

Charter of the Customer Standing Committee (CSC)

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 6 October 1, 2016.

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 CSC will be the primary interface between the customers of the IANA Functions Operator, currently PTI. Should PTI cease to be the IANA Functions Operator, there should be an obligation on the successor operator to work with the CSC to ensure satisfactory performance of the IANA naming 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. As such, the CSC and the IANA Functions Operator should work together to identify issues and to initiate timely action.

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 Councils, who 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 request the IANA Functions Operator to take remedial action to address performance issues in accordance with agreed Remedial Action Procedures. Action. Any necessary remedial action will be discussed by the IANA Functions Operator and CSC and will lead to an agreed plan for resolving the issues.

The Remedial Action Procedures should include procedures to escalate issues to the IANA Functions Operator and ICANN management should there be a failure to resolve issues.

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

Deleted: 1
Deleted: [date]
Comment [MB2]: In line with CSC proposed change 1
Deleted: [date]
Deleted: .
Comment [MB3]: Clarifying terminology and ensuring that the CSC role is identified as independent of the operator
Comment [AD4]: Should this now be PTI? Need to review all references to IANA Functions Operator and amend for consistency.
Deleted: .
Comment [MB5]: An introduction to the idea of dialogue between CSC and the management of the IANA Functions Operator
Deleted: ich
Deleted: , which
Comment [AD6]: I believe this terminology has changed and needs to be updated.
Deleted: undertake
Comment [MB7]: I think we need to explain roles better: without the escalation example or a defined RAP, "undertake remedial action" might be seen as extending the role of CSC into operational areas. [In response to CSC proposed change 2]
Comment [AD8]: May need to update this language if the RAP becomes available during this review.
Deleted: poor
Deleted:
Deleted:
Deleted: the
Deleted: (see illustrative procedures at the end of this Annex)
Deleted: The Remedial
Deleted: action Procedures are to be developed and agreed to by the CSC and the IANA Functions Operator post-transition, once the CSC is formed.
Deleted: .
Comment [MB9]: An attempt to ensure the basic principles of the RAP are enshrined when the section on the RAP is deleted.
Comment [MB10]: I'm not clear where the CSC wants the RAP to sit
Deleted: , the
Comment [MB11]: I do not think that the CSC actually has the authority to take action, but only to require that action is initiated. [In response to CSC proposed change 3]
Comment [AD12]: There is some dispute about what is the responsibility of the GNSO and what is the responsibility of the GNSO Council so I want to make this explicit that it is the responsibility of the Councils.

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 **evidence of systemic performance issues and, if necessary, will discuss remedial action with the IANA Functions Operator as appropriate.**

Deleted: patterns of poor

Comment [MB13]: I think that this is all about systemic issues that may come to light from (for example) a number of individual complaints. The CSC should not action on individual cases (usurping the proposed IRP). [In response to CSC proposed change 4]

Deleted: by the IANA Functions Operator in responding to complaints of a similar nature. In

Comment [AD14]: Can we delete this reference?

Formatted: Font:(Default) Arial, 1 pt

Deleted: -

Deleted: ¹ 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>.

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 that does not require a change of contract to the IANA Naming Functions contract must be approved by the ccNSO and RySG.

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

To allow the CSC to carry out the work identified above and, in particular, to help develop a cooperative relationship with the IANA Functions Operator, there should be meetings between the CSC and the Board of the IANA Functions Operator as necessary. These meetings should, wherever possible, be held at ICANN meetings and might be at the request of either the IANA Functions Operator Board or the CSC.

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.

The CSC will develop with the IANA Functions Operator and ICANN a process for timely amendments to the SLEs where such changes are minor and are unlikely to impose additional resource requirements on PTI. The CSC will provide a liaison to the Charter Review Team, 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

Deleted: [1]

Comment [MB15]: This seems to overlap with the customer review carried out by the IANA Functions Operator. Was it carried out by the CSC this year?

Comment [MB16]: In line with CSC proposed change 5

Comment [AD17]: I'd like to have a conversation with the CSC about this paragraph to understand how it is being interpreted and whether there is any need for change.

Deleted: .

Comment [MB18]: Statement of fact?

Deleted: .

Deleted: would be

Deleted: .

Comment [MB19]: An attempt to respond to the PTI Board input.

Moved (insertion) [1]

Comment [MB20]: Moved from the review section in the text in line with the CSC marked-up copy

Deleted: .

... [2]

Comment [MB21]: In line with CSC proposed change 6 with minor amendments

Deleted: .

... [3]

Comment [MB22]: I appear to have lost the two footnotes in the CSC marked-up copy!

Comment [MB23]: As the CSC Charter review is a "one off" (further changes would be proposed by the CSC and reviewed and agreed by the RySG & ccNSO), it is not appropriate for there to be a reference in the revised document [CSC proposed change 7]

Deleted: .

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:

- o GNSO (non-registry)
- o ALAC
- o NRO (or ASO)
- o GAC
- o RSSAC
- o 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 or the RySG. 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 RySGGNSO.

Comment [AD24]:

Comment [AD25]: How does PTI fit into this picture? I'm conscious of the comments provided by Jonathan and Lise and wonder whether this is something to include here.

Comment [MB26]: Needs tidying up: "either ... or" or (my preference) "to both ... Councils"

Deleted:

The full membership of the CSC must be approved by the ccNSO and the GNSO [Councils](#). While it will not be the role of the ccNSO and GNSO [Councils](#) 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 **by the** members of the CSC.

The CSC will provide regular updates, **at least twice** 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.

ICANN should consider requests for travel funding for CSC members to attend ICANN meetings, where such requests are supported by the members' constituency, the RySG or the ccNSO. [Record of Proceedings](#)

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

Comment [AD27]: Should we blow this out to 3 months? I think 1 month is unrealistic.

Comment [MB28]: Tidying up

Comment [MB29]: In line with CSC proposed change 8

Deleted: no less than three

Deleted:

Comment [MB30]: In line with proposed change 9

Deleted: -

Deleted: -

In the event that the CSC invokes the Remedial Action procedures, it will provide regular public updates to the GNSO and ccNSO of the status of the process.

Deleted: Any remedial action will also be reported by the CSC

Comment [MB31]: In line with CSC proposed change 10

Deleted: .

Deleted:

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.

Deleted: .

Secretariat

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

Comment [MB32]: In line with CSC proposed change 11

Deleted: The IANA Functions Operator

Deleted: The IANA Functions Operator

Review

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

Comment [MB33]: Tidying up post initial review of the charter

Deleted: 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. ... [4]

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.

Comment [AD34]: Need to update this to remove any duplication with other reviews.

Moved up [1]: 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. .

Deleted: .

Comment [MB36]: Deleted in line with CSC comment 12

Deleted: .
Notification ... [5]

Deleted: IANA "notification" violations occur while corrective action plan is open

... [6]

Comment [MB36]: Deleted in line with CSC comment 12

Deleted:

Agreement that SLE violation occurred (or
evidence to contrary)

Reissue corrective action plan to:

Same as previous plus

Same as previous plus

... [7]

Deleted:

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.

[MB1]

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

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
Occurs	<p>Process control limit exceeded IANA customer presents evidence that IANA did not meet SLE</p>	<p>Corrective action plan late Corrective action plan milestones missed Two or more additional</p>	<p>Corrective action plan late Corrective action plan milestones missed Two or more additional "notification"</p>	<p>Corrective action plan from 2nd escalation not delivered or executed timely. Additional similar violations occur when corrective action from 2nd</p>

	IANA periodic report indicates SLE not met	“notification” violations occur while corrective action plan is open	violations occur while corrective action plan is supposed to be in place	escalation is supposed to be in place
Addresssee	IANA Manager	PTI Board	Global Domains Division President	ICANN Board, CEO
Message Content	Identify SLE breach and evidence Conference call request to discuss issues raised by CSC message. Corrective action requirement Time frame Identify party requiring response	Identify SLE breach and evidence Conference call request to discuss issues raised by CSC message. Corrective action requirement Time frame	Same as previous	Same as previous

<p>Response Requested</p>	<p>Agreement that SLE violation occurred (or evidence to contrary) Cause Correction made on individual case Corrective action plan to: remedy current situation prevent future occurrence Corrective action plan required in 14-days</p>	<p>Reissue corrective action plan to: Remediate earlier failed plan Include new violations Corrective action plan milestones missed Two or more additional "notification" violations occur while corrective action plan is open</p>	<p>Same as previous plus Organizational, operational changes to correct lack of corrective action</p>	<p>Same as previous plus Remediation through the ICANN-PTI Contract and/or Special IFR</p>
---------------------------	---	--	--	---

CSC Proposed Changes to the CSC Charter

	Current Wording	Proposed Wording	Comment
1.	This transfer of responsibilities took effect on <u>[date]</u> .	This transfer of responsibilities took effect on <u>October 1, 2016</u> .	Inserting the effective date of the IANA Transition
2.	The CSC is authorized to undertake remedial action to address <u>poor performance</u> in accordance with the Remedial Action Procedures <u>(see illustrative procedures at the end of this Annex)</u>	The CSC is authorized to undertake remedial action to address <u>performance issues</u> in accordance with the Remedial Action Procedures.	Proposed change to provide consistency with the IANA Naming Functions Contract. Below, it is proposed that the Annex on the RAPs be removed conditional on the RAPs themselves being finalized, so it is proposed that this reference also be removed.
3.	In the event performance issues are not remedied to the satisfaction of the CSC, despite good- faith attempts to do so, <u>the CSC is authorized to escalate the performance issues to the ccNSO and GNSO for consideration.</u>	In the event performance issues are not remedied to the satisfaction of the CSC, despite good- faith attempts to do so, <u>the CSC is authorized to take action to address the performance issues in the manner set out in the Remedial Action Procedures.</u>	This change is proposed to provide consistency with the IANA Naming Functions Contract and to remove the suggestion that the CSC can escalate issues directly to the ccNSO and GNSO without following the steps set out in the RAPs.
4.	The CSC will review individual complaints with a view to identifying <u>any patterns of poor performance by the IANA Functions Operator in responding to complaints of a similar nature. In 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.</u>	The CSC will review individual complaints with a view to identifying <u>whether any patterns of poor performance issues exist and if so, to invoke the Remedial Action procedures if necessary.</u>	This change is proposed to ensure consistency with the terminology of the Naming Functions Contract and to make it clear that CSC action in respect to individual complaints can only occur upon finding that a ‘performance issue’ exists and then that the RAPs must be followed. CSC cannot go directly to the PTI Board.
5.	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	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	This new language is proposed to make clear that if the improvements involve a change to the contract, then the process is more complex, involving more than the ccNSO and RySG approval.

	operations would be beneficial, the CSC reserves the right to call for a community consultation and independent validation, to be convened by IANA Functions Operator on the proposed change. Any recommended change must be approved by the ccNSO and RySG.	independent validation, to be convened by IANA Functions Operator the IANA Functions Operator, on the proposed change. Any recommended change <i>that does not require a change to the IANA Naming Function Contract</i> must be approved by the ccNSO and RySG.	
6.	None (new text)	<i>The CSC will develop with PTI and ICANN a process for timely amendments to the SLE's where such changes are minor and are unlikely to impose additional resource requirements on PTI.</i>	The SLE's are currently part of the IANA Naming Functions Contract, which means the process for changing these is the same as for changing the contract itself. The CSC has identified a need for minor amendments to the SLE's which will not have any resource impact on PTI but no process to effect such minor changes yet exists.
7.	The CSC will provide a liaison to the IANA Function Review Team and a liaison to any Separation Cross Community Working Group.	The CSC will provide a liaison to <i>the CSC Charter Review Team</i> , the IANA Function Review Team and a liaison to any Separation Cross Community Working Group.	The CSC proposes that it be given a formal roll in any CSC Charter Review.
8.	The CSC will provide regular updates, <i>no less than three per year</i> , 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 provide regular updates, <i>at least twice</i> 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.	It is proposed to change 'no less than three per year' to 'at least twice per year' to remove the obligation to hold three annual updates to the RySG and ccNSO during ICANN meetings. This reflects the new ICANN meeting format which makes it more difficult to find an opportunity for the CSC to meet with the RySG and the ccNSO during the 'Policy Forum' meeting.
9.	None – new text	<i>ICANN should consider requests for travel funding for CSC members to attend ICANN meetings, where such requests are supported by the members' constituency, the RySG or the ccNSO.</i>	The ability of CSC members to update the ICANN community at ICANN meetings is being compromised by their lack of travel funding. Their absence from such meetings could also compromise the CSC's ability to achieve quorum for decision-making at such meetings.

10.	Any remedial action will also be reported by the CSC.	<i><u>In the event that the CSC invokes the Remedial Action procedures, it will provide regular public updates to the GNSO and ccNSO of the status of the process.</u></i>	This change is proposed to make the intention more clear and to specify who the CSC is to keep informed.
11.	<u>The IANA Functions Operator</u> 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.	<u>ICANN</u> will provide secretariat support for the CSC. ICANN will also be expected to provide and facilitate remote participation in all meetings of the CSC.	It is proposed that the current practice of ICANN providing the secretariat support be codified here. This would provide consistency with s. 17.4 of the ICANN bylaws which says “ <i>ICANN shall provide administrative and operational support necessary for the CSC to carry out its responsibilities, including providing and facilitating remote participation in all meetings of the CSC.</i> ”
12.	<u>Proposed Remedial Action Procedures.</u>		It is proposed that this title and all of the text following it be deleted, conditional on the RAPs being finalized.