The IANA Functions Contract and NTIA’s “Further Notice of Inquiry”

ccNSO Response
IANA Functions Contract

- Separate contract between DOC and ICANN to perform specific IANA functions
- First executed in 1999 to facilitate transfer of IANA data from USC/ISI to ICANN
- US procurement law requires periodic review of “sole source” designation, limits evergreen contracts
Notice of Inquiry

• Asked “big picture” questions -
  – Should functions be kept together?
  – What should be prioritized?
• ccNSO submitted comments (29 March)
  – Support for keeping functions bundled
  – Support for metrics
  – Support for increased automation
  – Support for considering change in nature of agreement between ICANN and IANA
Further Notice of Inquiry

- Synthesizes comments received and sets out USG response
- Requests comments on a draft statement of work (SOW)
- Comments due 29 July 2011
- [www.ntia.doc.gov](http://www.ntia.doc.gov)
ccNSO Response

- Recommend submission of ccNSO comments reflecting consensus of membership
- All members encouraged to submit individual comments
- Drafting team: Keith Davidson (.nz), Kathryn Reynolds (.ca), Paul Sczyndler (.au), Martin Boyle (.uk), Becky Burr
- Circulate draft to membership by 12 July, responses due 19 July
Key Themes - 1

• Highlight IANA-related work, including IDN Fast Track, Delegation/Redelegation WG, Framework of Interpretation WG, Country Names SG

• Support metrics, including metrics to ensure that new gTLD implementation does not affect service levels for existing TLDs

• Support further automation
Key Themes - 2

• Request modifications to ensure that specific tasks do not pre-empt current work (FOI)
• Request clarification regarding NTIA “approval”
• Significant concern regarding role of local law
Applicable Law

• “Act in accordance with the relevant national laws of the jurisdiction which the TLD registry serves.”

• Resolve disputes between cc operator and government in country? *Yes.*

• Ask ICANN to interpret and apply local law? *Problematic.*