

DRAFT Final Report
Root Zone Evolution Review Committee Charter
Review

A Report from the ICANN Root Zone Evolution Review Committee (RZERC)
DD Month 2023

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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/RZERC/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 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 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/RZERC/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.

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 Committee believes its charter enables the 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 does not believe that the 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 1.

Justification: Section 1 of the 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 again. Anyone seeking background information found in that section after revision may review the CWG-Stewardship transition report for more information. This

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

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 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 has produced three work products, RZERC001, RZERC002, and RZERC003. While it is not seen as a pressing need at the current time, the 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 or operational changes" in the purpose section of the Charter.

Justification: The charter is currently inconsistent when discussing the topics in the Committee's scope in the Purpose and Scope of Responsibilities sections. This proposal modifies the Purpose section to match the terminology with the current Scope of Responsibilities section as well as the text from the CWG-Stewardship recommendation.

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 does not anticipate that the interpretation of the Charter will be impacted in the future. The Committee still interprets routine operational changes to remain out of its scope.

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>

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 Numerals 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 testing if topics are in or out of its scope.

4.4 Membership

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

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>

4.5 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 members to be present whenever possible for scheduled committee meetings. This proposal would also establish a method for the 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."

Justification: This text is intended to clarify how the 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 during its review.

4.8 Conflicts of Interest

There were no proposed changes to the conflicts of interest for the 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

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 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 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 desired.

5 Proposed Amended RZERC Charter

I. Purpose

The 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 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.

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.

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 led 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.

Annex A: Comparison of Original Charter vs Proposed Updated Charter

~~I. Background~~

~~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 regarding the advisability of moving forward with such architectural changes. As part of implementation planning, ICANN named this Committee Root Zone Evolution Review Committee (RZERC).~~

III. Purpose

The ~~Root Zone Evolution Review Committee (RZERC) Committee~~ 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, and (iii) 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.

IIII. 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 and 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 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.

IIIIV. 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.

IVV. 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 operational procedures.

~~V~~VI. 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.

~~V~~VII. 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.

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.

~~V~~VIII. Conflicts of Interest

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

~~V~~IX. 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 ~~subject to~~ ICANN's public comment processes.

Annex B: RZERC Charter Review Process

B.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.

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. The RZERC Charter requires that “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.” The RZERC is now initiating the Charter review process to commence in 2021.

B.2. Intent of the Review

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.

B.3. Scope of review

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

B.4. RZERC Charter Review Team

As there are no explicit instructions in the ICANN Bylaws, RZERC Charter, or CWG-Stewardship Proposal, RZERC recommends having the RZERC conduct a self review on its Charter. ICANN org support staff for the RZERC will support the RZERC for its charter review. The review process shall determine the consensus model at the beginning of the Charter review, which will be recorded in the draft and final reports.

B.5. Proposed Review Process

The review process is proposed include the following actions:

1. Initiate the review process by sending an official correspondence from the RZERC Chair to the ICANN Board informing the RZERC will begin the formal review and detailing the proposed review process.
2. Conduct a review of the RZERC Charter in accordance with the elements identified above that are considered to be within the scope of the review.
3. Produce an initial report on the outcome of the review. This report should also include suggested changes to the RZERC charter, if any.
4. Conduct feedback session teleconferences with each of the RZERC appointing organizations and other Supporting Organizations and Advisory Committees on proposed changes to the RZERC Charter.
5. Conduct a public session at a public ICANN meeting that is intended to provide an opportunity for the community to provide input to the process.
6. Conduct a Public Comment proceeding on the initial report.
7. Prepare a Final Report that includes a Revised RZERC Charter (if applicable) to the ICANN Board's Board Technical Committee (BTC) for adoption.
8. BTC reviews Final Report and a Revised RZERC Charter and makes a recommendation to the ICANN Board for adoption
9. ICANN Board considers Final Report and Approves/Rejects Revised RZERC Charter

B.6. Proposed Review Schedule

<u>Action</u>	<u>Timeframe</u>
Initiate Review Process	Week 1
Prepare Initial Report on findings and suggested changes to RZERC Charter	-
Conduct feedback sessions with RZERC appointing organizations	-

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Public Comment on Initial Report	1 week before ICANN meeting
Public Consultation at ICANN Meeting	First ICANN Meeting after Initial Report prepared
Finalization of Report	6 weeks after Public Comment closes
RZERC submits Final Report to Board Technical Committee for review	6 weeks after Public Comment closes
Board Technical Committee reviews Final Report and makes a recommendation to the ICANN Board	Next available Board Technical Committee Meeting
Adoption of Final Report by ICANN Board	Next available Board Meeting

Annex C: Analysis of Public Comment

Commenter	Comment	RZERC Response	Changes to Proposed Charter from the Initial Report
James Olorundare	ICANN must take action to address concerns regarding the RZERC's ability to fulfill its important role in the Internet governance ecosystem.	The RZERC believes its charter enables the Committee to fulfill its responsibilities as envisioned and still fills a critical role in advising the ICANN Board. The RZERC does not believe that the Charter was triggering excess work outside its scope of responsibilities that would require a revision to remediate.	None
James Olorundare	ICANN could provide additional staff (or volunteers can be recruited especially on specific projects when more hands are needed).	Staff support for RZERC activities is outside of the scope of the Charter Review.	None
James Olorundare	ICANN could provide additional...funding (this needs a bit of flexibility so as to be able to get the right funding needed at specific time)	Funding for RZERC activities is outside of the scope of the Charter Review.	None
James Olorundare	ICANN could provide...access to necessary information from various sources (however, this must be defined)	Access to proprietary or confidential information from ICANN is outside of the scope of the Charter Review.	None

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<p>Daniel Getahun</p>	<p>First, the Charter is somewhat ambiguous in some areas. For example, the Charter does not clearly define what constitutes a "major architectural change" to the DNS root zone. This could lead to confusion and uncertainty about when the RZERC should be consulted. I recommend that the Charter be revised to provide a more precise definition of "major architectural change." One way to do this would be to define a "major architectural change" as any change that could have a significant impact on the stability or security of the DNS root zone. This could include changes to the DNS protocol, changes to the DNS root zone database, or changes to the DNS root zone infrastructure. The CWG-Stewardship Proposal defines a "major architectural change" as any change that could have a significant impact on the stability or security of the DNS root zone. This definition is more precise than the definition in the RZERC Charter, and it would help to ensure that the RZERC is consulted on all major changes to the DNS root zone.</p>	<p>The RZERC proposed an amendment to the RZERC Charter that includes specifying the architectural or operational changes the RZERC is expected review should be "significant," in line with language used in the 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 (CWG-Stewardship Proposal).</p> <p>The CWG-Stewardship Proposal also includes the following statement "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 standing committee may decide that it does not need to consider the issue."</p> <p>The RZERC agrees that the purpose of the RZERC is to review significant changes to the root zone. The RZERC also agrees with the CWG-Stewardship Proposal that it is difficult to formally define a significant change.</p>	<p>The RZERC proposes adding the qualifying language from the CWG-Stewardship proposal regarding the definition of "significant" in the Purpose section of the Charter.</p> <p>See Section 4.3.2 of the Final Report.</p>
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<p>Daniel Getahun</p>	<p>Second, the Charter does not specify how the RZERC members are selected, appointed, removed, or replaced. This could lead to a lack of transparency and accountability in the RZERC's membership process. I recommend that the Charter be revised to include clear and transparent rules and procedures for RZERC membership. The CWG-Stewardship Proposal recommends that the RZERC be a multistakeholder body that is representative of the DNS community. The Proposal also recommends that the RZERC have a clear and transparent mandate, and that the RZERC be accountable to the DNS community.</p>	<p>The Charter currently states "Appointment of members shall follow each organization/group's internal process."</p>	<p>None</p>
<p>RSOs</p>	<p>The updated proposal from RZERC removed the background section from the current charter. We believe that the background, as it reads in the current charter, provides an important description of the role that the RZERC was put in place to fulfill. The references to the "old" model, where the NTIA fulfilled a number of tasks, and the "new" model, where the NTIA tasks have been distributed over several different organizations, highlight the fact that the RZERC is a small piece in a much larger machinery. The description of this background gives the motivation for the very narrow scope of the RZERC, and helps the reader to understand that other parts of the system are in place to deal with issues that are outside the scope of the RZERC, for example in the wider top-level domain, root zone, and root server system.</p> <p>The goal of all ICANN committees should be to keep their focus and to avoid mission creep now or in the future. We see the potential risk that the Committee could start to define its own scope by taking on new types of issues that it finds interesting. When future issues arise, they should primarily be dealt with by the appropriate committee whose charter covers it. If none can be found, a broader ICANN discussion should be held to find the appropriate home for it. Keeping the history that clearly describes the original intent of the standing committee helps in achieving clarity around this issue.</p>	<p>The RZERC in its Charter Review and in review of public comments discussed the overall purpose of a chartering document. The RZERC determined that a charter's purpose is to designate the purpose and scope of responsibilities for the Committee to use in its day-to-day proceedings. Therefore, the historical background information is not necessary as the RZERC is an established committee and it does not need to explain the reasoning to create the Committee again.</p> <p>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 a 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.</p>	<p>The RZERC proposes adding the following language to the Review section of the Charter,</p> <p>"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."</p> <p>See Section 4.9.2 of the Final Report.</p>

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	We therefore suggest that the text be left intact as it stands.		
RSOs	<p>The RT suggests that an operational aspect be added to the Charter. We believe that the RZERC was created specifically to address architectural issues, and that operational aspects of the root server systems are well covered by the RSSAC and other organizations. Adding a general operational aspect to the RZERC charter risks creating uncertainty of which committee is expected to deal with such issues. If operational aspects are to be added, they need to be detailed and carefully hammered out in a broad discussion including other committees with responsibilities covering nearby areas.</p> <p>We see no need to add a general operational aspect to the RZERC May 9, 2023 charter, and we suggest that the words "and operational" be removed. from the proposal. In addition, on the same basis, we suggest that "and operation" be removed from the "Scope of Responsibilities" section of the current RZERC Charter.</p> <p>We have no objection to adding the word "significant" to qualify the word "architectural"</p>	<p>The RZERC notes the following text from the CWG-Stewardship Proposal,</p> <p><i>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.</i></p> <p>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 this term being present in one section of the current Charter but not the other, the Committee does not anticipate that the interpretation of the Charter will be impacted in the future. The Committee still interprets routine operational changes to remain out of its scope.</p>	<p>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. The Committee notes that the addition of operational changes in the Purpose section is contingent upon the addition of the term "significant" as a threshold for the changes the Committee is expected to review.</p> <p>See Section 4.3 of the Final Report</p>
RSOs	In all other parts we support the proposed changes.	The RZERC notes the support of the listed RSOs for the other proposed changes to the Charter in the Initial Report.	None