Comments on SSR Review Fieldwork Planning" document dated July 11, 2011 (attached)

· **Overarching observations**: As the Team has often noted, achieving the appropriate scope and specificity level for its work is an ongoing challenge. In our view, there are elements in the attached that could be recalibrated to better fit within the Team's objectives. For example, some issues/questions appear to be repetitive of those addressed in organizational reviews that were recently completed (e.g. may want to consider the implementation of changes recommended by the SSAC and RSSAC reviews that are within the scope), and some issues/questions might be too technical and specific (e.g. examining the number and location of root servers rather than the processes used to define and locate them). In addition, the Team may want to refine the issues/questions it is working on to make them appear less subjective. We have seen various review groups in the past (structural, policy, etc.) struggle with moving beyond personal opinions to fact-based analysis and conclusions, and the most successful reviews compiled a strong record of neutral, fact-based information gathering and deliberations.

· **Issues/questions 1, 2,3, 16:** – "Does ICANN have a clear, unambiguously stated remit for SSR? What is ICANN's 'limited technical mission'? Has ICANN, intentionally or unintentionally, deviated from the agreed / understood remit? Is the plan consistent with ICANN's 'limited technical mission'?" – It is unclear whether the "Observations" are one person's opinion or the majority of the Team's based on data reviewed thus far. The statement that "There is no reference in the mission statement, charter or bylaws that reference any Operational role for ICANN or the IANA," for example, seems to be a very narrow, unique reading of ICANN's mission, core values and bylaws, and it is not clear what definition of "operational role" is being used.

Further, the "Observations" in these issues/questions seem to contradict each other, stating that the remit is not "clear enough," and ICANN has a "limited technical mission," and "ICANN has deviated from its remit."

· **Issue/question 4:** – In addition to talking to Patrick Jones about the assignment of documented tasks, we recommend the Team also discuss

this with former SSR Staff lead, Greg Rattray, and current lead, Jeff Moss.

· **Issue/question 5 (1.2, 1.2.1):** – Although the stated intention is "clarifying ICANN's relationships with SOs and ACs," only the relationship with the RSSAC is highlighted. As the current SSR-related cross-constituency working group demonstrates, all SOs and ACs have views and relationships on this topic. If you believe this is within your mandate, the Team may want to consider engaging all these groups in some fashion (beyond their current Chairs, as not all SO and AC leaders are empowered to speak for their groups on this topic). It is unclear what the nature of the additional text included in the issue/question column for #5 is. (Opinion? Excerpt from previous RSSAC review?) It would be useful to clarify this and provide more context.

· **Issues/questions 6, 45bis:** – Regarding "how ICANN defines its goal of 100% uptime for the DNS…," Staff notified the Team that this goal previously was in the 2010-2013 Strategic Plan, but was changed in the current 2011-2014 Strategic Plan adopted at ICANN's San Francisco meeting. Accordingly, 100% DNS Uptime is no longer a Strategic Objective for ICANN, so we recommend the Team refer to the current wording (plan is online and linked on SSR wiki).

· **Issues/questions 44, 45:** – Questioning the number of root servers and their placement would take the Team into highly technical, detailed issues. It would seem more appropriate and within scope for the Team to look at whether there were clear definitions and processes for addressing these issues. Further, questions surrounding the "right architecture" would seem to be the remit of RSSAC, and Staff would expect the intersection with this review (again) to be whether or not there was a process in place to answer such questions.

· **Issue/question 8:** – The relationship between ICANN and RSSAC was addressed in the RSSAC review, which is posted online and linked in the SSR RT wiki.

· **Issues/questions 11, 19:** – Similarly, the relationship between ICANN and SSAC was addressed in the SSAC review, which is posted online and linked in the SSR RT wiki. In addition, if these issues/questions are alluding to the

Bylaws change from the ICANN San Francisco meeting (moving the responsibility for risk landscape out of SSAC), Staff and (especially former SSAC Chair, Steve Crocker) can provide more information on the history and activities in this area. The observation that "responsibility should continue with the SSAC" is contrary to SSAC's request and the SSAC Review implementation. The Board is forming a working group that will guide further DNS risk analysis work.

· **Issues/questions 16, 17:** – Staff would be happy to share feedback it received from the community at the Singapore meeting on the latest version of the SSR Framework. The use of best practices such as SMART is being explored by Staff and we especially look forward to receiving the Team's guidance on this.

· **Issue/question 19:** – Regarding the (personal view? Team finding?) that there is "no mechanism for reviewing threats on a regular basis," Staff would be happy to review with the Team the section in the current SSR Plan on emerging threats, which was discussed in numerous public consultation sessions, including those in Singapore.

· **Issue/question 22:** – Regarding contract enforcement, Staff would be happy to provide additional information on the responsibilities and activities of ICANN in this area, and discuss further the relevant portions of the SSR Plan and how the greater business community was engaged on this topic. We also can provide, if needed, suggestions of members of the community and experts (such as Rod Rasmussen) for the Team to interview.

· **Issue/question 23:** – On the (personal view? Team finding?) that participation in development of the SSR Plan was lacking and was not promoted enough, Staff always welcomes constructive suggestions that help us build on past engagement efforts. Past efforts are detailed in documents linked on the SSR RT wiki and Staff would be happy to discuss these efforts in detail, which began with pre-publication briefings, discussions and input and continued through the interactions that are documented on our website. The Team may also find it useful to seek the views of community groups such as At-Large and SSAC on their participation in this process and potential improvements. The element of #23 that addresses implementation and measurement of the SSR Plan and

its activities sounds particularly promising as Staff is actively seeking input on methods of implementation tracking, benchmarking and metrics.

· **Issues/questions 33, 34, 36:** – It seems to Staff that, while some elements of the IANA functions and ICANN's contract with NTIA are within the Team's scope, the opinion of whether there is "contention" between the contracted parties is outside the Team's scope. In terms of the clarity of the relationship between ICANN and the IANA functions ICANN performs, information is linked on the SSR RT wiki and Staff would be happy to discuss this further. Regarding the "risks" involved in ICANN's IANA functions contract, the Team might find it useful to review ICANN's enterprise risk management activities and the Board Risk Committee's analysis, which are linked on the Team's wiki, and we also suggest the Team talk to Risk Committee members Bruce Tonkin and Steve Crocker on this topic, in addition to Elise Gerich, VP IANA.

· **Issue/question 43:** – Regarding "the 3 risks to the DNS that are being most poorly managed," Staff suggests the Team review the activities underway with the DSSA-Working Group. If Team members have initial observations about their work, we're sure the Working Group (and its supporting Staff) would appreciate hearing them.