

Response to Documentary Information Disclosure Policy Request

To: James Gannon

Date: 25 March 2015

Re: Request No. 20150312-1

Thank you for your Request for Information dated 12 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 Root Zone KSK Operator Function Termination Plan specified in the Section C.7.3 Plan for Transition to Successor Contractor available at <https://www.iana.org/reports/2014/transition-plan-201404.pdf>.

Response

The IANA Functions Contract (the “Contract”) between, the National Telecommunications and Information Administration (NTIA) was initiated “to maintain the continuity and stability of services related to certain interdependent Internet technical management functions, known collectively as the Internet Assigned Numbers Authority (IANA).” (*See Contract, Section C.1.1 at <https://www.icann.org/en/system/files/files/contract-01oct12-en.pdf>*.) The most current Contract awarded to ICANN became effective 1 October 2012.

To help accomplish the goal set forth in Section C.1.1 of the Contract, section C.7.3 of the Contract requires ICANN to provide a plan that would allow ICANN to transition performance of the IANA Functions to a successor organization. (*See Contract at <https://www.icann.org/en/system/files/files/contract-01oct12-en.pdf>*.) This Plan for Transition to Successor Contractor is available at <https://www.iana.org/reports/2014/transition-plan-201404.pdf>.

Your Request seeks the disclosure of a “Root Zone KSK Operator Function Termination Plan” referenced in Paragraph 6 of the Plan for Transition to Successor Contractor. As noted in Paragraph 6, the Root Zone KSK Operator Function Termination Plan “sets out the steps ICANN would take if required to transition its duties and responsibilities as the Root Zone Key Signing Key (KSK) operator to another entity.” (<https://www.iana.org/reports/2014/transition-plan-201404.pdf>)

The Request calls for a document that 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.
- 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.
- Internal information that, if disclosed, would or would be likely to compromise the integrity of ICANN's deliberative and decision-making process by inhibiting the candid exchange of ideas and communications, including internal documents, memoranda, and other similar communications to or from ICANN Directors, ICANN Directors' Advisors, ICANN staff, ICANN consultants, ICANN contractors, and ICANN agents.
- 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.
- Drafts of all correspondence, reports, documents, agreements, contracts, emails, or any other forms of communication.

Notwithstanding the above, ICANN is evaluating whether the public interest in disclosing the information outweighs the harm that may be caused by such disclosure. ICANN notes that publishing the Root Zone KSK Operator Function Termination Plan requires consultation with relevant parties. ICANN has initiated the consultation process, and to the extent a determination is made to publish the Root Zone KSK Operator Function Termination Plan, ICANN will publish it and send you an email with information about where the published plan can be found.

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.