

1 Background

The Root Zone Evolution Review Committee (RZERC) formed as a result of the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship). Per the NTIA IANA Functions Contract that existed prior to the IANA stewardship transition, NTIA approval was required for the implementation of all changes to the DNS root zone environment such as the DNSSEC-signing of the root zone, many classes of changes to IANA processes, as well as edits that would be applied by the Root Zone Maintainer to the DNS root zone. Post transition, the CWG-Stewardship recommended that approval of routine content changes to the DNS root zone would no longer be required, however due to the critical nature of the root of the DNS, major architectural changes would require formal approvals. The CWG-Stewardship recommended that the ICANN Board seek recommendations from a standing committee, now known as RZERC, regarding the advisability of moving forward with such architectural changes.¹

On 9 August 2016, the Board approved the RZERC Charter and authorized the ICANN President and CEO to take such actions as appropriate to form the RZERC.² The RZERC Charter requires

The Charter of the Committee shall be reviewed at least every 5 years, and a review may be initiated more frequently if determined necessary. All reviews of the Charter shall be subject to ICANN public comment processes.

Starting March 2022, the RZERC met to approve a proposed process document for the Charter Review. The process was adopted by the RZERC in March 2022 and is available in Annex B of this report. A wikispace was created for the RZERC Charter Review:

<https://community.icann.org/display/RZERCCR/RZERC+Charter+Review+Home>

2 Purpose and Scope of the review

The complete process for the RZERC Charter Review is in Annex B.

The first review of the RZERC Charter is intended to consider whether the Charter is adequate and provides a sound basis for the RZERC to perform their responsibilities as envisioned in the development of the CWG-Stewardship Proposal.

¹ See “Proposal to Transition the Stewardship of the Internet Assigned Numbers Authority (IANA) Functions from the U.S. Commerce Department’s National Telecommunications and Information Administration (NTIA) to the Global Multistakeholder Community,” 60-61. IANA Stewardship Transition Coordination Group, 10 March 2016. <https://www.icann.org/en/system/files/files/iana-stewardship-transition-proposal-10mar16-en.pdf>

² See “Approved Board Resolutions | Special Meeting of the ICANN Board, 09 Aug 2016, Root Zone Evolution Review Committee (RZERC) Charter,” <https://www.icann.org/resources/board-material/resolutions-2016-08-09-en#2.a>

The Charter will be reviewed to determine whether:

- the Charter enables the RZERC to fulfill its role and responsibilities as envisioned
- there are any aspects of the Charter that are ambiguous that require amendment
- there are any typographical errors in the Charter that require amendment
- there are any elements of the work of the RZERC that should be captured in the Charter that were not captured at the time the Charter was originally drafted

3 Process and Timetable

The process, method and timelines are described in Annex B.

The RZERC conducted the review over ten work sessions from March - November 2022.³ At the beginning of the ~~charter~~Charter review, the RZERC finalized its work plan and confirmed its consensus model would be to strive for full consensus. Every effort should be made by the Committee to reach full consensus. When such consensus is not possible, efforts should be made to document that variance in viewpoint and to present any minority view recommendations that may have been made. This Initial Report represents the full consensus of the RZERC.

The RZERC reviewed several key background materials in the course of its review process:

- Proposal to Transition the Stewardship of the Internet Assigned Numbers Authority (IANA) Functions from the U.S. Commerce Department's National Telecommunications and Information Administration (NTIA) to the Global Multistakeholder Community
- The June 2016 public comment on the draft RZERC charter
- ICANN Board Resolutions 2016.08.09.02 – 2016.08.09.03 establishing the RZERC
- The current RZERC Charter

The RZERC conducted its review of the ~~charter~~Charter by discussing each numbered section of the original charter. Committee members discussed the purpose of each section, any potential issues with the current charter text, and proposed changes to address any issues identified in the discussions.

In February 2023, the RZERC shared a draft of the Initial Report with its appointing community-based organizations and invited the organizations to schedule a feedback session with the RZERC to provide feedback on the draft Initial Report of the RZERC Charter Review. Feedback sessions were optional and appointing organizations could always submit feedback through their appointed representative to the RZERC.

³ See Teleconferences - RZERC Charter Review, <https://community.icann.org/display/RZERCCR/Teleconferences>

On 16 February 2023, Tim April presented the initial findings of the RZERC Charter Review to the ccNSO Council at their February Council meeting. The ccNSO Council did not voice any objections to the proposed recommendations in the initial report. However, one councilor advised that while removing the background section of the original charter was appropriate, it was also important to preserve that information for posterity.

As the RZERC did not receive any objections to the initial set of proposed amendments during its feedback session, there were no changes to the set of proposed charter amendments. The RZERC prepared the Initial Report for Public Comment to be released after ICANN76.

~~[Summary paragraph of what happened after Public Comment]~~ As a result of these consultations, the RZERC prepared its Initial Report for public comment. The Initial Report was published on 27 March 2023⁴ and the public comment period closed on 8 May 2023. Three (3) comments were received. This Final Report takes into account the comments received.⁵

After an analysis of the comments, the Committee proposes additional context be added to the Charter in order to provide better clarification and justification of the original proposed changes. The Committee does not withdraw any of its original proposed changes to the Charter.

4 Summary of Review Findings

4.1 General findings

Overall, the ~~RZERC~~Committee believes its charter enables the ~~committee~~Committee to fulfill its responsibilities as envisioned and still fills a critical role in advising the ICANN Board, but contains minor inconsistencies and omissions that they propose amending. The ~~committee also did~~Committee also does not believe that the ~~charter~~Charter was triggering excess work outside its scope of responsibilities that would require a revision to remediate.

4.2 Background

Proposed Change: Removal of the Background section of the ~~charter, section~~Charter, Section 1.

Justification: Section 1 of the ~~charter~~Charter is not necessary or appropriate for a charter document as the RZERC is an established committee and it does not need to explain the reasoning to create the ~~committee~~Committee again. Anyone seeking background information found in that section after revision may review the CWG-Stewardship transition report for more

⁴ See Initial Report on the RZERC Charter Review, <https://www.icann.org/en/public-comment/proceeding/initial-report-on-the-rzerc-charter-review-27-03-2023>

⁵ See Annex C: Analysis of Public Comment

information. This proposed change is a complementary change with the proposal of additional requirements for future reviews of the Charter as described in Section 4.9.2 of the Final Report.

4.3 Purpose and Scope of Responsibilities

In its first five years, the ~~committee~~Committee has not experienced a situation where they had a topic proposed which was deemed outside its scope of responsibilities. Also during that time the ~~committee~~Committee has produced three work products, RZERC001, RZERC002, and RZERC003. While it is not seen as a pressing need at the current time, the ~~committee~~Committee proposes the following changes to the Purpose and Scope of Responsibilities sections of its charter to clarify the text contained within.

4.3.1 Significant Architectural or Operational Changes

Proposed Change: Change "proposed architectural changes" to "proposed significant architectural and operational changes" in the purpose section of the ~~charter~~Charter.

Justification: The charter is currently inconsistent when discussing the topics in the ~~committee~~Committee's scope in the Purpose and Scope of Responsibilities sections. This proposal modifies the ~~purpose~~Purpose section to match the terminology with the ~~current~~Scope of Responsibilities section as well as the text from the CWG-Stewardship recommendation. ~~With this text being present in one section of the current charter but not the other~~

During the public comment period, the RZERC received a comment that opposed the proposed addition of "operational" in the Purpose section and recommended removing the reference to "operational" changes in the Scope of Responsibilities section. The Committee notes the following text from the CWG-Stewardship Proposal,⁶

Although it is clear that the DNS-related technical and operational communities have both the technology skills and appropriate incentives to make prudent and cautious changes, the critical nature of the Root Zone makes it necessary to formalize approval of major architectural and operational changes.

As the term operational is already included in the Scope of Responsibilities section of the original Charter, the Committee still recommends including the review of significant operational changes as part of its Purpose. With the proposed addition of the term "significant" to qualify the operational changes that the Committee is expected to review, the ~~committee~~Committee does not

⁶ See "Proposal to Transition the Stewardship of the Internet Assigned Numbers Authority (IANA) Functions from the U.S. Commerce Department's National Telecommunications and Information Administration (NTIA) to the Global Multistakeholder Community," 60-61. IANA Stewardship Transition Coordination Group, 10 March 2016. <https://www.icann.org/en/system/files/files/iana-stewardship-transition-proposal-10mar16-en.pdf>

anticipate that the interpretation of the ~~charter~~Charter will be impacted in the future. The ~~committee~~Committee still interprets routine operational changes to remain out of its scope.

4.3.2 Context for Defining Significant Changes

Proposed Change: Add the following language from the CWG-Stewardship Proposal regarding the definition of the “significant” as a threshold for determining which changes should be reviewed by the RZERC:

Since it is not possible to formally define “significant”, all parties should err on the side of prudence and raise issues for the consideration of the standing committee when there is any question of it being required. The [Committee] may decide that it does not need to consider the issue.⁷

Justification: In the Initial Report, the Committee proposed adding the text described in Section 4.3.1 of the Final Report which introduced a threshold of significance for changes to be reviewed by the RZERC. The Committee received questions and feedback from several sources regarding the formal definition of the term “significant.” It is important to distinguish that the Committee should only review proposed changes to the Root Zone environment that meet a certain threshold for possible disruption to the Root Zone environment. However, the Committee concurs with the CWG-Stewardship Proposal that such a threshold is difficult to formally define. In order to be consistent with the original intent of forming the RZERC, the Committee recommends including the explanatory text from the CWG-Stewardship Proposal as a complementary addition to adding the term “significant” to the changes the RZERC is expected to review.

4.3.3 Introduction of numeralsNumerals into the Purpose

Proposed Change: The text in the Purpose section which reads "to the content of the DNS root zone, the systems including both hardware and software components used in executing changes to the DNS root zone, and the mechanisms used for distribution of the DNS root zone." would now read "to: (i) the content of the DNS root zone, (ii) the systems including both hardware and software components used in executing changes to the DNS root zone, (iii) and the mechanisms used for distribution of the DNS root zone."

Justification: The introduction of the numerals in this section is intended to make the text more readable and to also support the ~~committee~~Committee testing if topics are in or out of its scope.

⁷ See “Proposal to Transition the Stewardship of the Internet Assigned Numbers Authority (IANA) Functions from the U.S. Commerce Department’s National Telecommunications and Information Administration (NTIA) to the Global Multistakeholder Community,” 60-61. IANA Stewardship Transition Coordination Group, 10 March 2016. <https://www.icann.org/en/system/files/files/iana-stewardship-transition-proposal-10mar16-en.pdf>

4.4 Membership

There were no proposed changes to the membership of the ~~committee~~Committee during its review.

4.5 Meetings

Proposed Change: The committee recommends the addition of the following text "A meeting will require a quorum as defined by the operation procedures."

Justification: The addition of this text is to set the expectation for the ~~committee~~Committee members to be present whenever possible for scheduled committee meetings. This proposal would also establish a method for the ~~committee~~Committee, through its operational procedures, to set quorum rules for its meetings.

4.6 Decisions

Proposed Change: The following text would be added to the Decisions section "Decisions shall be reached through a comprehensive poll of the membership online with a noticed meeting prior to the poll to support discussion of the topic. The noticed meeting can be removed for matters which require urgency at the discretion of the chair or multiple members of the ~~committee~~Committee."

Justification: This text is intended to clarify how the ~~committee~~Committee currently makes its decisions and to ensure transparency is maintained in the future. With ICANN's stakeholders being globally distributed, this proposed text is intended to support further geographic involvement in the RZERC membership.

4.7 Records of Proceedings

There were no proposed changes to the records of proceedings for the ~~committee~~Committee during its review.

4.8 Conflicts of Interest

There were no proposed changes to the conflicts of interest for the ~~committee~~Committee during its review.

4.9 Review

There were two clarifications proposed for the Review section of the document when the review was conducted.

4.9.1- Calling for a ~~review~~Review

Proposed Change: Add the following text to the end of the first sentence of the section "by the RZERC or the ICANN Board".

Justification: The current charter is vague as to who is eligible to call for a new charter review. This change proposes limiting who can call for a charter review to the ~~committee~~Committee itself or the ICANN board.

4.9.2- Requirements for Review

Proposed Change: Add the following requirement to all future reviews of the Charter,

“All reviews of the Charter must include a review of previous Charters and the circumstances that led to the creation of RZERC in 2016 as part of the review process.”

Justification: In the Initial Report, the Committee proposed removing the Background section of the Charter as the RZERC is an established committee and it does not need to explain the reasoning to create the Committee again. The RZERC received important feedback on this proposal that highlighted the importance of the historical context of the creation of the RZERC. The RZERC understands the need for clarity of the RZERC’s scope and purpose relative to other groups within the ICANN community. The RZERC also understands the need to protect against future mission creep in any future reviews of the RZERC Charter. Therefore, the RZERC recommends adding this requirement for future reviews of the Charter to review all previous charters as well as the historical circumstances that led to the creation of the Committee in 2016.

This proposed change is a complementary change with the removal of the Background section of the Charter as described in Section 4.2 of the Final Report.

4.9.3 Public Comment Process

Proposed Change: The ~~test~~text in the last sentence of the section that reads "subject to ICANN’s public comment processes" would now read "in accordance with ICANN’s public comment processes"

Justification: This change is intended to indicate that all reviews would follow the ICANN Public Comment process to solicit community feedback where the previous text was not as clear as the ~~committee~~Committee desired.

5 Proposed Amended RZERC Charter

I. Purpose

The ~~Committee~~Root Zone Evolution Review Committee (RZERC) is expected to review proposed significant architectural or operational changes to: (i) the content of the DNS root zone, (ii) the systems including both hardware and software components used in executing changes to the DNS root zone, (iii) and the mechanisms used for distribution of the DNS root zone. **Since it is not possible to formally define “significant”, all parties should err on the side of prudence and raise issues for the consideration of the standing committee when there is any question of it being required. The Committee may decide that it does not need to consider the issue.** The Committee shall, as determined necessary by its membership, make recommendations related to those changes for consideration by the ICANN Board.

II. Scope of Responsibilities

The Committee will consider issues raised to the Committee by any of its members, PTI staff, or by the Customer Standing Committee (CSC) to identify any potential evolutionary improvements and/or security, stability or resiliency risks to the architecture or operation of the DNS root zone.

The Committee will not necessarily be the group that considers the details of the issue(s) raised, but will be responsible for ensuring that those involved in the recommendation(s) to the ICANN Board include all relevant and impacted bodies and will have access to necessary expertise to provide the best possible recommendation(s). The Committee will coordinate with the ~~committee's~~Committee's respective organizations and communities, and as appropriate, external experts, to ensure that relevant bodies and impacted parties were involved in discussion and recommendation development.

For architectural changes that impose potential risk to the security, stability, or resiliency of the content of the DNS root zone, the systems including both hardware and software components used in executing changes to the DNS root zone, or the mechanisms used for the distribution of the DNS root zone (as identified by one or more committee members and agreed by a simple majority of members), the Committee will coordinate a public consultation process via the ICANN public comment forum regarding the proposed changes, including the identified risks.

The Committee will coordinate with the CSC as needed.

III. Composition

The Committee shall be comprised of 9 committee members as follows:

- One ICANN Board member
- One senior IANA Function Operator administrator or their delegate
- The Chair or delegate of the Security and Stability Advisory Committee
- The Chair or delegate of the Root Server System Advisory Committee
- The Chair or delegate of the Address Supporting Organization
- The Chair or delegate of the Internet Engineering Task Force
- A representative selected by the Registries Stakeholder Group of the Generic Names Supporting Organization
- A representative selected by the Country Code Names Supporting Organization
- A representative of the organization identified to serve as the Root Zone Maintainer

The Committee will select its chair. Appointment of members shall follow each organization/group's internal process.

IV. Meetings

The Committee will meet as frequently as necessary, with at least one meeting per calendar year. Regular meetings may be called upon no less than fourteen (14) days notice by either (i) the Chair or (ii) any two members of the Committee acting together. Meetings to address urgent issues may be called in a manner calculated to provide as much notice as possible to the members of the Committee.

Meetings may take place with remote participation (using appropriate technology) or in-person. Email discussions do not constitute meetings.

A meeting will require a quorum as defined by the operation procedures.

V. Decisions

Decisions and actions of the Committee shall be taken by consensus. Such consensus shall be documented and may be determined via Internet-based discussions without the need for a meeting. Decisions shall be reached through a comprehensive poll of the membership online with a noticed meeting prior to the poll to support discussion of the topic. The noticed meeting can be removed for matters which require urgency at the discretion of the chair or multiple members of the ~~committee~~Committee.

VI. Records of Proceedings

The Committee shall operate openly and transparently. Committee meetings shall be recorded. Any minutes or other records of the meetings shall be publicly posted as soon as possible following approval by the ~~committee~~Committee.

In the event that making certain deliberations public would create a risk to the security or stability of the DNS, the Committee shall specifically identify that as a reason for withholding parts of their meeting records.

VII. Conflicts of Interest

Committee members must provide statements of interest that identify potential conflicts of interest in their committee service.

VIII. Review

The Charter of the Committee shall be reviewed at least every 5 years, and a review may be initiated more frequently if determined necessary by the RZERC or the ICANN Board. All reviews of the Charter **must include a review of previous Charters and the circumstances that lead to the creation of RZERC in 2016 as part of the review process.** All reviews of the Charter shall be in accordance with ICANN's public comment processes.