

## CWG IANA Transition Design Teams – Status 5 March 2015

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<b>Design Team A.</b>	<b>IANA Service Levels Expectations</b>
<b>Draft Transition Proposal Reference</b>	III.A.1.4.2 Accountability functions which require IANA to report on specific aspects of its performance.
<b>Summary Description</b>	Section C.4.2 of the IANA Functions Contract for NTIA outlines the requirements for the monthly performance progress report. The transition proposal will need to detail how these requirements are continued and/or modified post-transition. Currently, these reports are public and list the current SLEs - these can be found at: <a href="http://www.iana.org/performance/metrics/20130915">http://www.iana.org/performance/metrics/20130915</a>
<b>Detailed description</b>	This design team is expected to provide the following deliverables to be included in the draft transition report following CWG agreement: <ol style="list-style-type: none"> <li>1. Review the IANA functions and their current SLEs</li> <li>2. Document, list and detail how these current SLEs should be modified as part of the transition proposal to address any gaps or issues that were identified</li> </ol> <p>Following the completion of this specific task, this DT may continue if directed by the CWG Co-Chairs (in the same, or in a slightly modified composition) to address other elements that closely relate to the SLE namely escalations, documentation, reporting and collaboration.</p>
<b>Proposed Membership</b>	3 gTLD registry representatives (note, the RySG has already proposed the following names: Jeff Eckhaus, Jeff Neuman, Elaine Pruis) 3 ccTLD registry representatives, Jay Daley, (AP Region), Patricio Poblete (LAC Region) and Paul Kane (Europe).
<b>Proposed by / Lead</b>	Paul Kane
<b>Status</b>	<b>Proposed</b>
<b>Determination by CWG Chairs</b>	

<b>Design Team B.</b>	<b>IAP – Appeal Mechanism for ccTLD Delegations / Redelegations</b>
<b>Draft Transition Proposal Reference</b>	III.A.1.1.3
<b>Summary Description</b>	The focus of the Design Team on Appeal Mechanism for ccTLD Delegations and Redelegations will be on establishing the potential parameters of an appeal mechanism for ccTLD delegations and redelegations.
<b>Detailed description</b>	On January 30 <sup>th</sup> CWG RFP3 reviewed a detailed document (available <a href="#">here</a> ) summarizing the status of the IAP proposal and information flowing from the survey. During the RFP3 discussion, it was noted that the IAP is in response to a request from ccTLDs. RFP3 concluded with the following 'Request/Action:' "ccTLD members and participants in CWG to

	<p>come up with a consistent proposal on IAP” (see <a href="https://community.icann.org/pages/viewpage.action?pageId=52232278">https://community.icann.org/pages/viewpage.action?pageId=52232278</a>)</p> <p>Later that day, January 30, the CCWG of Accountability sent a <a href="#">letter</a> to the CWG indicating that it has begun to elaborate its own work and that it will include consideration of binding redress mechanisms. It has subsequently established an ‘Appeals and Redress’ work stream. In their January 30<sup>th</sup> letter, the CCWG also said that it has no intention to give an accountability mechanism decision-making powers relating to the (re)delegation of ccTLDs.</p> <p>In light of this, it is proposed that a Design Team consider the question of the potential need for a ccTLD delegation and redelegation appeal mechanism and the potential parameters of this.</p>
<b>Proposed Membership</b>	It is proposed that the Design team be made up of two to three ccTLD representatives and one or two GAC representatives. The DT will investigate the potential to include an expert that may have been identified to work with the CCWG on Accountability.
<b>Proposed by / Lead</b>	Allan MacGillivray, CIRA - .ca, supported by Maarten Simon SIDN - .nl
<b>Status</b>	<b>Proposed</b>
<b>Determination by CWG Chairs</b>	

<b>Design Team C.</b>	<b>CSC</b>
<b>Draft Transition Proposal Reference</b>	III.A.1.3 – Administration / oversight of Statement of Work (SOW)
<b>Summary Description</b>	This design team will develop proposed language for inclusion in the draft proposal relating to section III.A.1.3 – Administration / oversight of statement of work.
<b>Detailed description</b>	<p>NTIA currently provides and ensures the administration and day-to-day oversight of the statement of work. It was agreed that these functions will have to be replaced following the transition.</p> <p>Building on the 1 December Draft Transition Proposal (section 3.4.2.1) and taking into account the work undertaken by RFP3 in particular the functional analysis of the CSC, the design team is expected to describe the:</p> <ol style="list-style-type: none"> <li>Role and responsibilities of the CSC in relation to the administration and oversight of the statement of work;</li> <li>Identify and list IANA reports that are currently provided to the NTIA or provided as a result of the IANA Contract and specify and list those that are expected to be provided by the IANA Functions Operator post-transition;</li> <li>Specify an instruction for CSC, describing a process how,</li> </ol>

	<p>post transition, the CSC will review these reports, and</p> <ul style="list-style-type: none"> <li>d) Specify an instruction for CSC, describing a process how, post transition, the reporting requirements will be reviewed.</li> <li>e) Specify an instruction for CSC, describing remedial action in the event of poor performance of IANA against specified SLAs.</li> <li>f) Specify an instruction for CSC, of what is not mandated or out of scope.</li> <li>g) Consider whether it would be appropriate for the CSC to be an initial point of escalation for TLD operators who are experiencing IANA performance issues.</li> <li>h) Consider whether the CSC would also be responsible for the ‘authorisation’ role currently performed by the NTIA for root zone changes related to delegations; and the more frequent WHOIS database changes.</li> <li>i) Consider the extent to which the CSC could engage with IANA on emerging issues, that is those issues that are currently unforeseen, that impact registry operators and IANA services.</li> <li>j) Composition of the CSC taking into account the agreed role and responsibilities of the CSC by the Design Team.</li> </ul> <p>The Design Team will work on the assumption that the status quo should be maintained as much as possible throughout the transition, while a process / mechanism should be put in place that will allow for review and possible changes to the reporting requirements based on that review after the transition on an ongoing basis.</p> <p>Following the completion of these specific tasks, the DT may continue if directed by the CWG Co-Chairs (in the same, or in a slightly modified composition) to organizational structure, confidentiality and possible conflict of interest concerns.</p>
<p><b>Proposed Membership</b></p>	<ul style="list-style-type: none"> <li>• At a minimum two gTLD registry representatives with operational knowledge of IANA Functions and current reporting requirements</li> <li>• At a minimum two ccTLD registry representatives with operational knowledge of IANA Functions and current reporting requirements</li> <li>• One IANA staff member (current or former)</li> <li>• One non-direct customer representative with operational knowledge of IANA Functions and current reporting requirements</li> <li>• One liaison from NTIA to verify NTIA’s current responsibilities</li> </ul>
<p><b>Proposed by / Lead</b></p>	<p>Donna Austin / Staffan Jonson</p>

<b>Status</b>	<b>Proposed</b>
<b>Determination by CWG Chairs</b>	

<b>Design Team D.</b>	<b>Authorization Function</b>
<b>Draft Transition Proposal Reference</b>	III.A.2
<b>Summary Description</b>	The NTIA currently approves all change requests for the root zone and root zone WHOIS databases made by IANA. Should this be transitioned and if so how?
<b>Detailed description</b>	
<b>Proposed Membership</b>	
<b>Proposed by / Lead</b>	TBC
<b>Status</b>	
<b>Determination by CWG Chairs</b>	

<b>Design Team E.</b>	<b>SAC 69</b>
<b>Draft Transition Proposal Reference</b>	Not a direct requirement of the transition proposal
<b>Summary Description</b>	Ensure that proposal is in line with SAC 69
<b>Detailed description</b>	
<b>Proposed Membership</b>	
<b>Proposed by / Lead</b>	TBC
<b>Status</b>	
<b>Determination by CWG Chairs</b>	

<b>Design Team F.</b>	<b>Mechanisms for implementing changes to the RZ post transition</b>
<b>Draft Transition Proposal Reference</b>	III.A.1.2
<b>Summary Description</b>	The IANA functions contract describes the triangular relationship between the NTIA, IANA and the RZM for implementing changes. Removing the NTIA from this equation will require establishing new rules for the implementation of RZ change requests by IANA.
<b>Detailed description</b>	
<b>Proposed Membership</b>	
<b>Proposed by / Lead</b>	TBC
<b>Status</b>	
<b>Determination by CWG Chairs</b>	

<b>Design Team G.</b>	<b>IANA Intellectual Property Rights, including the IANA Trademark and Domain Name</b>
<b>Draft Transition Proposal Reference</b>	Issue not in transition proposal 2.0
<b>Summary Description</b>	The Number Community has proposed that the IANA

	<p>trademark and the <a href="http://iana.org">iana.org</a> domain name be transferred to an independent entity, such as the IETF Trust. This Design Team will review this proposal and provide a report back to the CWG discussing issues and pros and cons of this proposal and providing a written draft recommendation to the CWG regarding how to deal with this proposal.</p> <p>The Number Community has also stated that it would be preferable if certain data associated with the IANA were in the public domain. The team would examine this proposal, and would also determine what if any other IPR is involved in the NTIA-IANA relationship. The team would provide a written draft recommendation regarding these points in a second deliverable.</p>
<p><b>Detailed description</b></p>	<p>The proposal submitted by CRISP on behalf of the Numbers Community contains the following paragraph:</p> <p>With regards to the IANA trademark and the <a href="http://IANA.ORG">IANA.ORG</a> domain, it is the expectation of the Internet Number Community that both are associated with the IANA Numbering Services and not with a particular IANA Numbering Services Operator. Identifying an organization that is not the IANA Numbering Services Operator and which will permanently hold these assets will facilitate a smooth transition should another operator (or operators) be selected in the future. It is the preference of the Internet Number Community that the IANA trademark and the <a href="http://IANA.ORG">IANA.ORG</a> domain name be transferred to an entity independent of the IANA Numbering Services Operator, in order to ensure that these assets are used in a non-discriminatory manner for the benefit of the entire community. From the Internet Number Community's perspective, the IETF Trust would be an acceptable candidate for this role.</p> <p>The ICG has issued a question to the Protocol Parameters Community, asking (in essence) whether this proposal was acceptable. The Protocol Parameters Community responded that this was not inconsistent with their proposal. The ICG also issued a question to the IETF Trust, asking whether the IETF would be willing to take on this role. The IETF Trust responded that it would be willing to do so. As of today, the ICG has not issued a question to the CWG regarding this proposal.</p> <p>This proposal may raise various operational and legal concerns. It does not appear that the CRISP Team, the ICG or the IETF Trust have examined these concerns. This Design Team will review this proposal with regard to how it could work and with regard to operational and legal concerns, and will provide a</p>

	<p>report back to the CWG discussing issues and pros and cons of this proposal and providing a draft recommendation to the CWG regarding how to deal with this proposal.</p> <p>The Number Community has also stated that it would be preferable if certain data associated with the IANA were in the public domain. The team would examine this proposal, and would also determine what if any other IPR is involved in the NTIA-IANA relationship. The team would provide a written draft recommendation regarding these points in a second deliverable.</p>
<b>Proposed Membership</b>	
<b>Proposed by / Lead</b>	<b>Greg Shatan</b>
<b>Status</b>	<b>Proposed</b>
<b>Determination by CWG Chairs</b>	

<b>Design Team H.</b>	<b>.INT Operations</b>
<b>Draft Transition Proposal Reference</b>	III.A.1.4.1
<b>Summary Description</b>	<p>Registry operations for .int - Under the ICANN bylaws Article II, section 2 - ICANN should not be allowed to be a registry or registrar. That is in conflict with the current practice for .int</p> <p>Policy development - To register under the .int domain today, the applicant must be an intergovernmental organization that meets the requirements found in the RFC 1591. There should be some base document on the policy (not at ICANN) that state the current policy for registration, and sort out procedures for policy changes in the future.</p>
<b>Detailed description</b>	
<b>Proposed Membership</b>	
<b>Proposed by / Lead</b>	<b>Elise Lindeberg</b>
<b>Status</b>	
<b>Determination by CWG Chairs</b>	

<b>Design Team I.</b>	<b>Competition policy and Conflicts of Interest</b>
<b>Draft Transition Proposal Reference</b>	III.A.1.3
<b>Summary Description</b>	<p>Without prejudice as to what specific new institutional structure, or none, emerge from the IANA/NTIA transition, the resulting power within the decision-making entities is a relevant consideration. At least in Europe and the United States, if not elsewhere, each recent attempt at de-regulation, self-regulation and hands-off public policy has resulted in questionable outcomes, not least in the financial sector, resulting in a global recession. This has inevitably and rightly led to greater scrutiny of the relevant institutions within each</p>



	<p>sector, including the Internet.</p> <p>Accordingly the Design Team would review, discuss and quickly conclude as to the merits or otherwise of a balanced and independent stakeholder composition of the relevant entities (existing or future). The Detailed description below illustrates the scope of the issue.</p>
<p><b>Detailed description</b></p>	<p><b>CSC/MRT confidentiality and the perception of conflicts of interest</b> - Developing conflict of interest requirements for the CSC like body. Most discussions have proposed that the membership of a CSC type body have, as a minimum, significant representation from registries. Is this desirable in a context where members of the CSC will be provided with access to information that is confidential and sensitive with respect to all registries?</p> <p><b>Detailed description:</b> IANA confidentiality and the perception of conflicts of interest - The oversight manager (MRT?), or a subset (CSC?), could be placed in a privileged position (as is currently the case with NTIA) with respect to accessing IANA performance information, issues with specific requests or security matters. This was not an issue with the NTIA given that it is part of the USG and is not involved in any commercial activities related to the DNS. Transferring this responsibility to representatives of registry operators at a minimum creates the potential for conflict of interest situations in that they could gain access to sensitive or confidential information of their competitors or use their position to negatively influence requests from competitors. The reverse situation is also a concern in that members of the oversight manager if composed of registry representatives could be perceived as being in a potential conflict of interest situation given they could use their position to influence requests from their respective registries. As such the CWG should decide if those individuals that will be responsible for the regular monitoring of IANA performance and interfacing with IANA on a regular basis to discuss and resolve any potential issues or escalating them can be in a conflict of interest position. If the recommendation is to avoid conflict of interests for those individuals it would then be important to decide who should carry out these responsibilities.</p>
<p><b>Proposed Membership</b></p>	<p>Convener: Secretariat (ICANN)</p> <p>Members:</p> <ul style="list-style-type: none"> <li>one Large Registrar, owning several gTLDs</li> <li>one Small gTLD Registry, independent of any Registrar</li> <li>one ccTLD</li> <li>one independent Internet user (At Large or equivalent)</li> <li>one delegate from one GAC member with practical experience in anti- trust/competition policy.</li> </ul>

<b>Proposed by / Lead</b>	Christopher Wilkinson
<b>Status</b>	<b>Proposed</b>
<b>Determination by CWG Chairs</b>	

<b>Design Team J.</b>	<b>CSC/MRT confidentiality and the perception of conflicts of interest</b>
<b>Draft Transition Proposal Reference</b>	III.A.1.3
<b>Summary Description</b>	Developing conflict of interest requirements for the CSC like body. Most discussions have proposed that the membership of a CSC type body have, as a minimum, significant representation from registries. Is this desirable in a context where members of the CSC will be provided with access to information that is confidential and sensitive with respect to all registries?
<b>Detailed description</b>	IANA confidentiality and the perception of conflicts of interest - The oversight manager (MRT?), or a subset (CSC?), could be placed in a privileged position (as is currently the case with NTIA) with respect to accessing IANA performance information, issues with specific requests or security matters. This was not an issue with the NTIA given that it is part of the USG and is not involved in any commercial activities related to the DNS. Transferring this responsibility to representatives of registry operators at a minimum creates the potential for conflict of interest situations in that they could gain access to sensitive or confidential information of their competitors or use their position to negatively influence requests from competitors. The reverse situation is also a concern in that members of the oversight manager if composed of registry representatives could be perceived as being in a potential conflict of interest situation given they could use their position to influence requests from their respective registries. As such the CWG should decide if those individuals that will be responsible for the regular monitoring of IANA performance and interfacing with IANA on a regular basis to discuss and resolve any potential issues or escalating them can be in a conflict of interest position. If the recommendation is to avoid conflict of interests for those individuals it would then be important to decide who should carry out these responsibilities
<b>Proposed Membership</b>	
<b>Proposed by / Lead</b>	TBC
<b>Status</b>	
<b>Determination by CWG Chairs</b>	

<b>Design Team K.</b>	<b>OFAC Licensing</b>
<b>Draft Transition Proposal Reference</b>	To be added
<b>Summary Description</b>	IANA requires OFAC licensing to operate with certain countries or territories. Would anything change post transition? If so what and how would it be addressed?
<b>Detailed description</b>	
<b>Proposed Membership</b>	
<b>Proposed by / Lead</b>	
<b>Status</b>	<b>Under development</b>
<b>Determination by CWG Chairs</b>	