



Independent Review of the Root Server System Advisory Committee

Report to
The Internet Corporation for
Assigned Names and Numbers

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1. Summary

1.1. Introduction

The Internet Corporation for Assigned Names and Numbers (ICANN) Bylaws define the responsibility of the DNS Root Server System Advisory Committee (RSSAC) as:

To advise the Board about the operation of the root name servers of the domain name system.

The Bylaws require an independent review every three years if practicable, of the performance and operation of each arm of ICANN. The goal of each review is to determine:

1. Whether that organization has a continuing purpose in the ICANN structure; and
2. If so, whether any change in structure or operations is desirable to improve its effectiveness.

ICANN announced in October 2008 that it had appointed Westlake Consulting Limited (WCL) to conduct the first such independent review of the RSSAC.

1.2. Methodology

The WCL Review Team members attended the ICANN meeting in Cairo, Egypt, and the Internet Engineering Task Force (IETF) meeting in Minneapolis, Minnesota, USA, both in November 2008, where they interviewed a significant number of people about the RSSAC. WCL has also conducted further telephone interviews and has received feedback and comments from a range of people.

In addition to a total of about fifty face to face and telephone interviews, the WCL team researched as much of the RSSAC's publicly-available written record as possible, such as the ICANN website and minutes of meetings of the RSSAC. The review team invited comment from any interested party, through both the ICANN website and the RSSAC mailing list. WCL team members also drew on their experience in governance roles in commercial and non-profit organizations, in order to draw conclusions and make recommendations about the purpose, structure and operations of the RSSAC.

Towards the end of the review, the WCL Review Team held a conference call with the Independent Reviewers appointed to review ICANN's Security and Stability Advisory Committee (SSAC) at the same time as our review, in order to ensure as far as possible that there were no inconsistencies between our respective conclusions and recommendations.

1.3. Background

RSSAC was established to meet obligations set out in the Joint Project Agreement (JPA) between the United States Government's Department of Commerce and ICANN. Wording from the JPA is clearly reflected in the ICANN Bylaws where they describe RSSAC's role. is evident in the RSSAC Section of the ICANN Bylaws.

The Bylaws describe the purpose and tasks to be conducted by the RSSAC, as well as setting out in broad terms the RSSAC's membership and process for appointment of a Chair.

1.4. Findings

The main findings from our research were as follows:

- The RSSAC is largely reactive and issues-based, rather than providing advice proactively to the Board of ICANN;
- There is a lack of regular communication and agreement over expectations between the RSSAC and the Board;
- The RSSAC is dominated by, and largely indistinguishable from, the Root Server Operators (root server operators), who are almost all independent of ICANN. The focus of the root server operators is largely operational. As a result, the RSSAC has provided little advice at a more strategic level to the Board.
- The RSSAC's committee and meeting processes are poor and incomplete. At the time of writing, the latest minutes available on the RSSAC website are those from the RSSAC meeting in December 2007, while three further meetings have taken place since then.
- Appointment and succession processes for Committee Members and the Chair are poorly defined or absent.
- The RSSAC has not delivered advice against many of the responsibilities listed in the Bylaws, while the root server operators consider that several of these are their responsibility rather than ICANN's.
- The RSSAC is effectively disconnected from the rest of ICANN because it does not meet at, nor do many of its members attend, regular ICANN meetings. Rather, it holds its meetings at Internet Engineering Task Force (IETF) meetings, which occur several weeks after ICANN meetings. As a result there is little interaction between the RSSAC and other ICANN entities, for example

the Government Advisory Committee or the Generic Names Supporting Organisation.

1.5. Options

The WCL Review Team identified and considered five main structural options for the RSSAC:

- No change.
- Disband it, or merge its functions into another part of ICANN, such as the SSAC.
- Re-focus it and add ICANN resources to support it.
- Convert it to an ICANN supporting organization.
- Re-launch it as a Joint Strategy Group, accountable to the root server operators and ICANN.

1.6. Recommended Option

The recommended option is to restructure and re-launch the RSSAC as a joint strategy group, accountable to both the root server operators and ICANN. We recognised that this dual accountability would be different from the way in which the other advisory committees of ICANN operate. However, we consider this is an essential feature of what we propose. The dual line of accountability is intended to demonstrate to the root server operators and to ICANN that the proposed new structure is there to facilitate consideration of strategic issues of interest to both. The purpose is not to imply in any way an attempt to shift power or influence from one party to the other.

Since the positioning, terms of reference and composition of the relaunched RSSAC will differ significantly from those of the current RSSAC, we considered giving it a new name. However, on balance we decided that debate over a new name might well outweigh consideration of the substantive changes.

The relaunched RSSAC will require changes to the ICANN Bylaws. The proposed new purpose for RSSAC has a strategic focus, which will be complementary to that of the root server operators, whose main focus is operational.

We propose that the new version of the RSSAC will be set up as follows:

Composition

The RSSAC will initially have nine members:

- Four root server operators, selected by the root server operators collectively;
- Four appointed by ICANN, being one each from:
 - The Address Supporting Organization (ASO);
 - The Country-Code Names Supporting Organization (ccNSO);
 - The Generic Names Supporting Organization (GNSO); and
 - The At-Large Advisory Committee (ALAC).
- One appointed by IANA.

This structure means that no bloc of members will have a majority and will need at least the support of the IANA member, who will, in effect, hold the casting vote.

ICANN-funded Support

ICANN will make available to the RSSAC two employees, who will provide executive support for the Committee:

- One technical fellow, who will need to be highly competent in the technical aspects and issues of the DNS Root server system; and
- One administrative support officer, who will be responsible for all administrative matters, such as travel, accommodation and meeting arrangements. This person also will need to understand the technical aspects and issues, although not to the same level as the technical fellow;
- Travel and accommodation for members attending ICANN meetings and relevant technical meetings.

Meetings

Unlike RSSAC meetings to date, the relaunched RSSAC will meet in open session at ICANN meetings.

Invitations to attend RSSAC meetings, with speaking rights, will be issued specifically to a representative of each Root server operator which does not already have a member of the relaunched RSSAC.

If the RSSAC determines that it needs to meet in closed session, all root server operators will be entitled to attend the closed session and to participate, subject to the Chair's discretion, as will any ICANN Board representative attending the meeting, the Board liaison and the technical fellow.

Unlike the current RSSAC, the new version of the RSSAC will convene at ICANN meetings, in order that other parts of ICANN may engage with it. Besides the ICANN meetings, the RSSAC may determine that it needs to meet at relevant technical meetings. Travel and accommodation for such attendance would also be paid for by ICANN in accordance with its normal travel policy for ICANN meetings.

Liaisons

The RSSAC will initially have the following non-voting liaison positions:

- Outward: Board liaison, as at present;
- Inward: appointed by IETF;
- Both outward and inward: the SSAC.

Besides these formal liaisons, there may be benefit in the RSSAC meeting formally with other ICANN entities, such as the Government Advisory Committee.

1.7. List of Recommendations

Recommendation 1 That the RSSAC be reformed as a strategy group, run jointly by ICANN and the root server operators.

Recommendation 2 **That** the substance of the RSSAC's 'Terms of Reference' as laid out in the Bylaws should be amended to set out RSSAC's new purpose:

- The role of the Root Server System Advisory Committee ("RSSAC") shall be to provide a source of unbiased strategic advice to ICANN, the root server operators and the Internet Community about the best way ahead for the Root Server System. The role will include the following functions:
 - To analyse, assess and monitor, at a strategic level, proposed changes to the root server system in order to provide timely advice to the root server operators and ICANN on the implications, desirability and risks of such changes;
 - To provide reassurance and transparency to the Internet Community that these tasks are under control and that they can have confidence in the reliability and robustness of the root server system;
 - To identify strategic risks to the root server system, and to ensure that planning is in place to address failures of critical systems, including – but not limited to – the demise or critical breakdown of one or more root server operators, or ICANN or IANA;
 - To ensure the performance of the root server system is monitored in the light of anticipated or actual changes to the system or in global Internet usage;
 - To provide a means of liaison between the root server operators, ICANN and the Internet Community.
 - root server operators, ICANN and the Internet Community, via the ALAC, ASO, ccNSO, gNSO and other relevant stakeholders.

Recommendation 3 **That** the RSSAC should initially be constituted with a membership of nine, as follows:

- 4 Root server Operators, appointed by the operators, including at least one who is non-US based;
- 1 appointed by IANA;
- 4 appointed by the Board / Nominating Committee of ICANN, drawn as follows:
 - 1 from the ASO;
 - 1 from the ccNSO;
 - 1 from the gNSO; and
 - 1 from the ALAC.

Recommendation 4 **That** the RSSAC should appoint its Chair from among its members:

- And that the term of appointment be two years with a limit of three consecutive two-year terms.

Recommendation 5 **That** ICANN nominate two members of staff to support the RSSAC:

- Technical Fellow: The purpose of this role will be to do the research and drafting for reports on behalf of the RSSAC
- Administrative Support: the purpose of this role will be to provide the administrative role necessary for the effective operation of a group of part-time volunteer members.

Recommendation 6 **That** the ICANN Technical Fellow role be carried out separately from L-root operations.

Recommendation 7 **That** ICANN fund travel and accommodation for RSSAC members to and from ICANN meetings.

Recommendation 8 **That** ICANN fund travel and accommodation for RSSAC members at appropriate technical meetings from time to time.

Recommendation 9 In relation to the RSSAC's meetings:

1. **That** the RSSAC should meet at each ICANN meeting, with provision for it to hold additional meetings in between these.
2. **That** its sessions be held in public, so that anybody who wishes may attend, but with provision for it to go into closed session for part of a meeting if a majority of the RSSAC members at the meeting believe it appropriate.
3. **That** all root server operators be invited to attend meetings and have speaking rights (at the discretion of the Chair who will be responsible for managing the Agenda).
4. **That** other attendees at RSSAC meetings may be granted speaking rights at the discretion of the Chair.
5. **That**, in the event that RSSAC went into closed session, subject to the Chair's discretion in case of exceptional circumstances, the root server operators and any members of the ICANN Board and formally-appointed Liaisons would be invited to join the closed session.

Recommendation 10 That the following non-voting liaison positions be established:

1. Outward liaison from the RSSAC to the ICANN Board (as currently exists);
2. Inward liaison to the RSSAC from IETF/IAB; this will provide additional technical input into the proceedings of the RSSAC;
3. Both inward and outward liaisons between the RSSAC and the SSAC.

