

Complaint to ISOC regarding IETF management

Daniel J. Bernstein, 2025-12-23

This is a complaint to the Internet Society (ISOC) Board of Trustees regarding the management of the “Internet Engineering Task Force” (IETF).

My understanding is that IETF is an activity of ISOC, making ISOC ultimately responsible for actions under the IETF label. I realize that ISOC delegates this activity to an ISOC subsidiary called “IETF LLC”, which in turn appoints various agents to carry out most IETF actions, but ISOC retains control over the process. An ISOC document labeled “RFC 2026” has title “The Internet Standards Process – Revision 3”; Section 6.5.3 of the document authorizes complaints to the ISOC Board of Trustees in cases where “the procedures themselves (i.e., the procedures described in this document) are claimed to be inadequate or insufficient to the protection of the rights of all parties in a fair and open Internet Standards Process”.

RFC 2026 fails to make clear what rights it is referring to, so let me emphasize that the public has rights under antitrust law. ISOC and its agents are systematically violating antitrust law.

As background, antitrust law prohibits agreements in restraint of interstate commerce. Antitrust law has an exception for standards development *if* this development is by organizations “using procedures that incorporate the attributes of openness, balance of interests, due process, an appeals process, and consensus in a manner consistent with the Office of Management and Budget Circular Number A-119, as revised February 10, 1998”. OMB A-119 defines consensus as “general agreement, but not necessarily unanimity, and includes a process for attempting to resolve objections by interested parties, as long as all comments have been fairly considered, each objector is advised of the disposition of his or her objection(s) and the reasons why, and the consensus body members are given an opportunity to change their votes after reviewing the comments”.

A 2020 statement from Deputy Assistant Attorney General Alexander Okuliar in the Antitrust Division of the United States Department of Justice discusses exactly these requirements and says “From an antitrust perspective, these requirements are central”. See <https://web.archive.org/web/20250617062615/https://www.justice.gov/archives/opa/speech/file/1281926/dl>.

In violation of these requirements, ISOC and its agents actively sabotage openness; habitually make decisions without a balance of interests; repeatedly claim “consensus” but do not actually enforce it; fail to require general agreement; allow objections to be ignored; do not provide even a semblance of due process; and have a fake appeals process devoid of substantive and procedural protections.

Part of the problem here is that the promises that ISOC makes in RFC 2026 (and elsewhere) fall far short of what antitrust law requires. For example, RFC 2026 lists “consensus” as one of its “requirements”, but fails to specifically require general agreement, and fails to require an official response to each objection.

Another part of the problem is that ISOC does not provide mechanisms adequate to enforce the limited promises that ISOC does make. For example, despite the “consensus” requirement in RFC 2026—and years of ISOC documents claiming to represent “IETF consensus”—ISOC actually allows decisions to be made on the basis of merely “rough consensus”, whatever exactly that’s supposed to mean.

An IETF-wide survey carried out by ISOC in 2024 asked a variety of questions, including whether “The IETF produces RFCs that reflect IETF consensus”. Allowed answers were “almost always”, “often”, “sometimes”, “rarely”, and “almost never”. Only 31% of 1060 respondents agreed with “almost always”. See https://web.archive.org/web/20250716022742/https://www.ietf.org/media/documents/IETF_Community_Survey_2024.pdf, page 19, Q25 (beware that the text is not searchable). The majority of survey respondents, several hundred people, thus said that IETF’s specifications *don’t* always have consensus. And yet ISOC claims that IETF’s “decision-making requires achieving broad consensus”.

More broadly, ISOC claims that IETF complies with the requirements that antitrust law places upon standards-development organizations. This claim does not come from a dispute about what the law says; it comes from an uninformed lawyer who was given a fictional description of how IETF operates. Meanwhile ISOC agents admitted in <https://web.archive.org/web/20220514032045/https://mailarchive.ie>

[tf.org/arch/msg/antitrust-policy/f1iHM9p8N-U8p_pXen2ruDqjPPQ/](https://www.isoc.org/arch/msg/antitrust-policy/f1iHM9p8N-U8p_pXen2ruDqjPPQ/) that they had “received private feedback from other lawyers that, from the perspective of antitrust litigators, our current processes and procedures would not provide strong mitigation of antitrust risk and that could only be achieved with a detailed compliance policy”. ISOC today still has no such policy.

ISOC’s failure to provide procedural protections invites corruption. I have been blogging about a concrete example of this corruption:

- “NSA and IETF: Can an attacker simply purchase standardization of weakened cryptography?”
<https://blog.cr.yp.to/20251004-weakened.html>
- “NSA and IETF, part 2: Corruption continues.”
<https://blog.cr.yp.to/20251123-corruption.html>
- “NSA and IETF, part 3: Dodging the issues at hand.”
<https://blog.cr.yp.to/20251123-dodging.html>
- “NSA and IETF, part 4: An example of censored dissent.”
<https://blog.cr.yp.to/20251123-scope.html>

Before that, I was already raising my concerns with ISOC agents, including the “Internet Engineering Steering Group” (IESG) and the “Internet Architecture Board” (IAB). See, for example, the following documents:

- <https://cr.yp.to/2025/20250511-antitrust.pdf>
- <https://cr.yp.to/2025/20250526-bcp-79.pdf>
- <https://cr.yp.to/2025/20250605-non-hybrid.pdf>
- <https://cr.yp.to/2025/20250812-non-hybrid.pdf>
- <https://cr.yp.to/2025/20250827-modpod.pdf>
- <https://cr.yp.to/2025/20250904-modpod.pdf>
- <https://cr.yp.to/2025/20251006-non-hybrid.pdf>
- <https://cr.yp.to/2025/20251006-transparency.pdf>
- https://web.archive.org/web/20251223101451/https://mailarchive.ietf.org/arch/msg/ietf/05VVFdjXAzvR_Qyw0tD3dKESw_U/
- <https://web.archive.org/web/20251223145612/https://mailarchive.ietf.org/arch/msg/ietf/R5FDGvXMr8qPazLSS8zNTcDxF84/>
- <https://cr.yp.to/2025/20251024-rules.pdf>
- <https://web.archive.org/web/20251223145513/https://mailarchive.ietf.org/arch/msg/ietf/LlsaxP4RzU0smQxQELw6N92RssY/>
- <https://web.archive.org/web/20251223145448/https://datatracker.ietf.org/group/iab/appeals/artifact/223>
- <https://web.archive.org/web/20251223145437/https://datatracker.ietf.org/group/iab/appeals/artifact/224>

ISOC’s agents have been absurdly non-responsive. For example, the last seven documents are addressed to IAB and spell out a series of concrete IESG violations of specific ISOC promises and of the requirements of antitrust law; after two months, IAB has posted a “response” to only three of those documents. This “response” (<https://web.archive.org/web/20251223145347/https://datatracker.ietf.org/group/iab/appeals/artifact/228>) dodges commenting on any of the specific points I had raised.

ISOC claims the following (internal quotation marks omitted): “Fundamentally, IETF participants use their best engineering judgment to find the best solution for the whole Internet, not just the best solution for any particular network, technology, vendor, or user.” In fact, IETF decision-making is dominated by paid participants who serve the interests of their masters, to the detriment of billions of Internet users.