyal, Gregory Shatan, Holly Raiche, Joanna Kulesza, Jonathan Zuck, Justine Chew, Marita Moll, Matthias Hudobnik, Maureen Hilyard, ​Pari Esfandiari, Sarah Kiden, Sindy Obed and Sylvia Herlein Leite​. One ALAC Member, ​Carlos Raul Gutierrez​, did not participate in the poll. You may view the result independently under:

https://www.bigpulse.com/pollresults?code=1340978DhFa6stxdvPVd3v9kaaw

On 25 November 2020, the ALAC Chair, Maureen Hilyard, requested that the statement be submitted to ICANN Public Comment.

**ALAC Statement on IANA Naming Function Review (IFR) Initial Report**

The ALAC appreciates the opportunity to comment on the ​IANA Naming Function Review (IFR) Initial Report​.

We encourage the ICANN Board to fulfill these recommendations as indicated in the report.

The ALAC also congratulates the IANA Naming Function Review Team for the methodology used in the elaboration of the review.

# The Internet Infrastructure Coalition (i2Coalition)

The Internet Infrastructure Coalition (i2Coalition) appreciates the opportunity to comment on IANA Naming Function Review (IFR) Initial Report.

The i2Coalition’s diverse membership represents both large and small Internet infrastructure providers such as web hosting companies, software services providers, data centers, registrars and registries. The i2Coalition has several key goals within ICANN, but chief among them is continuing to build a voice for underrepresented parts of the Internet ecosystem – in particular web hosts, data centers and cloud infrastructure providers – and ensuring that accountability and transparency are paramount. The i2Coalition brings unique representation to ICANN as it is made up of companies representing the broad ecosystem of Internet infrastructure companies.

It is important that ICANN’s stewardship of the IANA function is properly maintained by the global multistakeholder community to which this has been entrusted. In this first review, the community has done an effective job of ensuring that contracts are reviewed in a proper and timely manner. In particular, we fully agree with both recommendations surrounding further enhancements to the transparency of the IFR process, and call for the swift implementation of both transparency recommendations.

We are proud of the work the community has done in fulfilling what was promised during the IANA transition, and thank the community for their effective stewardship of this important function.

# Business Constituency (BC)

**Background**

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter:  
The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:

1. promotes end-user confidence because it is a safe place to conduct business
2. is competitive in the supply of registry and registrar and related services
3. is technically stable, secure and reliable.

**BC comment on IANA Naming Function Review (IFR) Initial Report1**

The Business Constituency (BC) is pleased to provide this comment on the IANA Naming Function Review (IFR) Initial Report.

The BC thanks the IFR team for a job well done and notes the Initial report is in compliance with Article 18 of IANA Naming Function Reviews. The BC further notes that the evaluation of the PTI’s performance found that PTI is operating with a great deal of operational efficiency and is serving the needs of IANA customers.

It is also pleasing to note that the IFR identified no major areas of deficiency or operational improvement that PTI has not already identified internally or in conjunction with the CSC.

The IFR team largely by consensus made the following four (4) recommendations:

**IFR Recommendation 1**

Contractual Reference: IANA Naming Function Contract, Article IX, Section 9.3 (a), (b), (c)

The IFR recommends that PTI publish IANA functions transition plan as required by the IANA Naming Function Contract.  
Expected Due Date: ICANN Board Recommendation Approval + 30 Days

**Evaluation Criteria**

1. The Transition Plan is posted publicly on iana.org Priority: High

**IFR Recommendation 2**

Contractual Reference: IANA Naming Function Contract, Article VI, Section 6.1 (d)

The IFR recommends that the Annual Attestation of the PTI President that PTI has complied with the requirements of Section 6.1 of the IANA Naming Function Contract be posted on iana.org annually.  
Expected Due Date: ICANN Board Recommendation Approval + 90 Days

1 ICANN comment page, at https://www.icann.org/public-comments/ifr-initial-report-2020-10-08-en

**Evaluation Criteria**

1. The annual attestations for previous years are posted publicly on pti.icann.org  
2. A procedure is put in place to ensure future attestations are published on pti.icann.org. Priority: Medium

**IFRT Recommendation 3**

Contractual Reference: ICANN Bylaws Section 18.3(j) and IANA Naming Function Contract Article VIII, Section 8.2

The IFR in conjunction with the CSC has identified a duplication in the ICANN Bylaws. The remedial action procedures as generated by the CSC and PTI are IFR Initial Report referred to as components in the initiation of the Special IFR as outlined in Section 18.12.a of the ICANN bylaws.

However, the CSC and the IFR have identified that section 18.12.a (ii) is redundant as the RAP and the IANA problem resolution process were combined into a single set of procedures (the RAPs) by the CSC.  
The recommendation is that ICANN board considers removing the redundant section 18.12.a (ii) Expected Due Date: ICANN Board Recommendation Approval + 365 Days

**Evaluation Criteria**

1. The ICANN board initiates a legal review of Section 18.12.a (ii) of the ICANN bylaws.  
2. If the legal review agrees with the recommendation of the IFR, a vote should take place within 365 days of the ICANN board approval of this recommendation to remove or amend Section 18.12.a (ii) of the ICANN bylaws.  
Priority: Medium

**IFRT Recommendation 4**

Contractual Reference: IANA Naming Function Contract, Article VII, Section 7.1 (a) Expected Due Date: ICANN Board Recommendation Approval + 180 Days

Recommendation Summary: In Article 7 Section 7.1 (a) the IFR recommends that this statement,"The relevant policies under which the changes are made shall be noted within each monthly report", be removed from the contract, as it is a legacy statement from the NTIA contract that is no longer required. Implementation of this requirement has long been recognized as being operationally impracticable, ever since the time of the NTIA contract, and the IFR is satisfied that its continued inclusion in the Contract adds no value to the reports.

**Evaluation Criteria**

1. The contractual text is updated, and the new contract is posted publicly Priority: Low

**Concluding Comment**

While the BC supports the four recommendations, we are concerned that the first two recommendations call into question PTI’s accountability to the community, for which the BC was a major proponent.

Could that gap be an oversight from scheduled staff activity list?

The BC looks forward to PTI satisfying all the recommendations once the Final Report is published and are approved by the Board.

This comment was drafted by Jimson Olufuye. It was approved in accord with our charter.

# [Non-Commercial Stakeholders Group (NCSG)](https://gnso.icann.org/en/about/stakeholders-constituencies/ncsg)

**Statement of the Non-Commercial Stakeholders Group on the IANA Naming Function Review Team Initial Report**

**Background and first remarks**

1. The [Non-Commercial Stakeholders Group (NCSG)](https://gnso.icann.org/en/about/stakeholders-constituencies/ncsg) welcomes the opportunity to provide input on the IANA Naming Function Review Team Initial Report (IFRT).
2. The NCSG represents the interests of non-commercial domain name registrants and end-users in the formulation of Domain Name System policy within the Generic Names Supporting Organisation. We are proud to have individual and organizational members in over 160 countries, and as a network of academics, Internet end-users, and civil society actors, we represent a broad cross-section of the global Internet community. Since our predecessor - the Non-Commercial Domain Name Holders Constituency (NCDNHC) - inception in 1999, we have facilitated global academic and civil society engagement in support of ICANN’s mission, stimulating an informed citizenry and building their understanding of relevant DNS policy issues.
3. Following [Article 18 of the ICANN bylaws](https://www.icann.org/resources/pages/governance/bylaws-en/#article18) for providing accountability mechanisms to the IANA stewardship, on 16 September 2018, the first IFR was convened by the ICANN Board. [The team was assembled on 26 September 2019](https://www.icann.org/news/announcement-2019-09-26-en), having appointed as co-chairs Frederico Neves (by the ccNSO) and Tomslin Samme-Nlar (by the GNSO).
4. After defining the [Rules of Engagement](https://community.icann.org/display/ifr/Rules+of+Engagement) on 13 January 2020, The [Scope of Work](https://community.icann.org/display/ifr/Scope+of+Work) was published and detailed on 04 February 2020, while the [Work Plan](https://community.icann.org/display/ifr/Work+Plan) was published on 18 February 2020, while relevant news and information were being published in the [IFR Wiki](https://community.icann.org/display/ifr). The announcement of the completion of these documents was made on 31 March 2020, and a Webinar presenting the recommendations before their publication was developed on 29 September 2020.
5. The [Initial Report](https://www.icann.org/public-comments/ifr-initial-report-2020-10-08-en) was then published on 2 October 2020, with initial findings, analysis, issues, and recommendations. The Public Comment period opened from 8 October 2020 to 2 December. An ICANN69 Webinar ([Engagement Session with the IANA Naming Function Review Team](https://69.schedule.icann.org/meetings/La9ZEHapEepdARBy9#/?limit=10&sortByFields%5B0%5D=isPinned&sortByFields%5B1%5D=lastActivityAt&sortByOrders%5B0%5D=-1&sortByOrders%5B1%5D=-1&uid=a6ijir8iemBHYWRru)) presenting the most important points was transmitted on 22 October 2020, gathering some first impressions about the report.
6. Four main recommendations were made by the IFRT:
   1. as the highest priority, that PTI publishes the IANA functions transition plan as required by the IANA Naming Function Contract;
   2. that the Annual Attestation of the PTI President that PTI has complied with the requirements of Section 6.1 of the IANA Naming Function Contract be posted on iana.org annually;
   3. in conjunction with the CSC, it was identified duplication in Section 18.12.a (ii) of the ICANN bylaws, so it’s removal should be considered by the ICANN board;
   4. as the lowest priority, that the statement “the relevant policies under which the changes are made shall be noted within each monthly report" in Article VII, Section 7.1 (a) of the [IANA Naming Function Contract](https://pti.icann.org/agreements) should be removed from the contracts since it is no longer required and considered operationally impracticable.
7. This document will analyze these recommendations and review findings on the Bylaws, focusing on the first recommendation (marked as high priority) and the section of the report related to Section 18.3.(c) of the Bylaws.
   1. Although the Report seems to refer to the above-mentioned Section as “5.4” (see pp. 13, 14 and 52), the contract clauses are analyzed in Section 5.3 (p. 15-51) of the document. It’s also worth mentioning that Section 5.5 is skipped right after.

**Recommendations and related contract or bylaws sections**

1. Related to Article IX, Section 9.3 (p. 32 of the report) of the IANA Naming Function Contract, the text explicitly mentions that “The transition plan shall be submitted to ICANN and posted to the IANA Website within 18 months after the Effective Date”. Taking that into consideration, IFRT-2020-Rec1 is not just a desirable action that would benefit those interested in accompanying and reviewing IANA related issues, but also a relevant contractual obligation that is currently not complied with.
   1. This recommendation is also aligned with the NCSG's commitment to high levels of transparency and accountability within ICANN. Its high priority is correctly emphasized.
   2. [ICANN is in the process already of working with PTI to publish the IANA services transition plan](https://icann69.pathable.co/meetings/La9ZEHapEepdARBy9#/?limit=10&sortByFields%5B0%5D=isPinned&sortByFields%5B1%5D=lastActivityAt&sortByOrders%5B0%5D=-1&sortByOrders%5B1%5D=-1&uid=a6ijir8iemBHYWRru);
2. Related to Article VI, Section 6.1 (d) (p. 23 of the report) of the IANA Naming Function Contract, the IFRT recommended (IFRT-2020-Rec2) the publication of the Annual Attestation that the “Contractor has complied with the requirements of this Section 6.1”, signed by the PTI President and the GM of the contractor.
   1. As before, this recommendation is also aligned with the NCSG's commitment to high levels of transparency and accountability within ICANN;
   2. The public access of these document, that is already being signed annually, isn’t accompanied by relevant risks (such as confidentiality needs) or significant extra burdens to the involved parties;
   3. This publication would also be aligned with the teleology of the other parts of Article VI, Section 6.1, which focus on enhancing “consistency, predictability, and integrity in Contractor’s decision-making related to the IANA Naming Function”.
   4. [ICANN has already started publishing these attestations;](https://pti.icann.org/agreements)
3. Related to Article VIII, Section 8.2 (p. 30 of the report), and especially to Sections 18.3.(j) (p. 58 of the report) and 18.12.(a).(i and ii) of the ICANN Bylaws, the IFRT noticed that the conditions established there were redundant since the RAP and the IANA problem resolution process were combined into a single set of procedures (the RAPs) by the CSC. Because of that, the recommendation (IFRT-2020-Rec3) was that Section 18.12.(a).(ii) should be suppressed.
   1. The NCSG concur with the Recommendation, highlighting only that, if any part of Section 18.12.(a).(ii) should be considered to remain relevant, Section 18.12.(a).(i) could be modified to address the relevant issue.
4. Related to Article VII, Section 7.1 (p. 24 of the report), the IFRT noted that the text “The relevant policies under which the changes are made shall be noted within each monthly report” is currently a merely formal requirement that does not add value to the monthly reports made, recommending (IFRT-2020-Rec4) its suppression.
   1. The NCSG agrees that, if this requirement is widely seen as impracticable and substantially has little-to-no positive impacts on accountability, there’s no need to maintain it.

**Other observations**

1. The NCSG highlights, when the moment comes, the need of establishing spaces for policy discussion related to the .INT TLD (p. 15).

**Conclusion**

1. As a result of what was presented before, the NCSG concludes, in summary, that
   1. All four recommendations elaborated by the IFRT are adequate and should be adopted, with priority on the first two (IFRT-2020-Rec1 and Rec2) that have a more potentially positive impact. At this moment, the first one is in the process of being implemented, while the second one already has;
   2. The initial report seems to have found that the functioning of the PTI is generally adequate and commendable, with few proposals of changes;
2. We are thankful for opening the conversation with the community, and for the opportunity to share our views, trusting that our opinions would be useful to corroborate the adopted positions. Finally, the NCSG would be happy to participate in any further discussions related to the subject of this present contribution to answer any clarifying questions that you may have regarding the contents of this document.

# Registries Stakeholder Group (RySG)

Public Comment: **IANA Naming Function Review (IFR) Initial Report** Date statement submitted: **2 December 2020**

Reference url:

https://www.icann.org/public-comments/ifr-initial-report-2020-10-08-en

Background1  
The **scope** of the IANA Naming Function Reviews is defined by ICANN Bylaws Article 18.

IANA Naming Function Review (IFR) Initial Report (2 October 2020) available here .

Registries Stakeholder Group comment

The Registries Stakeholder Group (RySG) welcomes the opportunity to comment on the IANA Naming Function Review (IFR) Initial Report and extends its thanks to the members of the Review Team for their work on this effort.

Members of the RySG operate generic top-level domains via contracts with ICANN, and are the direct customers of the IANA Naming Function. We recognize the important role the IFR plays in ensuring the ongoing accountability of PTI as the steward of the IANA function and as such have reviewed the Initial Report with keen interest. We are pleased to note that the RySG supports each of the recommendations contained therein, as we believe they will increase transparency and improve efficiencies going forward.

We note that the review progressed according to its schedule after the Review Team was established and we are encouraged to see the ICANN community fulfilling the commitments made during the IANA transition.

*Registries Stakeholder Group (RySG) Comment – In the interest of time, we did not conduct a vote on these comments. We did discuss them on our mailing list and during a biweekly conference call, and no member opposed their submission.*

1 *Background: intended to give a brief context for the comment and to highlight what is most relevant for RO’s in the subject document – it is not a summary of the subject document*

# Root Server System Advisory Committee (RSSAC)

**Statement on IANA Naming Function Review Initial Report 2 December 2020**

**1 Background**

On 8 October 2020, the IANA Naming Function Review Team (IFRT) published a public

1  
comment proceeding on its initial report. This statement represents the RSSAC’s full input to

this public comment proceeding.

The RSSAC welcomes this opportunity to comment on the IANA Naming Function Review initial report, and would like to thank IFRT for preparing this initial report and submitting it for public comment.

**2 Scope of RSSAC’s Advice and Considerations**

Per the ICANN Bylaws, the role of the RSSAC “is to advise the ICANN community and Board on matters relating to the operation, administration, security, and integrity of the Internet’s Root Server System.” With that in mind, the RSSAC supports all four of the recommendations in section 2 of the IFRT Initial Report.

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1 See IANA Naming Function Review Initial Report, https://community.icann.org/pages/viewpage.action?pageId=120819021&preview=/120819021/150175847/IFR%20 Initial%20Report%202Oct2020.pdf

RSSAC053  
Approved by the RSSAC on 1 December 2020