23 June 2012

Ms. Mona-Lisa Dunn
Contracting Officer
UNITED STATES DEPARTMENT OF COMMERCE
Washington, D.C. 20230

**Re: Request for Proposal (RFP) Number SA1301-12-RP-0043, Internet Assigned Numbers Authority Notification of Inclusion in Competitive Range**

Redacted - CONFIDENTIAL AND BUSINESS PROPRIETARY - NO LONGER APPLICABLE

Dear Ms. Dunn:

Thank you for notifying ICANN that we have been selected for Negotiations/Formal Discussions under the IANA Functions Contract Solicitation (RFP). We are pleased to enter into Formal Discussions with the Department of Commerce (DoC).

Attached please ICANN's response to the Contracting Officer's (CO's) request for information. Thank you for extending the deadline for us to respond. We hope that the attached adequately addresses all of the issues raised in the CO's request. Please let us know if you have any questions or require additional information.

Best regards,

Jamie Hedlund
Vice President, North America
ICANN


cc:     Sheryl D. Sanders, U.S. Department of Commerce

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**One World. One Internet**

Information Request:

**Mandatory Factory M.3**

Information Request: With respect to U.S. incorporation (M.3), Please clarify and detail what ICANN considers to be primary operations and reconfirm that all those operations are conducted at ICANN HQ?

ICANN Response: ICANN considers the primary operations to be those functions that are defined in Section C.2.9 of the RFP. Those functions include: (1) the coordination of the assignment of technical Internet protocol parameters; (2) the administration of certain responsibilities associated with the Internet DNS root zone management; (3) the allocation of Internet numbering resources; and (4) other services related to the management of the ARPA and INT top-level domains (TLDs). ICANN herby reconfirms the primary operations are conducted at ICANN headquarters located at Los Angeles, California at 12025 Waterfront Drive, Suite 300, Los Angeles, California 90094.

**Factor 1: Technical Approach**

1. Information Request: Reference C.2.1, Provide the physical addresses of the data centers and also articulate whether ICANN considers these operations to be the primary functions?

   ICANN Response: As noted in Section C.7 of ICANN's proposal:

   > ICANN currently has and will continue to have four distinct data centers situated in three geographic locations within the United States: two in Los Angeles, California, and one each in Culpeper, Virginia, and Reston, Virginia. ICANN will maintain these sites, so the combined resources of any two of them will be sufficient to support all of the IANA Functions and activities. Both sites are within easy access of ICANN's offices in California and Washington, DC.

   The physical addresses of the data centers are:

   1) 1920 East Maple Avenue, El Segundo, CA 90245
   2) 624 S. Grand Avenue, Los Angeles, CA 90017
   3) 18155 Technology Drive, Culpeper, VA 22701
   4) 12100 Sunrise Valley Drive, Reston, VA 20191

   The data centers do not house the primary operations of the IANA functions.

2. Information Request: Reference C.2.2, Confirm ICANN understands that hiring of personnel must be consistent with Section I clauses.

ICANN Response:  ICANN confirms that we understand that hiring of personnel must be consistent with RFP, Section I clauses.

3.  Information Request:  Reference C.2.3, Confirm and acknowledge ICANN understands that subcontractors are not allowed unless approved by the Government.

    ICANN Response:  While this request for information references C.2.3, as that provision of the RFP does mention subcontractors, we will assume that this request for information refers to C.2.1.  Per our submission, ICANN confirms and acknowledges that subcontractors are not allowed to perform any of the requirements of the IANA functions contract unless approved by the Government.

4.  Information Request:  Reference C.2.4, Confirm that ICANN understands that INT/Other Services is included in this requirement.

    ICANN Response:  ICANN confirms and understands that INT/Other Services is included in the requirement of C.2.4.

5.  Information Request:  Reference C.2.5, Acknowledgement and confirmation of ICANN's understanding that any documentation generated by the IANA functions staff for the ICANN board must be coordinated with the affected stakeholders?

    ICANN Response:  ICANN acknowledges and confirms that, as referenced in C.2.5 of the RFP, any documentation generated by the IANA functions staff for the ICANN board that initiates, advances or advocates any policy development related to the IANA functions will be coordinated with the affected stakeholders.

6.  Information Request:  Reference C.2.6, Provide additional detail as to how the interested and affected parties of each of the functions will be adequately notified and considered in any consultation process regarding C.2.6? Additionally, confirm ICANN understands they must coordinate with the COR before posting draft documents?

    ICANN Response:  In pages 41-42 of our response, ICANN described how we will consult with the interested and affected parties to develop user documentation including technical requirements for each corresponding IANA Function.  In addition, we provided a timeline that includes the time in days for the public review period during which consultation with the interested and affected parties will take place.

    ICANN will review all of the various services provided in connection with this contract and, based on the existing corpus of both documentation and procedural descriptions, will define a complete list of operational procedures for which user documentation should be published.
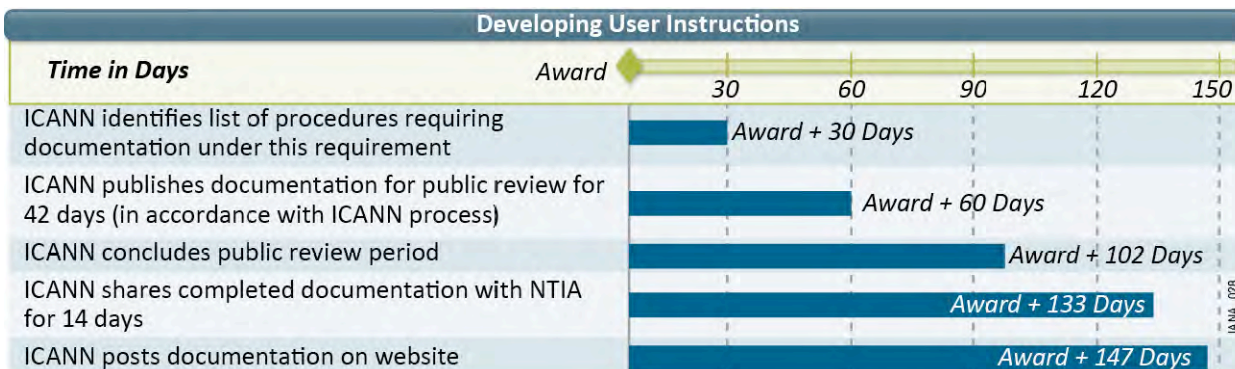
ICANN will then develop user instructions for each identified item, including any technical requirements associated with specific procedures, based on existing operational procedures. Much of this documentation is already developed, and some is already published on ICANN's IANA website. For example, the technical requirements for authoritative name servers — used in evaluating changes to the DNS Root Zone and for .INT domain registrations — are posted online after consultative development with the affected community.

ICANN's goal in developing user instructions will be to make the documentation as clear as possible, reducing the risk that procedures are not communicated in an easy to understand fashion. While much of the work of ICANN is highly technical and necessarily involves conveying complex technical concepts, ICANN will seek to make the descriptions as easy to understand as possible without sacrificing technical accuracy. ICANN recognizes many of the users of the IANA Functions are not technically-minded, and also come from countries where English is not the primary language. We will therefore develop documents that consider this wide range of potential readers.

ICANN will post this documentation, clearly marked as draft, and solicit input from interested and affected parties. The primary mechanism to solicit feedback will be ICANN's own institutional mechanism for conducting public comment periods. ICANN regularly employs this process to review most aspects of our operation including draft policy changes, and it is well suited for reviewing the draft IANA documentation. Once posted, the availability of the documentation for review will be posted via ICANN's standard communication channels by posting a notice on ICANN's IANA website, and notifying others in the user community through presentations given by ICANN at conferences.

During this process, it will be clearly noted that the goal is not to alter the policies upon which the procedures are based, but rather to solicit feedback on making the documentation as clear and as useful as possible. It would not be appropriate to alter procedures based on community feedback as a mechanism of altering the underlying policy.

Following this review process, ICANN will then appropriately revise the draft documentation and ready it for ultimate publication. ICANN will share this revised documentation with NTIA prior to general publication.

| Developing User Instructions | | | | | | |
|---|---|---|---|---|---|---|
| **Time in Days** | Award | 30 | 60 | 90 | 120 | 150 |
| ICANN identifies list of procedures requiring documentation under this requirement | | *Award + 30 Days* | | | | |
| ICANN publishes documentation for public review for 42 days (in accordance with ICANN process) | | | *Award + 60 Days* | | | |
| ICANN concludes public review period | | | | | *Award + 102 Days* | |
| ICANN shares completed documentation with NTIA for 14 days | | | | | *Award + 133 Days* | |
| ICANN posts documentation on website | | | | | | *Award + 147 Days* |

To the extent that additional detail as to how ICANN will perform this requirement is still needed, we are prepared to work with the Government to understand what information is missing and provide it as expeditiously as possible.

Finally, ICANN understands and acknowledges the requirement to coordinate with the COR before posting draft documents.

7.  <u>Information Request</u>:  Reference C.2.7, Confirmation that ICANN understands that "[i]n 1997, IANA Functions staff published the first in a series of "ccTLD Memos" providing further clarification on how operational practices had evolved. Confirmation that ICANN understands that in 1999, the IANA Functions staff again updated the documentation to reflect contemporary practices and published it as Internet Coordination Policy (ICP)-1" is not a requirement of this solicitation.

    <u>ICANN Response</u>:  In 1997, IANA Functions staff published the first in a series of "ccTLD Memos" providing further clarification on how operational practices had evolved. In 1999, the IANA Functions staff again updated the documentation to reflect contemporary practices and published it as Internet Coordination Policy (ICP)-1. None of these documents is considered to be definitive descriptions of the current policies and procedures that are applicable today, but they represent an evolution of the processes over time. They will act as important input into the review processes to be developed. ICANN understands that Internet Coordination Policy (ICP)-1" is not a requirement of this solicitation.

8.  <u>Information Request</u>:  Reference C.2.8, Additional details further explaining why the ICANN GAC is considered to be the interested and affected party for INT/Other Services? Additionally, Sections ii, iii, iv, vii, and viii of the Offeror's proposed process plans are unclear.

    <u>ICANN Response</u>:  Sub-domains of INT are generally restricted to entities recognized in international treaties and ICANN has only one formal avenue, the GAC, for receiving guidance from governments.  Seeking input from the GAC is especially helpful when there

are activities related to national laws and international agreements and INT is one of those activities where GAC guidance may be useful.

ICANN would be happy to meet with the Government to clarify and respond to any specific questions regarding the proposed process plans in sections ii, iii, iv, vii and viii.

9.  Information Request:  Reference C.2.9.2, Provide details of how ICANN will implement a change request by a ccTLD manager off hours even if it is not an emergency?

    ICANN Response:  As stated in ICANN's proposals,

    ICANN will continue to provide TLD managers with a 24×7 emergency contact number that allows TLD managers to quickly reach ICANN to declare an emergency and seek to expedite a Root Zone change request. ICANN will execute such changes in accordance with the obligations of the standard root zone management workflow as expeditiously as possible. This prioritization will include performing emergency reviews of the request as the first priority, out of ordinary business hours if necessary, and informing its contacts at NTIA and Verisign, in their roles as Administrator and Root Zone Maintainer, of any pending changes that will require priority authorization and implementation.

    Given the nature of root zone change requests (which are approximately 30 per month, at least 95% of which are related to ccTLDs), ICANN does not expect that implementation of non-emergency root zone change requests during off hours will be necessary.  To implement change requests 24/7 will require additional full-time staffing to cover three shifts per day.  Based on demand for root zone change requests, adding such staff seems to be an unnecessary expense at this time.  If the Government does not agree with our position, ICANN will be happy to discuss this matter further to reach a reasonable accommodation.

10. Information Request:  Reference C.2.9.2.c, Provide more details as to the role of the ICANN Board review (ie: why and how), provide further explanation as to why the ICP-1 document is being utilized, and further explain the reference of "appropriate change control processes" as these are all undefined in the proposal and not a requirement listed in the solicitation. Furthermore, please explain what are the "existing frameworks" as the term is used in the following statement: "[W]ill apply existing policy frameworks and precedents in processing requests relating to the delegation and redelegation of a ccTLD."

    ICANN Response:  The ICANN Board's review of delegation and redelegation recommendations of a country code Top Level Domain (ccTLD) provides confirmation to the multi-stakeholder community that the ICANN staff has implemented the defined polices for making such delegation or redelegation recommendations. ICANN staff submits to the ICANN Board a report summarizing how the specific delegation or redelegation application complies with and meets the defined criteria of the policy. The Board reviews and confirms

that the appropriate application of the policy has occurred. If the Board deems that additional work to satisfy the policy requirements may be needed, the report is sent back to ICANN staff to take additional steps. If the Board is satisfied that all criteria of the policy were addressed and applied properly, it issues a resolution to that effect.

ICP-1 is the result of the multi-stakeholder discussions to clarify the current practices of ccTLD administration and delegation and documents the outcome of those discussions. The document was adopted by the ICANN Board in a meeting on February 12, 2002. The resolution was adopted with a vote of 16-1-0 and the posting on the ICANN website states : "Resolved [02.10] that the Board adopts the designation of ICP-1, ICP-2, and ICP-3 as members of the ICP series of documents." ICANN utilizes this document because it is the output of the multi-stakeholder process.

The current procedures associated with delegation and redelegation of ccTLDs is the result of the evolution of the process over the past 30 years. While there has been no definitive policy document published that represents all factors that must be considered, a number of notable documents are considered references that influence how the process is conducted:

- RFC 1591, an articulation written by staff performing the IANA Functions of what the procedures and policy considerations were as of 1994
- ccTLD Memo #1, an articulation that governments had a role to play in determining how ccTLDs are operated, written by staff performing the IANA Function in 1997
- The Principles and Guidelines for Delegation and Administration of ccTLDs, a framework developed by governments for the relationship between governments, ccTLD managers and ICANN.

ICANN will continue to implement the procedures based on these key documents, and the significant amount of precedent that has been developed through the execution of many ccTLD delegations and redelegations. Furthermore, ICANN will continue to support efforts — such as the work being conducted by the Framework of Interpretation Working Group — to clarify the interpretation of these frameworks by the community to better inform the work of the IANA Functions.

Utilizing change control processes is a best operational practice. The reason for describing them as "appropriate" is to reflect that the type of change control process used will be specific to the type of change being implemented and the affected and interest parties that are impacted.

11. Information Request:  Reference C.2.9.2.d, Confirmation that ICANN intends to provide (a) "documentation verifying that ICANN followed its own policy framework," and (b) whether "specific documentation demonstrating how the process provided the opportunity for input from relevant stakeholders and was supportive of the global public interest," will be

provided for ALL delegation and redelegation recommendations (and not just those related to the New gTLD Program). Also, Offeror should provide further explanation as to the reference of "appropriate change control processes" as this is undefined in the proposal and not a requirement listed in the solicitation.

ICANN Response: In reference to section C.2.9.2.d of the RFP, ICANN confirms that in making a delegation or redelegation recommendation for any gTLD, not just New gTLDs pursuant to the New gTLD Program, we will provide documentation verifying the we followed our own policy framework, including specific documentation demonstrating how the process provided the opportunity for input from relevant stakeholders and was supportive of the global public interest.

Utilizing change control processes is a best operational practice. The reason for describing them as "appropriate" is to reflect that the type of change control process used will be specific to the type of change being implemented and the affected and interest parties that are impacted.

12. Information Request: Reference C.2.9.2.e, Confirmation that ICANN intends to affirmatively seek feedback from interested and affected parties on the adequacy of its system within the initial nine months of the contract period, and respond to that feedback as appropriate. Provide details on whether or not the automated system is capable of accepting and processing new TLDs.

ICANN Response: ICANN confirms that we intend to affirmatively seek feedback from interested and affected parties on the adequacy of our system within the initial nine months of the contract period and will respond to that feedback as appropriate. In doing so, we will use the same process as described above in response to question No. 6 relating to C.2.6. As currently defined and developed, the automated system does not create new TLDs. The current system is, however, capable of being enhanced to do so. When a set of requirements are agreed by all relevant parties, then a development plan can be established to enhance the automated system consistent with those requirements.

13. Information Request: Reference C.2.9.2.g, Provide details of how each function will be handled with respect to this requirement, particularly how each function's respective interested and affected parties' distinct needs and attributes will be accounted for.

ICANN Response: As it relates to the Customer Service Complaint Resolution Process referenced in C.2.9.2.g of the RFP, ICANN intends that each function will generally be handled utilizing the same process. However, we recognize that the process will need to be flexible depending on each circumstance and the interested and affected parties with respect to each function. As noted in section 1.2.9.2.g of our submission:

"[i]n order to facilitate discussion with NTIA and other interested and affected parties, ICANN will develop a discussion paper describing the current relevant procedures and the requirements under Section C.2.9.2.g of the RFP. ICANN will then post the discussion paper and solicit input from interested and affected parties on what the appropriate customer service complaint resolution process should be."

Once the input from the above referenced public consultations is received and compiled, ICANN will then be a position to explain in greater detail how each of the interested and affected parties distinct needs and attributes will be accounted for.

14. Information Request: Reference C.2.9.3, Please provide details of how ICANN intends to address IP numbers not allocated under an RIR policy?

ICANN Response: RFC 1466, "Guidelines for Management of IP Address Space," describes the policy used to manage IP Address Space. To the extent that this document does not define a policy needed in order to perform the related IANA function, ICANN will consult with the interested and affected parties to seek their guidance. Under ICANN's multistakeholder model, the Address Supporting Organization (ASO) is the interested and affected party responsible for policy development related to management of IP Address Space.

15. Information Request: Reference C.2.9.4, Please explain who ICANN considers to be the interested and affected parties associated with this requirement and how they will work with NTIA. Please confirm that ICANN intends to "implement modifications in performance of the IANA functions as needed upon mutual agreement of parties" with regard to ALL IANA functions (as opposed to just the INT TLD function).

ICANN Response: ICANN believes that the interested and affected parties associated with the requirement of C.2.9.4 are the Governmental Advisory Committee (GAC) and the CO and COR. As necessary, ICANN will consult with the GAC and work closely with the CO and COR regarding the operation of the INT TLD. ICANN confirms that ICANN intends to implement modification in performance of the IANA functions as needed upon mutual agreement of the parties with regard to ALL IANA functions.

16. Information Request: Reference C.2.9.11, Confirm ICANN understands this includes the posting of drafts.

ICANN Response: ICANN confirms that the requirements under section C.2.9.11 of the RFP include the posting of drafts.

17. Information Request: Reference C.3.2, Provide written response of how ICANN defines "significant changes?" Please provide a timetable for the development of the required

notification system and clarify how the secure systems notification will be applied to the various interested and affected parties- via a consolidated system, separate/distinct systems?

ICANN Response: In our response, ICANN indicated that "notifications of scheduled maintenance, system updates or any other significant changes to the information systems that will potentially affect the stakeholders will be performed as part of ICANN's change management process, managed by the ICANN IT department." "Significant changes" is a catch-all term for changes required as a result of events other than scheduled maintenance or system updates. For example, natural disasters or malicious attacks may compel ICANN to make significant changes to the information systems.

The timeline for developing a secure notification process is as follows:

1. Award + 30 – ICANN begins collection of requirements from relevant parties for a secure notification process and publish Requirements document for Public Review (normally 42 days)
2. Award + 72 – Conclusion of Public review
3. Award + 82 – Share completed Requirements document and public comment summary with NTIA for their review, and begin design of implementation
4. Award + 96 – Receive input and approval from Government and proceed with implementation
5. Award + 180 – Implementation completed.

18. Information Request: Reference C.4.1, Confirmation that ICANN understands that Program reviews will be scheduled monthly and site visits will occur annually, Section F8.

    ICANN Response: ICANN confirms that we understand that Program reviews will be scheduled monthly and site visits will occur annually.

19. Information Request: Reference C.4.3, Additional information is needed regarding whether ICANN has any intention of developing a dashboard tracker that will allow individual requestors to view and track real time the status of their change requests? If so, will this be worked on collaboratively with the NTIA and the Root Zone Maintainer before sharing with all interested and affected parties? Please provide a timetable for the development of the required dashboard in collaboration with all interested and affected parties?

    ICANN's Response: ICANN does not propose to develop a dashboard tracker that will allow individual requestors to view and track real time status of their change requests. As ICANN replied in 1.2.9.2 (2) of its response to the RFP:

    > ICANN will provide an online self-service interface whereby credentialed TLD managers will submit change requests at any time. Credentialed TLD managers will also log in at

any time to review the status of their request, and perform other actions, without necessitating direct involvement of ICANN staff.

In reference to C.4.3, below is the proposed timetable for development of the required dashboard:

1. Award + 30 days – ICANN begins consultation process with relevant parties to gather requirements for the dashboard
2. Award + 90 days – ICANN finalizes the requirements documentation in coordination with Verisign and NTIA
3. Award + 95 days – ICANN publishes the Requirements Document for the Dashboard for Public Comment/Review (normal 42 day review process)
4. Award + 137 days – Completion of Public Comment/Review Process
5. Award + 150 days – Summary of Public Comments and Revisions (as appropriate) to Requirements Document completed in collaboration with NTIA and Verisign
6. Award + 151 days – Kick off development design session
7. Award + 165 days – Finalized development design with Verisign and NTIA; begin development
8. Award + 190 days – Publish Prototype dashboard for Public Comment/review (42 day process)
9. Award + 232 days – End of Public comment on Prototype Dashboard
10. Award + 242 days – Summarize comments received during Public Comment and identify, in coordination with Verisign and NTIA, minor enhancements that will be made (others documented for version 2 of the dashboard if there are a large number of changes requested)
11. Award + 270 days – Launch the dashboard.

20. <u>Information Request</u>:  Reference C.5.4, Confirmation that ICANN understands that approval will be obtain from the COR prior to posting reports?

    <u>ICANN Response</u>:  In reference to C.5.4 of the RFP, ICANN confirms that we understand that approval will be obtained from the COR prior to posting reports articulated in Section C.5.

21. <u>Information Request</u>:  Reference C.6.2.1, Acknowledgement that ICANN understands that the Conflict of Interest Policy must cover everyone, not just key employees and that every employee must have on file an executed COI certification.

    <u>ICANN Response</u>:  As stated in our submission, ICANN confirms that we have Conflict of Interest policies that cover and will continue to cover all employees, not just key employees. ICANN further confirms that we understand that every employee must have on file an

executed COI certification.

22. <u>Information Request</u>:  Reference C.8.2, Please provide details of ICANN's intentions with respect to material changes in the policies developed by the relevant entities associated with the performance of the lANA functions?

<u>ICANN Response</u>:  In our response, we acknowledged that we require prior approval of the CO to implement changes to the established methods. To the extent that any of the relevant entities associated with the performance of the IANA functions adopt material changes to policy, ICANN will bring these to the attention of the Government and seek approval to implement changes to the established methods of performing any of the IANA functions.

<u>Information Request</u>:

**Factor 2: Management Approach**

<u>Information Request</u>:  Please provide additional information that details the roles/responsibilities of the PM as they conflict in the requirement response? In particular, on page 271, ICANN indicates that the PM will not serve in any capacity other than managing and overseeing the performance of the function.  However, the remainder of the response details a number of roles and responsibilities for the PM beyond management and oversight of the functions.  Furthermore, Acknowledge and Confirm ICANN understands the requirement included in Section I, clauses.

<u>ICANN Response</u>:  On page 271 of ICANN's response, we describe the responsibilities of the PM:

> The IANA Functions PM is responsible for managing and overseeing the actions of all employees in execution of the IANA Functions. She will not serve in any other capacity in the IANA Functions Program. The IANA Functions PM, Ms. Gerich, is very well known within the NTIA and IANA community, having served two years as a contractor supporting the IANA Functions. Previously, she served nine years as Associate Director of Merit with the responsibility for operation of the NSFNET Backbone. She leads our team of dedicated and experienced personnel. Ms. Gerich is directly responsible for the successful implementation and performance of the IANA Functions Contract, for exercising management initiatives to anticipate the needs of NTIA and all stakeholders, and for smoothly implementing changes that ensure efficient continuous support services. Ms. Gerich is the primary point of contact for all tasks on this program and will be fully accountable for all aspects of contract performance. Her role is to conduct the day-to-day management of the program, which includes working closely with the leadership of NTIA, engaging and integrating support from the stakeholders and communicating on a

regular basis with all ICANN management. She will coordinate all organizational resources supporting this program. Additionally, the IANA Functions PM will engage technical support for the performance of the IANA Functions from within ICANN as needed. On the current contract, Ms. Gerich is the IANA Functions PM as well as the Security Director for the contract. She is responsible for the successful performance of all IANA Functions under the existing contract. She is available to assist in working through demanding issues such as an analysis of the goals and objectives of a particular project or the team's preparation for a major presentation.

The description on page 271 is consistent with the PM requirements documented in C.2.12:
- Shall have demonstrated communications skills with all levels of management
- Shall meet and confer with COR and CO regarding the status of specific contractor activities and problems, issues, or conflicts requiring resolution
- Shall be capable of negotiating and making binding decisions for the company
- Shall have extensive experience and proven expertise in managing similar multi-task contracts of this type and complexity.
- Shall have extensive experience supervising personnel
- Shall have a thorough understanding and knowledge of the principles and methodologies associated with program management and contract management

We cannot identify a conflict between the description of ICANN's proposal on page 271 and the above description in C.2.12 of the RFP.  We will be happy to work with the Government to make any necessary corrections.