

**Before the
DEPARTMENT OF COMMERCE
National Telecommunications and Information Administration
Washington, D.C. 20554**

In the Matter of)	
)	
Input on Proposals and Positions)	Docket No. 200504-0126
For the 2020 World Telecommunication)	
Standardization Assembly)	RIN 0660-XC045
)	

COMMENTS OF THE INTERNET GOVERNANCE COALITION

The Internet Governance Coalition welcomes the opportunity to comment on the National Telecommunications and Information Administration’s (“NTIA”) Notice of Inquiry (“NOI”)¹ on proposals and positions for the 2020 World Telecommunication Standardization Assembly.

I. INTRODUCTION AND SUMMARY

The Internet Governance Coalition (“Coalition”) is an industry group representing companies from across the Internet ecosystem. Members include Amazon, AT&T, Inc., Comcast NBCUniversal, Facebook, Google LLC, Microsoft Corporation, NCTA – The Internet & Television Association, The Walt Disney Company, Verizon Communications, and CenturyLink. The Coalition advocates and supports policies that ensure a safe, secure, open, interoperable, and global Internet as the underlying foundation for sustainable economic and social development.

The Coalition shares NTIA’s prioritization of the importance of the International Telecommunication Union’s (“ITU”) World Telecommunications Standardization Assembly

¹ *Input on Proposals and Positions for the 2020 World Telecommunication Standardization Assembly*, Notice of Inquiry, Docket No. 200504-0126, RIN 0660-XC04, 85 Fed. Reg. 27390 (May 8, 2020) (“NOI”).

2020 (“WTSA”), as an opportunity “to best position the United States’ Information and Communications Technology (‘ICT’) industry to retain its global leadership in the rapidly evolving communications sector.”² In so doing, the Coalition supports NTIA’s principles and objectives (1) that support and further the multistakeholder approach to Internet policy; (2) that advocate for interoperable communications, with “minimal barriers to the global exchange of information and services;” and (3) that preserve the United States’ “influence in the technological ecosystem and the development of cyberspace as an open engine of economic growth, innovation, and efficiency.”³

A thriving Internet depends upon a transparent governance structure representative of all stakeholders. The existing multistakeholder model for international Internet governance, and reliance on private sector investment and innovation, enabled the economic, social, and political developments of today. This decentralized structure allows individuals worldwide to access information and services, to connect and communicate, and to share knowledge and ideas.

Continued innovation and expansion in global connectivity requires policies that promote private sector investment, and foster the long-term growth of the Internet economy, rather than chilling investment and innovation through heavy regulation, resulting in restrictive access to information and services. We encourage the United States to continue to advance a forward-looking agenda at the WTSA that enables the development of new technologies and the expansion of global connectivity. This objective is essential to fostering United States industry leadership in the current environment that is increasingly geo-politically driven, competitive, and interdependent.

² *Id.* at 27390.

³ *Id.*

We support NTIA's efforts, within the interagency process, to advance these principles in bilateral and multilateral engagements with other nations on Internet policy issues, particularly those issues that may arise at the WTSA. Those particular issues may include the free flow of information, preserving the Internet's global connectivity, promoting private sector investment and innovation, sound principles of privacy and security, and fostering an environment for the development and deployment of new technologies.

Importantly, at the WTSA, the United States should make clear to other governments and participants the great economic and social cost arising from policies that constrain the demonstrable benefits of an open and transparent digital economy.

II. FOSTER THE MULTISTAKEHOLDER APPROACH IN INTERNET POLICY

We support NTIA's position that the ITU has a role to play regarding the ongoing development of the Internet. But that role is in coordination and collaboration with a broad array of stakeholders including governments, the private sector, the Internet technical community, and civil society. Therefore, we agree with NTIA that the ITU "provide a consensus-driven, transparent forum for issues appropriate to its own mission (*e.g.*, interconnection)."⁴ It is vital that all relevant stakeholders see the ITU as a welcoming environment where their contributions are encouraged.

A. What role would stakeholders like the ITU-T to play with respect to standards development?

NTIA has identified a number of emerging technologies that the ITU membership and secretariat staff have recently considered in its work program through study groups, and an expanded program of forums, focus groups, workshops, and thematic summits. These

⁴ *Id.* at 27391.

technologies include artificial intelligence, quantum information technology, smart cities, and others.⁵

NTIA has expressed concern that its limited resources prevent it from covering all of the activities at the ITU, while also supporting government and private sector interests in other standards development organizations (“SDOs”), where the same issues are being addressed. The Coalition agrees that this is a realistic concern that needs to be considered going forward. While we acknowledge resource constraints, in NTIA’s ongoing assessment of where it allocates its resources with respect to the ITU, for example, we would look forward to an opportunity to share our priorities with NTIA, and other members of the interagency process.

In that regard, and as a matter of efficiency, the Coalition believes that there are three approaches that may prove beneficial to the ITU, and its participating stakeholders: (i) clearly define what the purpose of the activity is, consistent with resource constraints; (ii) as a corollary, a careful “gap analysis” should be undertaken prior to deciding how appropriately the ITU can play a role, consistent with its mission; and (iii) any consideration of adoption of standards/recommendations should be done — based on consensus and transparency — only at the study group level. We note with favor that some study groups have undertaken “gap analysis” regarding emerging technologies as an important part of their ongoing review of their work programs.

The ITU can play a useful role as a convener of expert stakeholders to consider emerging technologies as they may apply to the provision of international telecommunications/ICT

⁵ *See id.* (listing of the emerging technologies identified by NTIA as work in various stages and forums currently undertaken by the ITU).

services, to the benefit of developing and developed countries alike. However, it is a role best served if it is limited to sharing best practices, and to expert exchanges of views.

In many cases, our preference would be that the ITU not intervene in areas that are best left to the private sector. However, in some cases, we view the ITU's convening authority as a means to demonstrate the private sector's leadership in emerging technologies by making clear that private sector leadership is the driving force in technology innovation. But we do not support the ITU's convening authority as a means to create recommendations, for example, outside of established decisional processes.

We encourage the United States to continue its vigilance during the preparations for the WTSA, through its various engagements with governments, and at the WTSA itself, to advocate policies and positions that are focused on advancing an ITU that promotes investment, competition, and global Internet connectivity as its principal role, particularly when dealing with the growing list of emerging technologies that have an impact on the global digital economy.

III. ADVANCE ITU-T RESTRUCTURING TO INCREASE ORGANIZATIONAL EFFECTIVENESS, REDUCE DUPLICATION AND ENSURE THE PROPER SCOPE OF THE ITU

The Coalition supports NTIA's "efforts to improve the structure of the ITU-T to ensure that it focuses on its core competencies."⁶ The structure of ITU-T study groups is a key topic of the WTSA. We would also note that mandates of study groups are an essential part of the discussion.

It is useful to remember that certain principles were developed at WTSA'16 as a framework for structure and mandate discussions. Those principles include optimizing the structure; establishing clear mandates; cost-effectiveness; and enhanced coordination and

⁶ *Id.*

cooperation.⁷ We believe that these principles, among others, will help inform the positions of the United States leading up to WTSA. In summary, we concur with NTIA’s priority “to ensure the ITU-T refocuses its efforts on technical matters that are within its mandate and expertise and to minimize and redirect any work on issues outside ITU-T’s mandate.”⁸

An issue of considerable concern has arisen recently that should be addressed to ensure that ITU-T remains focused on issues within its mandate and expertise. The issue concerns proposal(s) to create a “New IP,” and, in so doing, to significantly reorient the purpose and work program of ITU-T. We join with a number of contributions on this matter in strongly resisting this diversion from the mandate of the ITU, and specifically the ITU-T.

For example, we support the statement of the Internet Engineering Task Force (IETF) that “we expect the existing protocol stack to continue to evolve to meet the needs of new networks and applications, just as it has for more than 50 years. We have not seen any evidence of the need for a monolithic ‘New IP’ designed from the top down.”⁹

On the realignment of ITU-T and ITU-D, we concur with NTIA that as a longer-term matter, it would be beneficial to the ITU if policy questions currently under the jurisdiction of the ITU-T could be moved to ITU-D. As a short-term matter, we also concur with NTIA that there is much within the work program of Study Group 3 that could be viewed as likely candidates for movement to ITU-D. As a first step, we note with interest the mapping exercise

⁷ ITU-T, *Draft LS on WTSA-20 preparations concerning work programme and structure*, TSAG-TD 763R1 (Feb. 14, 2020).

⁸ NOI, at 27391.

⁹ IETF, *Liaison statement: Response to ‘LS on New IP Shaping Future Network’*, addressed to ITU-T TSAG.

between ITU-T and ITU-D prepared by the ITU Secretariat for the Telecommunication Standardization Advisory Group (“TSAG”) meeting on 10-14 February 2020.¹⁰

Lastly, as NTIA moves to the phase of prioritizing its participation in ITU-T study groups, particularly after decisions reached at WTSA, we look forward to continuing our collaborative relationship that has proved so beneficial to industry.

IV. IMPROVE ITU-T PROCESSES AND PROCEDURES (I.E., WORKING METHODS) AND TRANSPARENCY

The Coalition applauds NTIA’s goal of enhancing “the efficiency and effectiveness of ITU-T through procedural improvements that benefit all stakeholders in the future of the ITU.”¹¹

NTIA asks a few specific questions:

A. Should the ITU strengthen cooperation and collaboration among the three ITU sectors? If so, what are some suggested methods for doing so?

We have discussed above an example of mapping possible coordination areas between sectors that has been conducted at the study group level. We believe that this process can be a near-term method that can bring results consistent with the broader goal of enhancing the efficiency and effectiveness of ITU-T. Driving solutions to the most effective level — the level closest to the problems — is a well-established management technique. Those participating at the study group level are most aware of the substance of study questions being addressed across sectors, and, as a result, where there may be inefficient duplication.

¹⁰ ITU-T, *Updated mappings of common interest areas of work between the ITU-D and ITU-T study groups and between the ITU-R and ITU-T study groups for ITU inter-sector coordination*, TSAG-TD720 (Jan. 21, 2020).

¹¹ NOI, at 27392.

B. What, if any, modifications to WTSA Resolutions and Recommendations would improve their efficiency and effectiveness?

Resolution 18, “Principles and procedures for the allocation of work to, and strengthening coordination and cooperation among, the ITU Radiocommunication, ITU Telecommunication Standardization and ITU Telecommunication Development Sectors (Rev. Hammamet, 2016),” offers opportunities to add language or concepts that could advance the goal of inter-sector efficiencies. We could imagine, for example, language taking into account the work already being done at the study group level to map overlapping or related study questions among the sectors.

Resolution 18 (Rev. Hammamet, 2016), with its attachments, offers ample opportunities for the United States to capture other ideas that could have lasting benefits to the ITU as a whole. The Coalition would be pleased to consult with NTIA, as well as others in the interagency process, on developing possible approaches in Resolution 18 (Rev. Hammamet, 2016) to address specifically NTIA’s question.

Additionally, an issue of interest to the Coalition concerns participation at the regional level prior to ITU conferences and study group meetings. We believe that this issue poses a longer-term challenge as regional groups take on a greater role in preparations for ITU events, as well as a greater role in the actual development of ITU agendas, recommendations, and decisions.

Among possible resolutions to embed greater flexibility in participation by the private sector in regional group meetings is Resolution 54 (Rev. Hammamet, 2016). Recognizing that each regional group has its respective bylaws and procedures, there is an ITU issue that if greater policy authority is invested in regional groups, and their influence on ITU decisions grows, some accommodation needs to be explored to gain greater access to regional processes. Again, as

appropriate, we would be pleased to respond to any follow-up questions or requests for consultations with the Coalition on this issue.

V. INCREASE U.S. PRESENCE AND INFLUENCE IN THE ITU-T

The Coalition supports the goal of NTIA “to promote ways to foster increased U.S. leadership and facilitate greater participation and representation the U.S. stakeholders [sic], as appropriate.”¹²

NTIA asks a series of questions that go to the issues of (a) stakeholder participation in the ITU-T, (b) significance of that participation on stakeholder interests and values, and (c) the scope of implementation of ITU-T decisions for stakeholders. As a general matter, the Coalition wishes to offer the following perspective on the questions raised by NTIA:

A. Stakeholder participation in the ITU-T

Coalition members participate in a variety of ITU events based upon the agenda of the event, and based upon considerations as to whether the event complements interests and values of the Coalition member. We should note that ITU-T has a wide range of events, and, as a result, Coalition member decisions are made specific to each event, within the context of their respective interests and values. For example, of the 11 ITU-T study groups, Coalition members participate in some of the study groups based on the specific mandate of the study group, the relevance of the questions under study, and the prospect of a recommendation resulting from the study.

Members also find it beneficial to participate in events other than study groups. It is also the case that some members of the Coalition find that an event complements the emphasis

¹² NOI, at 27392.

members place on sustainable development goals, for example, and the role that information technology plays in advancing those goals.

B. Significance of stakeholder participation on stakeholder interests and values

We share with NTIA the view that the proliferation of events sponsored by ITU-T poses a challenge for Coalition members to cover all events, and to ensure a positive outcome from the issues raised at the events. To address this environment created by ITU-T, a close consultation and, where appropriate, collaboration with stakeholders by government is needed. We appreciate NTIA's efforts through advisory mechanisms to gain stakeholder perspectives on ITU-T events. And we appreciate that government is also burdened in sufficiently keeping informed on developments within ITU-T.

We look forward exploring with NTIA ways to use the advisory process to address issues raised by NTIA in the NOI. For example, there may be opportunities to use existing government websites to keep abreast of upcoming ITU-T events, their agendas, and the issues to be addressed. We have found the website information that NTIA and other government agencies provide for World Radiocommunication Conferences and Plenipotentiaries very helpful. We are hopeful that there are ways to take a similar approach to covering more specific, but important, ITU-T events.

C. Scope of implementation of ITU-T decisions for stakeholders

The extent to which Coalition members implement decisions reached at ITU-T events varies considerably among members. Coalition members participate in a wide range of SDOs. We recognize that SDOs, increasingly, collaborate on developing standards and recommendations, given that many information technologies are fundamental to the digital economy. As a consequence, a standard/recommendation adopted by the ITU-T may have its counterpart in another SDO; indeed, they may be essentially the same. Again, depending on the

subject matter, the standard/recommendation adopted by the ITU-T may be relevant to Coalition members and important to their commercial interests.

In this context, and as we have mentioned above, we believe it is important for the government to encourage mapping of work within ITU-T across study groups, and between the ITU-T and other SDOs, to gain a better understanding where the work program of the ITU-T is consistent with the mandate of the ITU, and to ensure that it is not redundant to work ongoing elsewhere, particularly in an SDO with greater expertise on the given study question. NTIA should resist the ITU-T's duplication of ongoing standards work in SDOs.

Limited resources will be allocated according to relevance and benefit to the stakeholder. We understand that this is a principle that NTIA shares. We look forward to continuing consultations and, where appropriate, collaboration with NTIA and others in the interagency process to ensure efficiency and effectiveness at the ITU-T.

VI. FURTHER THE MULTISTAKEHOLDER APPROACH TO INTERNET POLICY

The Coalition shares with NTIA support for the “current limited role of the ITU-T in technical recommendations work related to telecommunications security.”¹³ The Coalition looks with great interest, and in some cases concern, on any role of the ITU in matters involving privacy, trust, and the free flow of information. It is vitally important that the appropriate mandate and work programs in these areas be observed among international organizations, including the ITU. This point is underscored as the ITU has expanded its work program to include matters related to IoT, AI, quantum information technology, and particularly, to the policy dimensions of 5G. In that context, we make the following observations:

¹³ *Id.* at 27392-93.

We believe that considerable focus in preparations for the WTSA should be on (a) relevant resolutions that address security, (b) continuing, updating, and/or introducing new study questions related to security, and (c) matters at the ITU dealing with emerging technologies and their relationship to future work of the ITU-T. We will address the series of questions raised by NTIA in this section by commenting on these three areas.

A. Relevant resolutions that address security

We anticipate that the WTSA will spend a great deal of time discussing any possible revision to Resolution 50 (Rev. Hammamet, 2016). We would note that the *resolves 2* provides a wide scope for broadened work by ITU-T in the area of security: “that all ITU-T study groups continue to evaluate existing and evolving new Recommendations, with respect to their robustness of design and potential for exploitation by malicious parties.”¹⁴ We would further note that this *resolves* could introduce consideration of security matters on such topics as AI, IoT, smart cities and communities (“SC&C”), quantum information technology, and, of course, 5G. In this case, the need for frequent monitoring and direct involvement in the work of ITU-T is significantly increased.

Other resolutions cover topics such as countering spam, creation of national computer incident response, IMT-2020 (5G), cloud-based practices and policies, combating counterfeit devices, device theft, and specifically IoT and SC&C, among others.¹⁵ Each of these resolutions, or these resolutions in combination, could introduce significantly broadened roles for ITU-T in the matter of security.

Lastly, we offer a caution as to the introduction of elements from other United Nations (“UN”) resolutions that may decidedly move the mandate of ITU-T into areas that could be

¹⁴ ITU-T, Res. 50, *Cybersecurity*, at *resolves 2* (Rev. Hammamet, 2016).

¹⁵ ITU-T, Resolutions 52, 58, 93, 94, 96, 97, and 98 (Rev. Hammamet, 2016).

problematic. Importantly in this regard, we refer to UN General Assembly Resolution 74/247: “Countering the use of information and communications technologies for criminal purposes.”¹⁶

B. Continuing, updating, and/or introducing new study questions related to security

It has been observed that most, if not all, ITU-T study groups are involved in study questions of 5G, machine-to-machine learning/AI, and, potentially, quantum information technology. This places a great focus on the direction that revisions and updates, or new questions, are introduced at the WTSA. As for 5G, Study Groups 13¹⁷ and 15¹⁸ are particularly active. But Study Group 17 (“Security”) has five study questions in the period 2017-2020 related to 5G. This study group also has nine questions related to IoT for the period 2017-2020. Awareness that these study questions may be continued, and continued in broadened scope, could represent a challenge at the WTSA.

C. Emerging technologies and their relationship to future work of the ITU-T

We share NTIA’s view that focus groups, workshops, and thematic summits, for example, are increasingly exercising a considerable influence on the direction of ITU-T’s work program. This development is seen in the influence of the TSAG-created “Focus Group on Network 2030” (“FG Net 2030”). The FG Net 2030 “identifies use cases, analyzes technical gaps, finds requirements, and studies new capabilities of networks for the year 2030 and beyond.”¹⁹

¹⁶ G.A. Res. 74/247 (Dec. 27, 2019).

¹⁷ Study Group on future networks.

¹⁸ Study Group on transport, access and home networks.

¹⁹ ITU-T, *TSAG Information Session on Network 2030*, TSAG-TD757 attachment 1 at 1 (Feb. 11, 2020).

In his presentation, Dr. Li states, “Network 2030 and New IP are related, but two independent streams of work.”²⁰ Previously, at the TSAG meeting held in September 2019, it was proposed that “there are great opportunities for ITU-T to play a leading role in a strategic transformation and pay more attention to the new future network research with New IP protocol system.”²¹

We have made clear our concern that any such work program at ITU-T is outside the mandate of ITU-T, and that any consideration of the future evolution of IP appropriately rests within the jurisdiction of IETF. This example speaks to our shared concern with NTIA that the work of ITU-T may currently be influenced by activities outside the study group process, but these activities may exercise more considerable influence on future work of ITU-T. We urge caution going into the WTSA that other examples may emerge, and we look forward to continuing our consultations with NTIA, and others in the interagency process, to find proper and constructive ways to resolve any such occurrence.

VII. EXPLORE FURTHER COORDINATION AND COLLABORATION WITH OTHER INDUSTRY-LED STANDARDS DEVELOPMENT ORGANIZATIONS

We share NTIA’s observation of the overlap between the work done by ITU-T and other SDOs. We previously mentioned the importance of integrating as a customary practice “gap analysis” between ITU-T and other SDOs prior to embarking on a study question. It is equally important to avoid duplicating SDOs’ ongoing work. As we stated, we believe this will add a process that enhances efficiencies and effectiveness, while avoiding wasteful duplication. We

²⁰ *Id.*

²¹ Contribution by China Mobile Communications Corporation, China Unicom, Huawei Technologies Co., Ltd., Ministry of Industry and Information Technology (MIIT) (China), “*New IP, Shaping Future Network*”: *Propose to initiate the discussion of strategy transformation for ITU-T*, TSAG-C83 at 3, (Sept. 10, 2019).

are pleased that there are current examples by study groups where this has been done. We encourage the adoption of this practice in the right context during the WTSA.

We offer another method that may be more appropriate for Council action, but certainly could be introduced at the WTSA, as appropriate. The ITU is involved in a wide range of memorandum of understanding (“MOU”) and cooperation agreements with SDOs. These understandings/agreements are with established SDOs or other groups that are established to reduce the standardization gap between developed and developing countries.

Among those established SDOs are included the European Committee for Standardization (“CEN”); the European Committee for Electrotechnical Standardization (“CENELEC”); European Telecommunications Standards Institute (“ETSI”); Georgia Tech Applied Research Corporation (“GTARC”); IEEE Communications Society (“ComSoc”); the International Electrotechnical Commission (“IEC”); International Organization for Standardization (“ISO”); and United Nations Economic Commission for Europe (“UNECE”).

We urge NTIA to explore raising concerns over coordination and duplication in a Council setting where all MOUs and agreements are reviewed and then approved. This concept could also be included in a resolution element as a suggestion to Council.

VIII. CONCLUSION

Continued growth and innovation of the Internet, and its corollary technologies, are vitally important for sustainable development and public welfare. To achieve the full potential of the Internet, and the digital economy, the Coalition encourages NTIA to continue advocating for a safe, secure, open, interoperable, and global Internet. NTIA can continue to have considerable impact on international policy by advancing pro-investment and pro-innovation policies, and by urging the international community to pursue solutions through transparent,

inclusive and collaborative processes. The WTSA offers NTIA another opportunity to advance these policies at the ITU, and before the international community.

The Coalition looks forward to working with NTIA, and others in the interagency process, to further develop and implement its positions and its priorities at the WTSA. We look forward to further consultations with NTIA as we move forward to the WTSA.

Respectfully submitted,

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