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# Public Comment Summary Report

## IANA Naming Function Review Bylaws Changes

**Open for Submissions Date:**

Thursday, 9 March 2023

**Closed for Submissions Date:**

Tuesday, 18 April 2023

**Summary Report Due Date:**

Friday, 14 July 2023 (Extended from 22 May 2023)

**Category:** Reviews

**Requester:** ICANN org

**ICANN org Contact(s):** Samantha.eisner@icann.org.

**Open Proceeding Link:** <https://www.icann.org/en/public-comment/proceeding/iana-naming-function-review-bylaws-changes-18-04-2023>

**Outcome:**

Four comments were received on the proposed Bylaws changes, including from the Country Code Names Supporting Organization (ccNSO) Council and the Registries Stakeholder Group (RySG), which are two ICANN community groups that are charged with significant responsibilities within the IANA Naming Functions Reviews (IFRs). Three of the four commenters expressed support for the proposed Bylaws changes. The ccNSO Council noted that two additional provisions of the Bylaws, Sections 18.8(d) and 19.6(a), require amendment in order to align the IFR Chair selection process to the updated numbering within the composition sections, and the proposal will be updated prior to further consideration by the ICANN Board.

Comments were also received that suggest changes to other portions of the IFR-related Bylaws not proposed for amendment, including altering the timing between the convening of regular IFRs, as well as suggesting IFR reporting to other communities served by the IANA functions. As those changes would require more intensive community conversation, they are not appropriate to include in a further draft for Board consideration. Finally, comments were received seeking clarification on the impact on the next IFR.

The comments received validated the proposed changes and indicate that it is appropriate for the proposal to continue moving through the Fundamental Bylaws Amendment Process.

## Section 1: What We Received Input On

As part of the Fundamental Bylaws Amendment Process, ICANN sought input on a comprehensive package of amendments to Articles 18 and 19 of the ICANN Bylaws, which define ICANN and the community’s obligations regarding the Internet Assigned Numbers Authority (IANA) Naming Function Reviews.

There are four types of changes:

1. The removal of a duplication at Article 18, Section 12(a), as identified by the first IANA Naming Function Review (IFR) team in its Final Report.
2. Updates to the composition of IFR teams to address composition issues identified by the Registries Stakeholder Group (RySG) in 2019.
3. Clarification of ambiguities in the IFR processes identified through the first IFR after the IANA Stewardship Transition.
4. Updates to the composition of the team exploring an IANA Naming Function Separation Process (Article 19), to conform to composition updates for the IFRs within Article 18.

## Section 2: Submissions

| <b>Organizations and Groups:</b>                   |                              |                 |
|--|------------------------------|-----------------|
| <b>Name</b>  | <b>Submitted by</b>          | <b>Initials</b> |
| Country Code Names Supporting Organization Council | Alejandra Reynoso            | ccNSO Council   |
| Registries Stakeholder Group                       | Registries Stakeholder Group | RySG            |

  

| <b>Individuals:</b> |                                  |                 |
|---------------------|----------------------------------|-----------------|
| <b>Name</b>         | <b>Affiliation (if provided)</b> | <b>Initials</b> |
| James Olorundare    |                                  | JO              |
| Gabriel Karsten     |                                  | GK              |

## Section 3: Summary of Submissions

### A. Support for Bylaws Amendments as Presented

The ccNSO Council and RySG stated their support for the Bylaws amendments as presented. JO noted support for the changes specifically relating to two of the types of changes presented, on the removal of a duplication as identified by the first IFR team, and on the clarification of ambiguities.

### B. Requests for Additional Changes

The ccNSO Council identified that the Bylaws at Sections 18.8(d) and 19.6(a) regarding the selection of IFR Co-Chairs required renumbering based on the proposed changes to the composition-related sections.

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The ccNSO Council and GK both commented on the need to update the frequency of Periodic IFRs, which is currently set at five years from the convening of the prior IFR. The ccNSO Council requested that the frequency be moved to five years from the prior IFR team's submission of its final report, to allow for implementation of recommendations between reviews. GK recommended that the frequency be moved to every three years based on the need to respond to changes in the technological landscape.

GK recommended that the IFR Responsibilities be updated to request periodic reporting to the community, with increased awareness to the numbers structure in the community.

### **C. Requests for Clarification**

The ccNSO Council sought additional information on the impact of the upcoming second IFR while the Bylaws changes are pending and recommended a deferral of the start of the second IFR until after the conclusion of the Fundamental Bylaws Amendment Process.

## **Section 4: Analysis of Submissions**

### **A. Support for Bylaws Amendments as Presented**

Based on the commenter support for the Bylaws Amendments as presented, including support from the ccNSO Council and RySG, each of which are directly impacted by the amendments, ICANN org will recommend to the Board to continue with the Bylaws Amendment Process. Notably, there were no objections raised to any of the proposed amendments.

### **B. Requests for Additional Changes**

The ccNSO Council's identification of renumbering required at Sections 18.8(d) and 19.6(a) is greatly appreciated. ICANN org will update the references within the proposed Bylaws Amendments in order to conform the numbering between these sections and the sections on composition.

In relation to the two comments received on modifying the frequency of the Periodic IFRs, as that was not a prior recommendation of the first IFR team, nor a change required to clarify ambiguities within the IFR processes as laid out in the Bylaws, ICANN org does not have the unilateral ability to incorporate updates to that section for approval by the Board. ICANN org notes and encourages the community to further this conversation to allow for more effective reviews that continue to serve the community's needs.

On the request for adding additional reporting responsibilities to the IFR, that is similarly a matter that is not appropriate for ICANN org to forward to the Board at this time, and ICANN org suggests that the commenter provide this input for consideration to the next IFR.

### **C. Requests for Clarification**

ICANN org notes the ccNSO Council's concern in proceeding with the next IFR without clarification of the Co-Chair selection process, and the request to defer the start of the next IFR until after the conclusion of the Fundamental Bylaws Amendment Process. ICANN org notes that when the first IFR proceeded, the composition-related sections of the Bylaws had already been updated without conforming the Co-Chair selection process, which was unintentionally overlooked at that time. However, the Co-Chair selection process was still successfully concluded. ICANN org will flag this concern to the Board. If other participating entities believe that a deferral of the second IFR is appropriate at this time, ICANN org encourages the community to provide this input to the Board.

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## Section 5: Next Steps

The proposed Bylaws Amendments (including the conforming changes to Sections 18.8 and 19.6) will be presented to the Board for consideration. If approved, the Empowered Community Approval Process will be initiated.