

FAQ: ICANN AND TRANSITION

This document is designed to act as a supplemental and explanatory guide to two others: the Transition Action Plan, and Improving Institutional Confidence in ICANN. Both these documents, and this supplemental FAQ, have been produced by the President's Strategy Committee (PSC) in June 2008 in order to aid discussion of transition to an agreed model of private sector-led multi-stakeholder coordination of the Internet's unique identifiers.

1. What is the intention of the *Transition Action Plan*, and *Improving Institutional Confidence* document?

The PSC has analyzed the current legal, business, operational and political circumstances of ICANN, and considered the next steps for the organization's evolution, as envisioned in the White Paper. Careful consideration has been given to comments made by the community in the JPA Midterm Review around the issues associated with taking those next steps.

The *Transition Action Plan* is the set of next steps recommended by the PSC. *Improving Institutional Confidence in ICANN* provides some of the background to issues, the results of research, and some of the discussions supporting those steps, with a focus on ensuring ICANN is ready for those steps. It also proposes some of the discussion topics resulting from the *Transition Action Plan* which the PSC suggests the community will need to debate.

2. What does "improving institutional confidence" mean?

Since its inception, ICANN has embraced a community-driven process of continuous improvement and evolution to better meet ICANN's four strategic principles:

- Ensuring the stability and security of the Domain Name System
- Promoting competition and choice for users and registrants
- Facilitating the bottom-up, transparent policy development process, and
- Engaging the participation of the global stakeholder community in the ICANN process

The ICANN model is built on the foundation of accountability and transparency set out in ICANN's bylaws and further elaborated in the January 2008 Frameworks and Principles on Accountability and Transparency.

This current series of consultations represents the next phase in the development and strengthening of ICANN's uniquely accountable multi-stakeholder model.

During the March 2008 Midterm Review of the Joint Project Agreement (JPA) between ICANN and the United States Government, a number of suggestions were made as to themes to address as part of discussion to a final transition from the JPA.

ICANN pledged to carry out a public consultation on those suggestions as they are designed to further improve the community's confidence in the multi-stakeholder model that ICANN represents.

3. What does “transition action plan” mean?

ICANN believes that when the Joint Project Agreement ends in September 2009 it should be brought to completion. However, the organization recognizes that some key areas need to be improved in order to move to that point. The Transition Action Plan outlines that route.

4. What are the IANA functions and IANA contract?

The Internet Assigned Numbers Authority (IANA) functions are a set of technical activities relating to the Internet and its unique identifier system.

These functions were initially performed by the University of Southern California, under arrangements with the United States Government. These functions are now performed by ICANN staff under a contract with the United States Government's Department of Commerce. The functions as stated by the contract are:

- Coordinate the assignment of the technical Internet protocol parameters;
- Maintain, under the direction of the IETF and IAB, many codes and numbers in a variety of Internet Protocol Registries;
- Perform administrative functions associated with the root management;
- Coordinate the allocation of Internet number resources including IPv4, IPv6 and AS numbers; and
- Other services, as mutually agreed by the parties

The most recent IANA contract can be found at: <http://www.icann.org/general/iana-contract-14aug06.pdf>

ICANN also has in place a Memorandum of Understandings with the IETF concerning the technical work of the IANA. For both the MoU and the MoU Supplemental Agreement, see respectively: <http://www.icann.org/general/ietf-icann-mou-01mar00.htm>; and <http://www.icann.org/general/ietf-iana-agreement-v8.htm>.

It is important to note that the IANA function is performed under contract with the United States Department of Commerce (via the National Telecommunications and Information

Administration “NTIA”) and was not part of the JPA Midterm Review. Any changes to the contract and the function are the NTIA’s to make in discussion with ICANN and any other relevant parties.

5. What is the Joint Project Agreement (JPA)?

The JPA is an agreement signed in September 2006 between ICANN and the United States Department of Commerce (DOC) on behalf of the United States Government (USG).

The JPA follows from a series of seven Memoranda of Understanding between the two parties that originally started in November 1998, and comprises 10 responsibilities agreed to by the ICANN Board. The purpose of these agreements is to effect the transition of Domain Name System management to the private sector.

You can download the JPA at: <http://www.icann.org/general/JPA-29sep06.pdf>.

The full series of MOUs and related agreements are available at:
<http://www.icann.org/general/agreements.htm#jpa>.

6. What has ICANN achieved under its MOUs and JPA with the United States Government?

Its accomplishments are reflected in the 13 status reports ICANN provided to the US Department of Commerce, its Annual Reports, and ongoing achievements delivering against the organization’s Affirmation of Responsibilities. The accomplishments include:

- Formation and revision of a multi-stakeholder supporting organization for the interests engaged by the Generic Top Level Domains market: the GNSO;
- Introducing competition in domain name registration services for gTLDs, including the implementation of new TLDs;
- Implementing the Uniform Domain Name Dispute Resolution Policy for resolving cyber-squatting and other intellectual property disputes;
- Establishing formal legal arrangements with the regional Internet Registries, including the establishment of the Address Supporting Organization;
- Founding the Governmental Advisory Committee, where over 100 governments and five Intergovernmental Organizations are adapting to playing their role in ICANN's unique multi-stakeholder setting
- Establishing agreements with ccTLD operators, including the establishment of the Country Code Names Supporting Organization. ICANN-ccTLD agreements are now in place with ccTLD operators who represent over 60 percent of ccTLD registrants worldwide;

- Establishment of an At-Large structure which ensures participation by individuals and user and consumer groups through five Regional At-Large Organizations and an elected global At Large Advisory Committee;
- Developing a contingency plan to ensure continuity of operations;
- Establishing globally representative processes for bottom-up formulation of policies for the coordination of the Domain Name System, Internet Protocol address allocation and other Internet unique identifiers;
- Formulation, and expression through registry and registrar agreements, of consumer protection measures for generic top level domain registrants, including the introduction of the redemption-grace period and domain transfer policy;
- Establishing global policies for the allocation of IPv4 and IPv6 addresses and Autonomous System Numbers;
- Establishing a community consultative process for the integrated development of ICANN's Strategic Plan, Operational Plan and Budget;
- Implementing a financial strategy that delivers predictable and sustainable sources of revenue;
- Continued improvement of transparency and accountability in consultation with the community

7. What is ICANN?

ICANN is a multi-stakeholder organization which is registered as a not-for-profit corporation. ICANN engages with governments, business, technical experts and users to develop policies on the coordination of the Internet's unique identifiers, following a bottom up process.

Much of the global, commercial activity that occurs in modern economies is reliant on a stable Internet. Equally, much of the innovation in the Internet's usage comes from the private sector and many of the networks that make up the Internet are privately owned. Consequently, it makes sense to ensure that the private sector plays a lead role in ICANN's work.

8. How does root zone management work?

ICANN staff manages the DNS root zone, maintaining the technical and administrative data for top level domains, such as .uk and .com. Specifically, IANA's Root Zone Database contains the authoritative record of the operators of top level domains.

IANA delegates ccTLDs to operational managers, based on criteria defined in standards such as RFC 1591 and ICP-1. The process of changing the operational manager of a ccTLD is known as a redelegation and is also based on criteria outlined in RFC 1591.

Once a TLD has been entered into the root zone, IANA receives and processes routine requests by TLD managers to change information about the ccTLDs name servers in the root zone, or to change the administrative details about their organization, such as the administrative or technical

contact information. Changes to root zone information are authorized by the Department of Commerce according to the terms of the contract between ICANN and the USG Department of Commerce for IANA functions.

Changes to the zone are distributed according to the Cooperative Research and Development Agreement (CRADA) between VeriSign and the US Department of Commerce.

9. What is the root-zone transition agreement?

ICANN and VeriSign have entered into an agreement in 2006 where they agreed to do the following:

- a) Collaborate with respect to operational and security matters relating to the secure and stable operation of the domain name system in order to develop and implement recommendations for improvements in those matters;
- b) Work together regarding procedures and best practices for the operation of the root name server system;
- c) Work together to establish a timetable for the completion of the transition to ICANN of the coordination and management of the ARPA TLD, and the root zone system, in particular to enable ICANN to edit, sign and publish the root and ARPA zones commencing in 2005 and completing by 2006, with the understanding that this requires the cooperation and readiness of the full family of root server system operators;
- d) Establish procedures and milestones for the completion of the transition to ICANN of root and ARPA zone coordination, including editing, signing and publication;
- e) To work together to present a joint approach on c and d above to the US Department of Commerce for joint discussion, planning and implementation, including appropriate contractual amendments, as necessary, by the three parties;
- f) Participate in an intensive collaborative technical project to facilitate the transition set forthwith in c and d above, including the creation of a high-level joint technical operations team to begin work in the first quarter of 2005, and to work together until the transition process is completed to give advice on design, implementation, and testing of the necessary systems and architecture for root and ARPA zone administration and publication; and
- g) Work together in such activities and endeavors as they deem suitable to achieve each of the above.

10. What has been the President's Strategy Committee's role within ICANN?

The PSC was created in order to make observations and recommendations concerning strategic issues facing ICANN. It was formed in December 2005 at the Vancouver meeting, and held its first public meeting in Marrakech in June 2006.

Since then the PSC has issued draft recommendations (in Sao Paulo, December 2006); a Final Report (in Lisbon, March 2007); and an Update on that Final Report (in Los Angeles, November 2007). During that time, it has carried out four public meeting and two online consultations. For full information on the PSC's activities, please visit the Committee's webpage at: <http://www.icann.org/psc/>.

In the context of this consultation: at the Midterm Review of the Joint Project Agreement (JPA) public meeting in Washington in February 2008, ICANN's Chairman tasked the PSC with holding a discussion with the community on the next steps required to complete confidence in ICANN as an institution (the address can be read in full at <http://www.icann.org/jpa/chairman-address.html>).

The PSC met in Riga, Latvia in April 2008 for initial discussions, and then a further three times between April and June to develop the Transition Action Plan this FAQ and the Improving Institutional Confidence in ICANN documents.

11. Why should you participate in these consultations?

Ten years since its inception, the unique and innovative model of decision making, also known as the "bottom up coordination and governance" that ICANN represents has reached a level of stability and maturity. Just as the Internet is experiencing dramatic change and growth, ICANN itself will need to continue to adapt itself to fulfill its fundamental and vital role. That maturity has seen the organization confident that the Joint Project Agreement can be concluded with the United States government, at its agreed end date in September 2009.

As ICANN makes these adaptations, and concludes the JPA with the United States government, it will face many challenges and opportunities.

This consultation has been designed to allow the wider Internet community to review and comment on the Transition Action Plan and the Improving Institutional Confidence in ICANN.

If you have original and pragmatic ideas on the transition plan, please take this opportunity to participate in this consultation.

12. How can you participate and when?

A timeline of the consultation process has been produced that outlines how and when public input will be possible. In brief:

- ICANN meeting in Paris, 22-28 June 2008: a two-hour public meeting on Monday 22 June at 1.30pm at Le Meridien Montparnasse.

- Public comment period on these documents. You can email comments to be reviewed by the PSC and the wider Internet community.
- A revised and improved set of documents will be released for a month of community review and public comments in August or September 2008.
- Public meeting in Cairo, 2-7 November 2008, where final drafts will be discussed.

At each stage, the feedback received will be summarized and fed back into the process.

Aside from these four opportunities, the PSC is also considering a number of smaller “town hall” meetings across the globe. More information will be provided on such meetings at a later date.

For full information about upcoming events as well as progress of the consultation process itself, you can visit its dedicated webpage at <http://www.icann.org/jpa/iic/>.



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