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Response by the Internet Society to the
National Institute of Standards and Technology
[Docket No. 110524296-1289-02]
Models for a Governance Structure for the National Strategy for
Trusted Identities in Cyberspace

Dear Ms Sokol,

The Internet Society thanks the United States Department of Commerce National
Institute of Standards and Technology for the opportunity to provide input to the Notice
of Inquiry on "Models for a Governance Structure for the National Strategy for Trusted
Identities in Cyberspace". We commend the Department for its outreach throughout the
National Strategy for Trusted Identities in Cyberspace (NSTIC) process. The Internet
Society believes that open and transparent Internet policy processes lead to better
public policy and is, therefore, pleased to offer these comments in the spirit of improving
this aspect of the national strategy.

In general, the Internet Society supports the aims of the proposed governance structure.
In particular, we strongly support a vision of an online Identity Ecosystem that is privacy-
enhancing, globally interoperable, and voluntary. The Internet Society also believes that
an effective and sustainable Identity Ecosystem, as envisioned by the NSTIC, must be
developed in a user-centric, multi-stakeholder focused, open, and transparent manner.
However, we also believe that some aspects of the proposed strategy and governance
structure would benefit from further refinement and clarification.

In this regard, the Internet Society (ISOC) has four general comments:

1. National vs. International Focus

   While we support the driving force behind the effort, it is worth noting that the
   NSTIC is designed to service the needs of the United States. As an international
   organization focused on global Internet-scale interoperability, the Internet Society

is particularly concerned that whatever is ultimately developed as part of the NSTIC effort should also work effectively in an international context (or at least does not hamper a more global solution). However, we also feel that the NSTIC Steering Group should be clear that it is a U.S. focused activity servicing national needs.

2. Scope and Remit

The overall scope and remit of the proposed "Steering Group" remains unclear and any responses would benefit from greater clarity in regards to the role of this body. For example, it is not clear where the NSTIC Steering Group derives its authority, what it's mandate will be, and what enforcement mechanisms it will be able to leverage. It is difficult to propose a structure of and governance for a body without first understanding these details.

3. Standards Adoption vs. Development

To effectively meet the goals outlined by the NSTIC, the NSTIC Steering Group should focus on the adoption of existing open standards, or specifications that are being externally developed by recognized open standards organizations. The NSTIC Steering Group should limit itself to publishing guidance documents or deployment profiles of those standards and not the development of new ones.

4. All Standards Organizations Are Not Equal

There are many organizations that develop, produce, and maintain technical standards that combine to service the global Internet. They can be similar, though they have different intellectual property rights (IPR) regimes, different models of participation (e.g. open-to-all vs. pay-to-play), and represent different constituent groups or needs. In order to support a truly open, multi-stakeholder solution for NSTIC, it may be necessary to articulate what organizations are acceptable when developing guidance, profiles, specifications, and standards that need to be in place (e.g. the IETF, W3C).

In addition to these high-level points, the Internet Society provides the following comments to the specific sections of the NOI:

Structure of the Steering Group

1.2. Are there broad multi-sector examples of governance structures that match the scale of the steering group? If so, what makes them successful or unsuccessful? What challenges do they face?

When considering possible parallels to the Identity Ecosystem envisioned by NSTIC, the Internet Society believes that it is worth exploring the Internet Ecosystem[1] as a means to understanding effective, loosely structured bodies cooperating towards a common goal. The Internet Ecosystem is comprised of multiple interested stakeholders and organizations, each carrying out their particular role and responsibility. Within the Internet ecosystem, standards, policies, and governance approaches are developed in an open and transparent manner. It is noted in this comparison that there is no equivalent top-level Steering Group for the Internet Ecosystem. There are multiple collaborating standards and governance bodies that participate in various aspects of the Internet Ecosystem depending upon their expertise and focus. The Internet Society has long experience of working effectively within the Internet ecosystem and would therefore suggest that a clear but narrow scope and remit of the proposed NSTIC Steering Group may help establish momentum and enable self-organizing, generative growth as needed (rather than presupposing an overly rigid structure), avoid duplication and confusion, and increase the effectiveness of the overall effort.

An example of an effective governance structure that may be more relevant in this context is CABig (https://cabig.nci.nih.gov/).[2] The scope of the NSTIC Steering Group may be more closely aligned with the operational nature of the CABig as it addresses many of the needs identified by the NOI while also being designed from the ground-up to be a transparent and open solution to a national goal while acknowledging international interoperability.

Steering Group Initiation

2.3. How does the functioning of the steering group relate to the method by which it was initiated? Does the scope of authority depend on the method?

The Internet Society believes that the exact process by which the NSTIC Steering Group is initiated is not as important as the requirement to be simple, streamlined, and flexible. It is unreasonable to expect that the nature and function of the NSTIC Steering Group will be the same at its initiation as it will be during later stages of the development. NIST should resist the temptation to establish a heavy weight organization and processes from the start. Instead, NIST should allow the governance structure to evolve as the scope and remit are refined. The NSTIC Steering Group, even in its earliest stages, will need to ensure that all its proceedings are open and transparent to enable all stakeholders to follow and contribute as appropriate.

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[1] http://www.isoc.org/pubpolpillar/docs/internetmodel.pdf (In particular, the diagram on page 4 of the referenced document is seen as relevant to this discussion.)

[2] "The mission of caBIG® is to provide a framework for creating, communicating, and sharing bioinformatics tools, data, and research results, while using shared applications, shared data standards, and shared data models that can be connected throughout the cancer community."

Representation of Stakeholders in the Steering Group

3.1 What should the make-up of the steering group look like? What is the best way to engage organizations playing each role in the Identity Ecosystem, including individuals?

In the early phases of development, the NSTIC Steering Group should strive to achieve broad representation from all the major stakeholders. It is unreasonable, however, to expect to get the perfect set of participants in the initial rounds. It is more important that the NSTIC Steering Group be flexible and open to change as the process matures. The NSTIC Steering Group should start with a group of known stakeholders and allow the organization to grow and evolve as appropriate.

International issues

Question 4.1 How should the structure of the steering group address international perspectives, standards, policies, best practices, etc?

The Internet Society believes that the NSTIC Steering Group needs to address the national trust and identity challenges first with an eye towards the international landscape. It cannot, given its current remit, expect to adequately represent other countries' national interests. However, the NSTIC Steering Group can and should collaborate and coordinate with international groups. In particular, international open standards organizations are well positioned to provide international perspectives, and it is expected that there will be some representation from that community on the NSTIC Steering Group.

Question 4.3 On what international entities should the steering group focus its attention and activities?

The Internet Society believes that NSTIC should build on existing international standards like those that come out of the IETF and W3C. It is particularly important to focus on the adoption of standards versus the development of additional standards which the private sector and technical community are best able to identify. The Internet Society believes that the NSTIC Steering Group should facilitate the development of royalty free standards within the appropriate international standards development organizations. In addition, the NSTIC Steering Group should work within the guidance provided by the OECD, in particular on the trans-border flow of data.

Final Remarks

In conclusion, the Internet Society believes that, with a few important refinements and clarifications, the NSTIC Steering Group proposal offers a good way forward to bring together the various U.S. stakeholders in the Identity Ecosystem to ensure the basic

principles of the NSTIC are upheld. We are hopeful that this approach, so long as it is carefully scoped and mindful of key open standards principles, will meet the goals set forward in the Cyberspace Policy Review and we look forward to working with NIST and other partners in the Internet community to carry out this work in an open, collaborative, and transparent process.

For further information, please contact:

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About the Internet Society
The Internet Society (ISOC) is a non-profit organization founded in 1992 to provide leadership in Internet related standards, education, and policy. The Internet Society is the organizational home of the Internet Engineering Task Force, the Internet's premier technical standards body. With offices in Washington, D.C., and Geneva, Switzerland, it is dedicated to ensuring the open development, evolution, and use of the Internet for the benefit of people throughout the world. For more information see http://InternetSociety.org.