Staff Report of Public Comment Proceeding

Draft Root Zone Evolution Review Committee (RZERC) Charter

Publication Date:	8 August 2016
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Public Comment Proceeding	
Open Date:	10 June 2016
Close Date:	10 July 2016
Staff Report Due Date:	8 August 2016

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Section I: General Overview and Next Steps

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 root zone. Post transition, the CWG-Stewardship recommended that approval of routine content changes to 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 approval. 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).

ICANN has worked with the community to draft a charter for the RZERC, which was posted for a 30-day public comment period from 10 June – 10 July 2016 to allow any interested party to review and provide feedback.

Section II: Contributors

At the time this report was prepared, a total of seven (7) comment submissions had been posted to the forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.

Organizations and Groups:

Name	Submitted by	Initials
Root Server System Advisory Committee	Carlos Reyes	RSSAC
Registries Stakeholder Group	Stéphane Van Gelder	RySG
China Internet Network Information Center	Lincoln Liu	CNNIC
DENIC eG	Peter Koch	DENIC
Non Commercial Stakeholder Group	Marilia Maciel	NCSG

Individuals:

Name	Affiliation (if provided)	Initials
CW		CW
Alberto Soto		

Section III: Summary of Comments

General Disclaimer: This section intends to summarize broadly and comprehensively the comments submitted to this public comment proceeding but does not address every specific position stated by each contributor. The preparer recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).

ICANN thanks CW, the RSSAC, the RySG, CNNIC, Alberto Soto, DENIC, and the NCSG for participating in the ICANN public comment process and for submitting comments on the RZERC charter. In particular, ICANN thanks the commenters for the thoughtful and specific nature of the comments and suggestions.

Section I – Purpose

DENIC, NCSG, and RSSAC submitted comments on this section of the proposed charter.

DENIC suggested replacing the first section of the charter with background from the ICG proposal on the RZERC "for the benefit of future RZERC members as well as future members of the body to be advised."

NCSG suggested changing all references of "root zone" in the charter to "DNS root zone" for clarity and to avoid mission creep.

The RSSAC recommended modifying the first paragraph under this section to: "The Committee is expected to review and provide input regarding proposed architectural changes to the root zone and its management, and as determined necessary by the Committee, potentially make recommendations for consideration by the ICANN Board." The RSSAC commented that this change is to clarify that the purpose of this committee is to make recommendations for potential change not to originate proposals.

Section II – Scope of Responsibilities

CW, DENIC, and RSSAC submitted comments on this section of the proposed charter.

CW suggested that the "RZERC's mandate include the current and future geographical topography of the Root Servers."

DENIC commented that the wording of sections I and II of the charter is not clear whether the RZERC may originate proposals and recommendations, or whether it would only consider issues raised to the committee. DENIC also commented that the scope of the RZERC should be clarified as "intuitive reading would suggest a significant overlap with RSSAC's responsibilities" and that the reference to the RZERC's consultative role in the RFP process for a new root zone maintainer is not clear and should also be clarified.

The RSSAC recommended specific edits to clarify that the scope of the RZERC be "limited to providing recommendations specific to architectural and other evolutions of the root zone and its management." The RSSAC offered the explanation that "While the RSSAC realizes that such architectural and evolution of the root zone and its management may impact the root server system, the root server system is not and should not be the focus of the RZERC as that is the role of the RSSAC as reflected in the RSSAC charter."

The RSSAC recommended adding a sentence in the first paragraph of this section to clarify where the issues are expected to originate and suggested using language from the CWG-Stewardship proposal. Also in the first paragraph of this section, the RSSAC recommended modifying the text to: "The Committee will consider issues raised to the Committee to identify any potential security, stability or resiliency risks to the DNS as associated with the architecture and management of the root zone. The RSSAC offered an explanation that this modification is to maintain consistency with the RSSAC's recommendation that the RZERC's scope be limited.

The RSSAC recommended modifying the second paragraph of this section to: "The Committee will coordinate with the committee's respective organizations and communities, and if appropriate, external experts, to ensure that relevant bodies are involved in discussion and recommendation development to ensure that relevant expertise is available." The RSSAC explained that the modifications would make clear that the appropriate expertise is available at the early stages and not afterwards.

The RSSAC recommended modifying the third paragraph of this section to: ""For architectural changes to the root zone and its management that impose potential risk to the security, stability, or resiliency of the DNS (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 RSSAC explained that the purpose of the modification is to "clearly articulate that the scope of RZERC is limited to the root zone and root zone management, not the root server system."

Section III – Composition

CNNIC, DENIC, NCSG, and RySG submitted comments on this section of the proposed charter.

CNNIC commented that inclusion of representation from all three operational communities is appropriate, however, CNNIC believes that the names community would be most impacted by issues considered by the RZERC, and therefore the GNSO and ccNSO should have more representation on the committee. CNNIC further commented that the "principle of regional diversity is not demonstrated in this Section" and "expect a clarification in the revised Charter."

DENIC commented that given the footnote in paragraph 1155 of the ICG proposal that the "CWG-Stewardship has not consulted with the IETF and other named parties as to whether or not they would be willing to serve on [the RZERC], but sought to provide that option should these parties be interested and available" that "the selection of the representative could be left to any and all delegating entities rather than asking for a Chair's participation in some cases."

NCSG commented that the composition of the Committee excludes end users and recommended that the Committee membership includes representation from the non-contracted party house of the GNSO.

The RySG commented that "We believe the chair selection process is critical for efficiency and effectiveness of the committee."

IV – Meetings

No comments submitted on this section of the proposed charter.

V – Decisions

CNNIC, CW, DENIC, and RySG submitted comments on this section of the proposed charter.

CNNIC believes that the charter lacks "specification about the decision mechanism" compared to charter of other working groups. CNNIC suggests adding more details about quorum and voting threshold in the charter.

CW commented that "As the current contractor for RZM, Verisign cannot be a member of the RZERC. Otherwise their conflict of interest is self evident."

DENIC commented that the root zone maintainer should be excluded from the consensus decision regarding discussions around the RFP for the root zone maintainer.

The RySG comment noted that "there is a possibility that any two of the nine Committee members come from the same entity, which would lead to a disproportionate share of influence among the Committee." The RySG suggested that a clause be added to the charter to prevent this from happening.

VI – Records of Proceedings

DENIC and Mr. Soto submitted comments on this section of the proposed charter.

DENIC suggested that given that the RZERC can make decisions outside of meetings, that deliberations and results be made public in the same way meeting recordings are made public, with security considerations applied accordingly.

Mr. Soto suggested an edit to the to the charter to require that committee meetings always be recorded rather than being recorded whenever possible. Mr. Soto further commented that this will ensure transparency and availability of materials should an audit is necessary.

VII – Conflict of Interest

No comments submitted on this section of the proposed charter.

VIII – Review

CNNIC commented that "In order to create better conditions for all the communities to review the Root Zone operation" that a 2 to 3 year review frequency of the charter is "more proper for implementing the principle of transparency and improving review efficiency."

Section IV: Analysis of Comments

General Disclaimer: *This section intends to provide an analysis and evaluation of the comments submitted along with explanations regarding the basis for any recommendations provided within the analysis.*

In analyzing the comments for incorporation into the RZERC charter, ICANN is mindful that the charter was drafted to the ICG and CWG-Stewardship proposals, which were developed through public processes, and adopted by the ICANN Board and transmitted to NTIA on 10 March 2016. The public comment process provided the community with an opportunity to comment on whether the proposed charter is inconsistent with the proposals, and is not intended to be a forum for the reconsideration of the proposals. As such, any suggestions where implementation would cause inconsistency with the ICG and CWG-Stewardship proposals cannot be incorporated. In finalizing the charter based on the comments received, ICANN also made additional clerical edits to improve clarity of the charter.

Section I – Purpose

DENIC suggested replacing the first section of the charter with background from the ICG proposal on the RZERC "for the benefit of future RZERC members as well as future members of the body to be advised." ICANN believes adding a new background section would be beneficial to providing context to the work of the Committee. However, ICANN believes that this should be an addition to the charter, and not a replacement of the Purpose section of the charter.

NCSG suggested changing all references of "root zone" in the charter to "DNS root zone" for clarity and to avoid mission creep. ICANN agrees that this edit would improve clarity of the document and has implemented the edit.

The RSSAC recommended specific edits to clarify that the purpose of this committee is to make recommendations for potential change not to originate proposals. ICANN agrees with the RSSAC regarding the need for clarification in this area and has implemented edits consistent with the CWG-Stewardship proposal. With regard to RSSAC's other suggested edit to clarify the scope of the RZERC, ICANN agrees that further clarification should be provided and has implemented edits to further clarify the scope of the RZERC, which is to review proposed architectural changes 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, and as determined necessary by the Committee, make recommendations related to those changes for consideration by the ICANN Board.

Section II – Scope of Responsibilities

CW commented that the "RZERC's mandate include the current and future geographical topography of the Root Servers." This would be an expansion of the scope of the RZERC as contemplated in the CWG-Stewardship proposal, and therefore cannot be reflected in the charter. The appropriate place for discussion of this topic would be the RSSAC.

DENIC commented that the wording of sections I and II of the charter is not clear whether the RZERC may originate proposals and recommendations, or whether it would only consider issues raised to the committee. ICANN agrees that this area could benefit from further clarification and has implemented

edits to provide clarity that 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.

DENIC also commented that the scope of the RZERC should be clarified as "intuitive reading would suggest a significant overlap with RSSAC's responsibilities." ICANN received similar comments from other commenters. To address this comment, ICANN has added text to clarify that the scope of the RZERC is to review proposed architectural changes 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, and as determined necessary by the Committee, make recommendations related to those changes for consideration by the ICANN Board.

With regards to DENIC's comment that the reference to the RZERC's consultative role in the RFP process for a new root zone maintainer is not clear and should be clarified. ICANN has added text to clarify that this role would only be needed when and if ICANN initiates an RFP process for a root zone maintainer.

The RSSAC recommended several specific edits to clarify the scope of responsibility of the RZERC. ICANN agrees with the RSSAC regarding the need for clarification in this area and has implemented edits consistent with the CWG-Stewardship proposal. With regard to RSSAC's other suggested edit to clarify the scope of the RZERC, ICANN agrees that further clarification should be provided and has implemented edits to further clarify the scope of the RZERC, which is to review proposed architectural changes 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, and as determined necessary by the Committee, make recommendations related to those changes for consideration by the ICANN Board.

Section III – Composition

CNNIC commented that inclusion of representation from all three operational communities is appropriate, however, CNNIC believes that the names community would be most impacted by issues considered by the RZERC, and therefore the GNSO and ccNSO should have more representation on the committee. The NCSG commented that the composition of the Committee excludes end users and recommended that the Committee membership include representation from the non-contracted party house of the GNSO. ICANN thanks CNNIC and the NCSG for these thoughtful comments. As mentioned in the introduction to the Comment Analysis of this staff report, the public comment process sought input from the community with regard to whether the proposed charter is consistent with the CWG-Stewardship proposal, and is not intended to be a forum for the reconsideration of the proposal. The membership composition of the RZERC is clearly specified in the CWG-Stewardship proposal and any modifications would be inconsistent with the recommendations of the CWG-Stewardship.

CNNIC further commented that the "principle of regional diversity is not demonstrated in this Section" and "expect a clarification in the revised Charter." The CWG-Stewardship proposal is silent on this and leaves it up to the appointing organizations to incorporate diversity into their own selection processes.

DENIC commented that given the footnote in paragraph 1155 of the ICG proposal that the "CWG-Stewardship has not consulted with the IETF and other named parties as to whether or not they would be willing to serve on [the RZERC], but sought to provide that option should these parties be interested and available" that "the selection of the representative could be left to any and all delegating entities rather than asking for a Chair's participation in some cases." As noted in the CWG-Stewardship proposal, the appointing organizations may appoint the Chair of its organization or a delegate. This is reflected in the proposed RZERC charter.

The RySG commented that "We believe the chair selection process is critical for efficiency and effectiveness of the committee." ICANN acknowledges this comment. No edits were suggested or necessary.

V – Decisions

CNNIC believes that the charter lacks "specification about the decision mechanism" compared to charter of other working groups. CNNIC suggests adding more details about quorum and voting threshold in the charter. Through discussions with the [Implementation Oversight Task Force (IOTF)](#) and the [CWG-Stewardship](#), the CWG-Stewardship felt that the charter adequately reflects the decision and quorum threshold, particularly given the varied nature of the issues that the RZERC may consider.

CW commented that "As the current contractor for RZM, Verisign cannot be a member of the RZERC. Otherwise their conflict of interest is self evident." DENIC commented that the root zone maintainer should be excluded from the consensus decision regarding discussions around the RFP for the root zone maintainer. Section VII of the charter addresses potential conflict of interest and as a member of the committee, the Root Zone Maintainer representative will need to disclose any potential conflict of interest during discussions. It is then up to the committee to evaluate and deal with the potential conflict of interest. It should also be noted that the RZERC is not a decision-making body, but rather a body that would make recommendations to the ICANN Board.

The RySG comment noted that "there is a possibility that any two of the nine committee members come from the same entity, which will lead to a disproportionate share of influence among the committee" and suggested that a clause be added to the charter to prevent this from happening. The composition of the RZERC was intended to ensure that all interested parties be represented in discussions impacting the security, stability and resiliency of the root system. The requirement of consensus decision-making ensures that there would be no disproportionate share of influence. It should also be noted that the RZERC is not a decision-making body, but rather a body that would make recommendations to the ICANN Board. Additionally, Section VII of the charter addresses potential conflict of interest and any member of the committee that has a potential conflict on any topic being discussed is required to disclose the conflict.

VI – Records of Proceedings

Both DENIC and Mr. Soto made similar comments that all deliberations should be recorded regardless of whether they are published due to security concerns. ICANN agrees that recordings of deliberations and meetings should always be recorded and edits have been implemented to reflect this.

VIII – Review

CNNIC suggested that review of the charter be done more frequently for "more proper" implementation "of the principle of transparency" and to improve "review efficiency." The charter already provided for review of the charter to be done more frequently if determined necessary. As such, no edits are necessary.