

## Response to Documentary Information Disclosure Policy Request

To: James Gannon

Date: 25 March 2015

Re: Request No. 20150314-1

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Thank you for your Request for Information dated 14 March 2015 (the “Request”), which was submitted through the Internet Corporation for Assigned Names and Numbers’ (ICANN) Documentary Information Disclosure Policy (DIDP). For reference, a copy of your Request is attached to the email forwarding this Response.

### **Items Requested**

Your Request seeks the disclosure of the Contingency and Continuity of Operations Plan as “specified in Section 1.7.2.1 of the ICANN Response to [the National Telecommunications and Information Administration] RFP Solicitation No: SA1301-12-RP-0043 . . . .”

### **Response**

Section C.7 of the NTIA’s RFP Solicitation No. SA1301-12-RP-0043 prescribes the requirements for “Continuity of Operations” including the requirements for a Contingency and Continuity of Operations Plan (CCOP) for the “continuation of each of the IANA functions in the event of cyber or physical attacks, emergencies, or natural disasters.” (NTIA’s RFP Solicitation No. SA1301-12-RP-0043, Section C.7.2, at <https://www.icann.org/en/system/files/files/contract-01oct12-en.pdf>.) Specifically, Section C.7.2 states as follows:

#### **C.7 CONTINUITY OF OPERATIONS**

**C.7.2 Contingency and Continuity of Operations Plan (The CCOP)** – The Contractor shall collaborate with NTIA and the Root Zone Maintainer, and all interested and affected parties as enumerated in Section C.1.3, to develop and implement a CCOP for the IANA functions within nine (9) months after date of contract award. The Contractor in collaboration with NTIA and the Root Zone Maintainer shall update and test the plan annually. The CCOP shall include details on plans for continuation of each of the IANA functions in the event of cyber or physical attacks, emergencies, or natural disasters. The Contractor shall submit the CCOP to the COR after each annual update

*(Id.)*

In Section 1.7.2 of its Response to NTIA RFP Solicitation No. SA1301-12-RP-0043, ICANN addressed the CCOP requirement of Section C.7.2 as follows:

### **1.7.2 Contingency and Continuity of Operations Plan**

ICANN will use the current IANA Functions CCOP as a basis for initiating consultations with all interested and affected parties to develop and implement a revised CCOP addressing the requirements for effective, resilient communications with the NTIA and Root Zone Maintainer; for multiple resilient communications paths with other parties as enumerated in Section C.1.3; to enable the continuation of all IANA Functions in the case of disruptions; to submit the plan to the COR within nine months of the contract award; and to annually test, update and submit the CCOP to the COR.

(<https://www.icann.org/en/system/files/files/contract-i-2-redacted-31may12-en.pdf>.)

As noted in Section 1.7.2.1, the CCOP is intended to document ICANN's strategy for sustaining key IANA functions business processes during and after a disruption to regular IANA functions operations. The CCOP sets out a coordinated strategy for identifying those IANA functions services that are critical for sustained operations, a methodology for identifying interruptions to those services, a business process interruption identification and recovery process and strategies for clear communications among principals during and after a service interruption. The CCOP is designed to ensure that ICANN's IANA functions services are restored as quickly as possible so that those able to continue supporting the IANA functions will have the tools, the direction, and the scope of authority to ensure reasonable and reliable performance. The CCOP does not address issues of the transition of the performance of the IANA Functions to a separate contractor.

The Request asks that ICANN produce the CCOP referenced in Section 1.7.2.1. Because the CCOP provides the plan for how ICANN will continue operations of the IANA functions in the event of cyber or physical attacks, emergencies, or natural disasters, its disclosure could pose a threat to the stability and security of the Internet and domain name system, particularly if the disruption is intentionally caused. As such, the harm that may be caused by the disclosure of the CCOP outweighs the public interest in disclosing the information. Moreover, the Request is subject to the following DIDP Defined Conditions of Nondisclosure:

- Information that relates in any way to the security and stability of the Internet, including the operation of the L Root or any changes, modifications, or additions to the root zone.
- Confidential business information and/or internal policies and procedures.

- Information provided by or to a government or international organization, or any form of recitation of such information, in the expectation that the information will be kept confidential and/or would or likely would materially prejudice ICANN's relationship with that party.
- Information exchanged, prepared for, or derived from the deliberative and decision-making process between ICANN, its constituents, and/or other entities with which ICANN cooperates that, if disclosed, would or would be likely to compromise the integrity of the deliberative and decision-making process between and among ICANN, its constituents, and/or other entities with which ICANN cooperates by inhibiting the candid exchange of ideas and communications.
- Trade secrets and commercial and financial information not publicly disclosed by ICANN.

### **About DIDP**

ICANN's DIDP is limited to requests for documentary information already in existence within ICANN that is not publicly available. In addition, the DIDP sets forth Defined Conditions of Nondisclosure. To review a copy of the DIDP, which is contained within the ICANN Accountability & Transparency: Framework and Principles please see <http://www.icann.org/en/about/transparency/didp>. ICANN makes every effort to be as responsive as possible to the entirety of your Request. As part of its accountability and transparency commitments, ICANN continually strives to provide as much information to the community as is reasonable. We encourage you to sign up for an account at MyICANN.org, through which you can receive daily updates regarding postings to the portions of ICANN's website that are of interest because as we continue to enhance our reporting mechanisms, reports will be posted for public access.

We hope this information is helpful. If you have any further inquiries, please forward them to [didp@icann.org](mailto:didp@icann.org).