

# Charter of the Customer Standing Committee (CSC)<sup>1</sup>

## Mission

The Customer Standing Committee (CSC) has been established to perform the operational oversight previously performed by the U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA) as it relates to the monitoring of performance of the IANA naming function. This transfer of responsibilities took effect on [date].

The mission of the CSC is to ensure continued satisfactory performance of the IANA function for the direct customers of the naming services. The primary customers of the naming services are top-level domain registry operators, but also include root server operators and other non-root zone functions.

The mission will be achieved through regular monitoring by the CSC of the performance of the IANA naming function against agreed service level targets and through mechanisms to engage with the IANA Functions Operator to remedy identified areas of concern.

The CSC is not mandated to initiate a change in the IANA Functions Operator via a Special IANA Function Review, but could escalate a failure to correct an identified deficiency to the ccNSO and GNSO, which might then decide to take further action using agreed consultation and escalation processes, which may include a Special IANA Function Review.

## Scope of Responsibilities

The CSC is authorized to monitor the performance of the IANA naming function against agreed service level targets on a regular basis.

The CSC will analyse reports provided by the IANA Functions Operator on a monthly basis and publish their findings.

The CSC is authorized to undertake remedial action to address poor performance in accordance with the Remedial Action Procedures (see illustrative procedures at the end of this Annex). The Remedial Action Procedures are to be developed and agreed to by the CSC and the IANA Functions Operator post-transition, once the CSC is formed.

In the event performance issues are not remedied to the satisfaction of the CSC, despite good-faith attempts to do so, the CSC is authorized to escalate the performance issues to the ccNSO and GNSO for consideration.

The CSC may receive complaints from individual registry operators regarding the performance of the IANA Naming Function; however, the CSC will not become involved in a direct dispute between any registry operator and IANA.

The CSC will review individual complaints with a view to identifying any patterns of poor performance by the IANA Functions Operator in responding to complaints of a similar nature. In

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<sup>1</sup> This Charter is Annex G of the Cross Community Working Group on Naming Related Functions (CWG-Stewardship) Proposal. See <https://www.icann.org/en/system/files/files/iana-stewardship-transition-proposal-10mar16-en.pdf>.

relation to problem resolution, if CSC determines that remedial action has been exhausted and has not led to necessary improvements, the CSC is authorized to escalate to the PTI Board and further if necessary.

The CSC will, on an annual basis or as needs demand, conduct a consultation with the IANA Functions Operator, the primary customers of the naming services, and the ICANN community about the performance of the IANA Functions Operator.

The CSC, in consultation with registry operators, is authorized to discuss with the IANA Functions Operator ways to enhance the provision of IANA's operational services to meet changing technological environments; as a means to address performance issues; or other unforeseen circumstances. In the event it is agreed that a material change in IANA naming services or operations would be beneficial, the CSC reserves the right to call for a community consultation and independent validation, to be convened by the IANA Functions Operator, on the proposed change. Any recommended change must be approved by the ccNSO and RySG.

The IANA Functions Operator would be responsible for implementing any recommended changes and must ensure that sufficient testing is undertaken to ensure smooth transition and no disruption to service levels.

The CSC will provide a liaison to the IANA Function Review Team and a liaison to any Separation Cross Community Working Group.

### **Conflict of Interest**

The ICANN Bylaws make clear that it must apply policies consistently, neutrally, objectively and fairly, without singling any party out for discriminatory treatment; which would require transparent fairness in its dispute resolution processes. Members of the CSC should accordingly disclose any conflicts of interest with a specific complaint or issue under review. The CSC may exclude from the discussion of a specific complaint or issue any member deemed by the majority of CSC members and liaisons to have a conflict of interest.

### **Membership Composition**

The CSC should be kept small and comprise representatives with direct experience and knowledge of IANA naming functions. At a minimum the CSC will comprise:

- Two gTLD Registry Operators.
- Two ccTLD Registry Operators.
- One additional TLD representative not considered a ccTLD or gTLD registry operator such as the IAB for .ARPA could also be included in the minimum requirements but is not mandatory.
- One liaison from the IANA Functions Operator (PTI).

Liaisons can also be appointed from the following organisations; however, providing a Liaison is not mandatory for any group:

- One liaison each from other ICANN SOs and ACs:

- GNSO (non-registry)
- ALAC
- NRO (or ASO)
- GAC
- RSSAC
- SSAC

Liaisons shall not be members of or entitled to vote on the CSC, but otherwise liaisons shall be entitled to participate on equal footing with members of the CSC.

The Chair of the CSC will be elected on an annual basis by the CSC. Ideally the Chair will be a direct customer of the IANA naming function, and cannot be the IANA Functions Operator Liaison.

The CSC and the IANA Functions Operator will nominate primary and secondary points of contact to facilitate formal lines of communication.

The CSC as a whole will decide who will serve as the Liaison to the IANA Function Review Team. Preference should be given to the Liaison being a registry representative given that technical expertise is anticipated to be valuable in the role.

## **Membership Selection Process**

Members and Liaisons to the CSC will be appointed by their respective communities in accordance with internal processes. However, all candidates will be required to submit an Expression of Interest that includes a response addressing the following matters:

- Why they are interested in becoming involved in the CSC.
- What particular skills they would bring to the CSC.
- Their knowledge of the IANA Functions.
- Their understanding of the purpose of the CSC.
- That they understand the time necessary required to participate in the CSC and can commit to this role.

Interested candidates should also include a resume or curriculum vitae or biography in support of their Expression of Interest.

While the ccTLD and gTLD members will be appointed by the ccNSO and RySG respectively and liaisons by their applicable groups, ccTLD or gTLD registry operators that are not members of these groups will be eligible to participate in the CSC as members or liaisons. The ccNSO and RySG should consult prior to finalizing their selections with a view to providing a slate of members and liaisons that has, to the extent possible, diversity in terms of geography and skill set.

A representative for a TLD registry operator not associated with a ccTLD or gTLD registry, will be required to submit an Expression of Interest to either the ccNSO and GNSO Council. The Expression of Interest must include a letter of support from the registry operator. This provision is intended to ensure orderly formal arrangements, and is not intended to imply those other registries are subordinate to either the ccNSO or the GNSO.

The full membership of the CSC must be approved by the ccNSO and the GNSO. While it will not be the role of the ccNSO and GNSO to question the validity of any recommended appointments to the CSC they will take into account the overall composition of the proposed CSC in terms of geographic diversity and skill sets.

## **Terms**

CSC appointments, regardless of whether members or liaisons, will be for a two-year period with the option to renew for up to two additional two-year terms. The intention is to stagger appointments to provide for continuity and knowledge retention.

To facilitate this, at least half of the inaugural CSC appointees will be appointed for an initial term of three years. Subsequent terms will be for two years.

CSC appointees must attend a minimum of nine meetings in a one-year period, and must not be absent for more than two consecutive meetings. Failure to meet this requirement may result in the Chair of the CSC requesting a replacement from the respective organisation.

## **Recall of members**

Any CSC appointee can be recalled at the discretion of their appointing community.

In the event that a ccTLD or gTLD registry representative is recalled, a temporary replacement may be appointed by the designating group while attempts are made to fill the vacancy. As the CSC meets on a monthly basis best efforts should be made to fill a vacancy within one month of the recall date.

The CSC may also request the recall of a member of the CSC in the event they have not met the minimum attendance requirements. The appointing community will be responsible for finding a suitable replacement.

## **Meetings**

The CSC shall meet at least once every month via teleconference at a time and date agreed upon members of the CSC.

The CSC will provide regular updates, no less than three per year, to the direct customers of the IANA naming function. These updates may be provided to the RySG and the ccNSO during ICANN meetings.

The CSC will also consider requests from other groups to provide updates regarding the IANA Functions Operator's performance.

## **Record of Proceedings**

Minutes of all CSC teleconferences will be made public within five business days of the meeting.

Any remedial action will also be reported by the CSC.

Information sessions conducted during ICANN meetings will be open and posting of transcripts and presentations will be done in accordance with ICANN’s meeting requirements.

**Secretariat**

The IANA Functions Operator will provide secretariat support for the CSC. The IANA Functions Operator will also be expected to provide and facilitate remote participation in all meetings of the CSC.

**Review**

The Charter will initially be reviewed by a committee of representatives from the ccNSO and the RySG one year after the first meeting of the CSC. The review is to include the opportunity for input from other ICANN stakeholders, via a Public Comment process. Any recommended changes are to be ratified by the ccNSO and the GNSO.

Thereafter, the Charter will be reviewed at the request of the CSC, ccNSO or GNSO and may also be reviewed in connection with the IANA Function Review.

The effectiveness of the CSC will initially be reviewed two years after the first meeting of the CSC; and then every three years thereafter. The method of review will be determined by the ccNSO and GNSO.

The CSC or the IANA Functions Operator can request a review or change to service level targets. Any proposed changes to service level targets as a result of the review must be agreed to by the ccNSO and GNSO.

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**Proposed Remedial Action Procedures**

This proposal is illustrative of what could be included in the Remedial Action Procedures. It is anticipated that the procedures would be agreed between the CSC and the IANA Functions Operator prior to implementation.

	Notification	1st Escalation	2nd Escalation	3rd Escalation
<b>Occurs</b>	<ul style="list-style-type: none"> <li>• Process control limit exceeded</li> <li>• IANA customer presents evidence that IANA did not meet SLE</li> </ul>	<ul style="list-style-type: none"> <li>• Corrective action plan late</li> <li>• Corrective action plan milestones missed</li> <li>• Two or more additional</li> </ul>	<ul style="list-style-type: none"> <li>• Corrective action plan late</li> <li>• Corrective action plan milestones missed</li> <li>• Two or more additional “notification”</li> </ul>	<ul style="list-style-type: none"> <li>• Corrective action plan from 2nd escalation not delivered or executed timely.</li> <li>• Additional similar violations occur when corrective action from 2nd</li> </ul>

<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• IANA periodic</li> <li>• report indicates SLE not met</li> </ul>	<ul style="list-style-type: none"> <li>• “notification” violations occur while corrective action plan is open</li> </ul>	<ul style="list-style-type: none"> <li>• violations occur while corrective action plan is supposed to be in place</li> </ul>	<ul style="list-style-type: none"> <li>• escalation is supposed to be in place</li> </ul>
<b>Addressee</b>	<ul style="list-style-type: none"> <li>• IANA Manager</li> </ul>	<ul style="list-style-type: none"> <li>• PTI Board</li> </ul>	<ul style="list-style-type: none"> <li>• Global Domains</li> <li>• Division President</li> </ul>	<ul style="list-style-type: none"> <li>• ICANN Board, CEO</li> </ul>
<b>Message Content</b>	<ul style="list-style-type: none"> <li>• Identify SLE breach and evidence</li> <li>• Conference call request to discuss issues raised by CSC message.</li> <li>• Corrective action requirement</li> <li>• Time frame</li> <li>• Identify party requiring response</li> </ul>	<ul style="list-style-type: none"> <li>• Identify SLE breach and evidence</li> <li>• Conference call request to discuss issues raised by CSC message.</li> <li>• Corrective action requirement</li> <li>• Time frame</li> </ul>	<ul style="list-style-type: none"> <li>• Same as previous</li> </ul>	<ul style="list-style-type: none"> <li>• Same as previous</li> </ul>

<b>Response Requested</b>	<ul style="list-style-type: none"> <li>• Agreement that SLE violation occurred (or evidence to contrary)</li> <li>• Cause Correction made on individual case</li> <li>• Corrective action plan to: <ul style="list-style-type: none"> <li>○ remedy current situation</li> <li>○ prevent future occurrence</li> </ul> </li> <li>• Corrective action plan required in 14-days</li> </ul>	<ul style="list-style-type: none"> <li>• Reissue corrective action plan to: <ul style="list-style-type: none"> <li>○ Remediate</li> <li>○ earlier failed plan</li> </ul> </li> <li>• Include new violations</li> <li>• Corrective action plan milestones missed</li> </ul> <p>Two or more additional “notification” violations occur while corrective action plan is open</p>	<ul style="list-style-type: none"> <li>• Same as previous plus</li> <li>• Organizational, operational changes to correct lack of corrective action</li> </ul>	<ul style="list-style-type: none"> <li>• Same as previous plus</li> <li>• Remediation through the ICANN-PTI Contract and/or Special IFR</li> </ul>
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