



Review of the SSAC

SSAC review WG – presentation of the draft report

Dennis Jennings

Chair, SSAC review WG

Marco Lorenzoni

Director, Organizational Review

October 2009

Summary

- Timeline
- Reviewers' recommendations
- Draft WG conclusions, for final consultation

Timeline

	2008			2009												2010		
	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3
Independent review	Yellow	Yellow	Yellow	Yellow	Yellow			Yellow										
Mexico city meeting						Green												
Public comments						Red	Red	Red										
SSAC self-review								Purple	Purple									
Sydney meeting								Green										
WG work: draft final report										Blue	Blue	Blue	Blue					
Seoul meeting													Green					
Public comments													Red	Red				
WG work: finalization report															Blue	Blue		



October 2009

Reviewers' recommendations

**33
Recommendations**

- Organizational clarity and Charter (1 to 14)

- Formality and transparency (15 to 29)

- Conflict of Interest (30 to 33)

WG draft conclusions (1/15)

Reviewers Recommendations

1. ICANN maintain an advisory body comprised of outside experts on the security and stability of the Internet's unique identifier systems.
2. SSAC maintain its fundamental identity as an Advisory Board chartered by and reporting to the Board of Directors.
3. As SSAC and RSSAC are designed for different purposes, we do not recommend the combination of these bodies.
4. SSAC members should not be required to sign confidentiality or duty of loyalty agreements with ICANN.

SSAC position Agreement

WG conclusions *Agreement*



WG draft conclusions (2/15)

Reviewers Recommendation 5. The SSAC Charter should be amended to exclude dealings with confidential or proprietary information absent specific guidance from the Board.

SSAC position Disagreement.
Because SSAC is composed of security professionals who often deal with private information, this would unnecessarily hamper analysis by denying useful information.

WG conclusions *Agreement with comments formulated by SSAC, no need to amend its Charter.*
SSAC has a legitimate right to ask for access to confidential or proprietary information needed to fill its mandate; requests to be motivated by appropriate reasons.
No right for SSAC to force ICANN to disclose confidential or proprietary information. CEO/Board to decide on access to confidential info.
In case of disclosure, information has to be treated under the terms set/to be set by the owners of the information.

WG draft conclusions (3/15)

Reviewers Recommendation	6. The SSAC Charter be amended to exclude involvement with or review of internal ICANN operations except as specifically directed by the Board.
SSAC position	Denying SSAC information about internal ICANN operations, including IANA functions, would unnecessarily hamper its analysis. Where contracts or normal employment practices (...) prohibit disclosure, SSAC should not have special access, but review and access to information on operational function such as root system provisioning and root server operations, these functions should be within SSAC's purview.
WG conclusions	<i>In the interest of ICANN, SSAC is entitled to signal to the ICANN Board and management whenever it considers that there are potential threats to the security and stability of the Internet caused by ICANN's internal operations. ICANN's internal operations, including IANA, should report to the Board after each security and stability incident and annually on the measures adopted (...). The Board will decide on the partial or full disclosure of these reports to SSAC, as appropriate.</i>

WG draft conclusions (4/15)

Reviewers Recommendation	7. Correct perception of SSAC "independence" through improvements in formality, transparency, and increased Board interaction without limiting SSAC freedom of expression.
SSAC position	The independent objective analysis of SSAC is its greatest benefit to ICANN. (...)
WG conclusions	<i>SSAC committed to provide factual, evidence-based advice. No contradiction between the status of several SSAC Members as employees and their SSAC technical, analytic work. No specific measures need to be adopted to address this remark.</i>
Reviewers Recommendation	8. SSAC Charter be amended to add a requirement that the SSAC Chair and the SSAC Board Liaison are not the same individual.
SSAC position	We see no reason to either require or prohibit the same person from serving in both Chair and Liaison role.
WG conclusions	<i>The WG agrees with the comments made by SSAC; no need to amend SSAC Charter.</i>

WG draft conclusions (5/15)

Reviewers Recommendation	9. ICANN reimburse travel expenses for the SSAC Chair to ICANN meetings when appropriate.
SSAC position	Agreement, with the remark that 'getting more SSAC members to ICANN meetings would help.'
WG conclusions	<i>The WG agrees with the recommendation of the external reviewers.</i>

Reviewers Recommendation	10. ICANN Board study the issue of paying a stipend or honorarium to SSAC Leadership and members.
SSAC position	Agreement
WG conclusions	<i>Agreement</i>

WG draft conclusions (6/15)

Reviewers Recommendation 11. The SSAC charter be amended to specifically include nontechnical risks to security and stability as within scope.

SSAC position Although non-technical risks to security and stability are considered by SSAC, its focus should remain on objective facts

WG conclusions *SSAC has already demonstrated being able to analyze technical consequences of non-technical decisions.
No need to amend SSAC Charter*

Reviewers Recommendation 12. SSAC maintain focus on developing and sharing knowledge and understanding of new and evolving risks; SSAC should specifically avoid tactical involvement in response or mitigation activities.

SSAC position Agreement; SSAC should avoid operational response and concentrate on systemic issues.

WG conclusions *The WG agrees with both reviewers' remark and the response from SSAC; no specific actions are needed.*

WG draft conclusions (7/15)

Reviewers Recommendation 13. SSAC Leadership improve sensitivity to political and business issues by heeding the following advice (several measures)...:

SSAC position Agreement (with comments)

WG conclusions *Agreements with comment formulated by SSAC, no action is required.*

Reviewers Recommendation 14. The SSAC charter be amended giving guidance to focus on issues of strategic and policy importance and to avoid tactical operational issues except as charged by the Board.

SSAC position The current charter adequately indicates that SSAC's mission is strategic rather than operational.

WG conclusions *Agreements with comment formulated by SSAC, no action is required.*



WG draft conclusions (8/15)

Reviewers Recommendation	15. (...) SSAC undertake an annual planning process (...) to be presented to the Board for approval.
---------------------------------	--

SSAC position	Planning process is necessary, not to be constrained to annual cycles. Budget to be presented for Board approval.
----------------------	---

WG conclusions	<i>The WG agrees on the need for SSAC to setup a lightweight planning process.</i>
-----------------------	--

Reviewers Recommendation	16. SSAC keep and publish meeting minutes on the SSAC web site in a timely fashion.
---------------------------------	---

SSAC position	Agreement, with the understanding that minutes are not the same as transcripts
----------------------	--

WG conclusions	<i>The WG agrees with both reviewers' remark and the response from SSAC.</i>
-----------------------	--

WG draft conclusions (9/15)

Reviewers	17. SSAC to keep their web site current to include work in progress and work planned for the future.
Recommendation	
SSAC position	Agreement; SSAC's web site requires constant maintenance.
WG conclusions	<i>Agreement.</i>

Reviewers	18. As a part of SSAC's first annual plan, SSAC revisit task area one in conjunction with ICANN staff. Task area one reads as follows: "Develop a security framework for Internet naming and address allocation services that defines the key focus areas, and identifies where the responsibilities for each area lie."
Recommendation	
SSAC position	The first item in the current charter (...) should be removed.
WG conclusions	<i>Agreement with the proposal formulated by SSAC.</i>



WG draft conclusions (10/15)

Reviewers Recommendation	<p>19. SSAC should endeavor to find the best experts globally without regard for geographic proximity. SSAC membership should not be subject to artificial geographic quotas.</p> <p>20. SSAC membership appointments be for a term of three years, renewable by the Board at the recommendation of the SSAC Chair indefinitely.</p> <p>21. Do not impose a limit on the number of terms an SSAC member may serve.</p> <p>22. Stagger SSAC member terms such that roughly 1/3 of the terms are up for renewal each year.</p>
---------------------------------	--

SSAC position	Agreement
----------------------	-----------

WG	<i>Agreement</i>
-----------	------------------

conclusions



WG draft conclusions (11/15)

Reviewers Recommendation	23. SSAC Board Liaison be permitted a maximum of three consecutive one-year terms.
---------------------------------	--

SSAC position	Disagreement
----------------------	--------------

WG conclusions	<i>(...) all Liaisons should be appointed for a three-year term, maximum of three consecutive terms.</i>
-----------------------	--

Reviewers Recommendation	24. Article XI of the ICANN Bylaws be amended to include a new section discussing the removal of an advisory committee member or chair through a simple majority vote of the Board.
---------------------------------	---

SSAC position	The combination of constraints on membership of (1) approval if individual members to (2) three-year terms, with (3) renewal dependent on peer review is adequate. Any appearance that the board can punish a member of SSAC for leading an unpopular study would undermine credibility.
----------------------	--

WG conclusions	<i>The WG agrees that protective measures should be put in place to remove disruptive or underperforming AC Members or Chair.</i>
-----------------------	---

WG draft conclusions (12/15)

Reviewers Recommendation	25. SSAC implement a policy explicitly stating that the SSAC brand (written or verbal) is to be used only on approved work products.
---------------------------------	--

SSAC position	The focus on “branding” is inconsistent with the objective fact-based approach that is SSAC’s primary distinctive value.
----------------------	--

WG conclusions	<i>If and when applicable – when making statements SSAC members should clarify whether they refer to their personal view or to positions expressed in SSAC documents.</i>
-----------------------	---

Reviewers Recommendation	26. The SSAC Chair select, implement, and enforce the regular use of a transparent decision making and documentation strategy fitting of the membership and culture of the SSAC.
---------------------------------	--

SSAC position	(Formalities) are unnecessary because SSAC is not representational.
----------------------	---

WG conclusions	<i>The final version of reviewers’ report formulates proposals that appear consistent with the culture of SSAC.</i>
-----------------------	---

WG draft conclusions (13/15)

Reviewers Recommendation	27. The SSAC formally approve and release all work products pursuant to the chosen decision making and documentation strategy.
---------------------------------	--

SSAC position	Disagreement, same motivation as above (Rec. 26)
----------------------	--

WG conclusions	<i>Same comments formulated in relation to Recommendation 26.</i>
-----------------------	---

Reviewers Recommendation	28. SSAC formally and visibly adopt a suitable default confidentiality policy. Other policies are used as necessary by mutual agreement.
---------------------------------	--

SSAC position	Agreement
----------------------	-----------

WG conclusions	<i>Agreement</i>
-----------------------	------------------



WG draft conclusions (14/15)

Reviewers Recommendation	29. Utilize the mechanisms recommended in this review, including the annual planning process, to regularly evaluate SSAC performance against objectives and resource utilization.
SSAC position	Disagreement; evaluating performance against objectives is appropriate for employees, but not for volunteer experts often from outside the domain-name business.
WG conclusions	<i>SSAC to produce a lightweight, yearly report of activities to the Board, to be published as appropriate.</i>
Reviewers Recommendation	30. SSAC publish simple conflict disclosure forms for each SSAC member on its web site. Candidate SSAC members will be required to provide a complete disclosure to the Board prior to appointment to SSAC, and shall provide an updated disclosure whenever circumstances merit.
SSAC position	We agree conflicts of interest should be disclosed, but prefer not to use formal, signed statements and keep these disclosures less formal.
WG conclusions	<i>Agreement with the recommendation formulated by reviewers and the approach proposed by SSAC.</i>

WG draft conclusions (15/15)

Reviewers

Recommendations

31. Each SSAC work product shall include a "Dissents" section. Any SSAC member wishing to dissent shall do so here by name or anonymously. If there are no dissents, the verbiage "No Dissents" shall appear.
32. Each SSAC work product shall include a "Recusals" section. The name of any SSAC member who recused him or herself during any part of the preparation and discussion of the specific work product shall appear here. If the individual wishes to remain anonymous, the term "X Recusals" shall appear in this section, where X is the number of anonymous recusals. If there are no recusals, the verbiage "No Recusals" shall appear.
33. SSAC develop and post a conflicts of interest policy based on the ICANN Board policy.

SSAC position

Agreement

WG conclusions

Agreement





Thank You

Dennis Jennings

Chair, SSAC review WG

Marco Lorenzoni

Director, Organizational Review

October 2009