



26 April 2023

Subject: SSAC2023-05: SSAC Response to Public Comment Summary Report on Proposed Procedure for Selecting a Private Use TLD

To: Kim Davies, Vice President IANA Services & PTI President

CC: Sally Costerton, Sr. Advisor to President and SVP, Global Stakeholder Engagement & Interim President and CEO, ICANN
Tripti Sinha, Chair, ICANN Board of Directors

Background

On 27 March 2023, ICANN org published the [Public Comment Summary Report](#) for the Proposed Procedure for Selecting a Top-Level Domain String for Private Use which was developed in response to [SAC113: SSAC Advisory on Private Use TLDs](#). The Summary Report noted that there were 8 Public Comment Submissions, including [SSAC2023-02: SSAC Public Comment on Proposed Procedure for Selecting a Top-Level Domain String for Private Use](#).

This correspondence provides a response from the ICANN Security and Stability Advisory Committee (SSAC) after reviewing that Summary Report.

SSAC Response

In SSAC2023-02, the SSAC commented that:

The SSAC suggests that, if the output of the proposed procedure is not able to be questioned, only whether the process has been followed, then the process described in the final version of this proposed procedure document needs to have more detail, and the community needs to have an opportunity to review it.

The Business Constituency (BC) commented that:

...some elements of the selection process are vague - “deliberation with an internal evaluation team”, and issues resolution through consultation with relevant experts. These ought to be clarified in the interests of transparency.

The GAC (pages 6-7 of the Summary Report) commented that:

How would the internal evaluation team be formed? Are the same individuals developing a set of strings, then deliberating and evaluating?

The GAC wishes clarification regarding where the relevant expertise would be coming from, i.e. from outside ICANN?

These three responses have been aggregated to represent the fifth dot point in the Section 3: Summary of Submissions of the Summary Report as follows:

- *Provide greater specificity into how the internal selection process will be conducted (BC, SSAC, GAC)*

In Section 4: Analysis of Submissions of the Summary Report, ICANN org has responded as follows:

Theme: *Provide specificity on the staff selection process*

Evaluation/Response: *ICANN is tasked with the neutral application of community-developed policies and intends to develop a set of candidate strings through an internal evaluation process. ICANN expects to draw from its multi-disciplinary expertise and involvement in related discussions over many years to evaluate these strings, and to engage community groups where areas of clarification or concern arise. We note that the SAC113 recommendation did not provide more specific guidance than the identified selection criteria, and it is common for ICANN to make implementation decisions within community-defined parameters where the guidance is otherwise not explicit.*

The SSAC certainly acknowledges that much expertise exists within ICANN org to implement policy decisions. However, implementation plans, e.g., the work products of Implementation Review Teams, are routinely published for public comment before actual implementation. Therefore, it is disappointing that this response effectively dismisses the request to provide a more detailed selection process (implementation plan) and make that available for Public Comment before that process is undertaken.

Rod Rasmussen
Chair, ICANN Security and Stability Advisory Committee