

ICANN BOARD PAPER NO. 2026.01.25.1a

TITLE: Security and Stability Advisory Committee (SSAC) Member Appointments

PROPOSED ACTION: For Board Consideration and Approval

EXECUTIVE SUMMARY:

The Chair of the Security and Stability Advisory Committee (SSAC) respectfully requests the appointment of Wes Hardaker, Sourena Maroofi, and Raffaele Sommese as new Committee members.

SSAC RECOMMENDATION:

The SSAC recommends that the ICANN Board appoint Wes Hardaker, Sourena Maroofi, and Raffaele Sommese to the SSAC for terms ending on 31 December 2028.

PROPOSED RESOLUTION:

Whereas, pursuant to Article 12, Section 12.2(b) of the ICANN Bylaws, the Security and Stability Advisory Committee (SSAC) is responsible for advising the ICANN community and Board on matters relating to the security and integrity of the Internet's naming and address allocation systems.

Whereas, Article 12, Section 12.2(b)(ii) of the ICANN Bylaws provides that SSAC members shall be appointed by the Board for three-year terms.

Whereas, the SSAC Membership Committee, following its established new member selection process, has identified Wes Hardaker, Sourena Maroofi, and Raffaele Sommese as having the requisite technical expertise and experience necessary to contribute to the SSAC's mission.

Whereas, on 25 November 2025, the SSAC Membership Committee submitted its recommendation for the three new member appointments to the full SSAC.

Whereas, on 10 December 2025, the SSAC approved the new member recommendations by consensus.

Whereas, the SSAC requests that the Board appoint Wes Hardaker, Sourena Maroofi, and Raffaele Sommese to the SSAC for terms beginning immediately upon approval by the Board and ending on 31 December 2028.

Resolved (2026.01.25.xx), that the Board appoints Wes Hardaker, Sourena Maroofi and Raffaele Sommese to the SSAC for terms beginning immediately and ending on 31 December 2028.

PROPOSED RATIONALE:

SSAC is a diverse group of individuals whose expertise in specific subject matters enables it to fulfill its role and execute its mission. Since its inception, SSAC has invited to its membership individuals with deep knowledge and experience in technical and security areas that are critical to the security and stability of the Internet's naming and address allocation systems.

SSAC's continued operation as a competent body is dependent on the accumulation of talented subject matter experts who have consented to volunteer their time and energies to the execution of the SSAC mission.

The SSAC currently comprises 37 members. The appointment of the proposed candidates will increase the total membership to 40. In accordance with SSAC's established new member selection procedures, the SSAC Membership Committee formally evaluated each candidate through a comprehensive review of application materials, skills questionnaire, and an interview to ensure their expertise and commitment align with the SSAC's operational requirements. The SSAC Membership Committee assessed prospective candidates against the collective skills of the current SSAC and identified gaps to ensure the SSAC maintains necessary technical and policy capabilities. The professional experience and qualifications for the three proposed candidates are detailed below.

Wes Hardaker is an Internet Standards Engineer at Google. He is actively involved as an affiliate researcher with USC/ISI and is helping operate USC/ISI "b.root-servers.net" DNS Root Server. Wes is the Root Server System Advisory Committee's current Liaison to the ICANN Board.

Wes has published over 20 IETF RFCs, multiple academic papers, and has been a significant contributor to many RSSAC documents, serving on the Internet Architecture Board (IAB), RSSAC, and as multiple IETF working group chairs.

Sourena Maroofi is a DNS Researcher at KOR Labs, whose research has centered on DNS infrastructures and domain names. He has extensive experience with DNS abuse: he is the CEO and founder of URLAbuse (a provider of blocklist feeds), and he designed and implemented bulkDNS, a high-performance, open source DNS scanner designed for large-scale Internet measurement. Sourena also has experience in Internet governance, including a study on DNS abuse conducted for the European Commission and the ICANN Office of the Chief Technology Officer guided INFERMAL project.

Raffaele Sommese is an assistant professor at the University of Twente. His research focuses on Internet resilience and stability. As part of his current research interests, Raffaele is investigating strategies to enhance transparency in the DNS ecosystem to prevent abuse and malicious behaviors. He has also been involved in the DNS OARC BCP initiative that aims to distill a set of actionable best practices for DNS operators, and has advised the European Commission on issues involving the .eu top-level domain. Raffaele was also an invited guest on the recently published SAC132, The Domain Name System Runs on Free and Open Source Software.

This resolution is an organizational administrative function for which no public comment is required. The appointment of SSAC members is in the public interest and in furtherance of ICANN's mission as it contributes to the commitment of the ICANN to strengthen the security, stability, and resiliency of the DNS.

Signature Block:

Submitted by:	James Galvin
Position:	Liaison to the ICANN Board from the Security and Stability Advisory Committee
Date Noted:	xx January 2026
Email:	james.galvin@board.icann.org

ICANN BOARD SUBMISSION No. 2026.01.25.1b

TITLE: **Contracting and Disbursement Policy Update**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

The Board is being asked to approve an update to the [Contracting and Disbursement Policy](#) to improve clarity, document existing practices, and better align Officer approval limits to current and likely future economic circumstances. In particular, the Officer approval limits have not been updated in over 10 years and raising the limits will, among other things, help streamline the internal approvals processes (see redline of Contracting and Disbursement Policy as Attachment A to the Reference Materials for this Board paper.)

ICANN ORGANIZATION AND BOARD FINANCE COMMITTEE (BFC) RECOMMENDATIONS:

Both ICANN organization and the BFC recommend that the Board approve the proposed revisions to the ICANN Contracting and Disbursement Policy.

PROPOSED RESOLUTION:

Whereas, both ICANN organization and the Board Finance Committee have recommended that the Board approve an update to the ICANN Contracting and Disbursement Policy.

Resolved (2026.01.25.xx), the Board approves the proposed revisions to the ICANN Contracting and Disbursement Policy.

PROPOSED RATIONALE:

ICANN's [Contracting and Disbursement Policy](#) has not been update in over 10 years. Updating the policy now is necessary to help improve clarity, document existing practices, and better align Officer approval limits to current and likely future economic circumstances. In particular, raising Officer approval limits will help streamline the internal approvals processes and help make them more efficient. The change in Officer approval limits is not expected to create any concerns as several internal controls,

cross-checks and internal systems have been improved and enhanced over the last decade plus.

Adopting the suggested modifications to the ICANN Contracting and Disbursement Policy is in the public interest because and consistent with ICANN's mission because it will assist the organization with more efficient management of ICANN's expenses

This action is likely to have a positive financial impact on ICANN by streamlining processes and freeing resources for other initiatives undertaken by ICANN.

This action will not have an impact on the security, stability, or resiliency of the domain name system.

This is an Organizational Administrative function that does not require public comment.

Submitted by:	Xavier Calvez
Position:	SVP, Planning and CFO
Date Noted:	15 December 2025
Email:	xaver.calvez@icann.org

ICANN Contracting and Disbursement Policy

Effective: ~~28 July 2015~~ [INSERT DATE]

1. Purpose:

The purpose of this ICANN Contracting and Disbursement Policy (Policy) is to outline contracting and disbursement approval authority granted to Officers of the Internet Corporation for Assigned Names and Numbers (ICANN) by the Board of Directors (Board). This Policy also defines the authority granted to ICANN Officers in order to facilitate making disbursements payments in furtherance of approved disbursements contractual obligations.

2. Definition of Obligations:

Contractual and disbursement obligations include all oral and/or written commitments on ICANN's behalf including, but not limited to, contracts for goods or services, employment contracts, lease commitments, investments, purchase orders, vendor quotes and invoices and other similar obligations. When such obligations are not quantified in the relevant contractual document, management may establish estimates of expense that can be used to determine the approval authority defined in paragraph 5.

3. Breadth of Review and due care:

All contractual and disbursement obligations must be reviewed for budget impact, risks, legal considerations, optimal procurement practices, ICANN's internal control policies, and consistency with ICANN's strategic and operating plans strategic mission.

4. Officers Who approves or authorizes (see chart):

ICANN Officers include: President and Chief Executive Officer (CEO), ~~President, Global Domains Division, Chief Operating Officer (COO),~~ Chief Financial Officer (CFO), General Counsel and Secretary, and any other Officer that the Board appoints. ~~Chief Innovation and Information Officer (CIO), and Vice President, Policy Development Support.~~

5. Officer and Board Contractual Approval Approval and payment authorization Limits (see chart):

The entry into all contractual or disbursement obligations must be approved by an ICANN Officer, as designated by the Board ~~of Directors~~ pursuant to the Bylaws and this Policy. ~~All contractual or disbursement obligations up to US\$2550,000 must be approved by at least one ICANN Officer. All contractual or disbursement obligations over US\$2550,000 and up to \$5100,000 must be approved by at least two ICANN Officers. All contracting or disbursement obligations over US\$5100,000 and up to \$7500,000 must be approved by at least three ICANN Officers, two of whom must be the CEO, COO, or CFO. Any contractual or disbursement obligation of over US\$7500,000 or more must be approved by the Board.~~

Who approves?	Approval Limits
Any one ICANN Officer	Up to US\$ <u>1</u> 50,000
Any two ICANN Officers	Up to US\$ <u>3</u> 400,000

Any three ICANN Officers, two of whom must be the CEO, COO, or CFO	Up to US\$ 750,000 500,000
Board of Directors	Over US\$ 750,000 00,000 or more.

Only one ICANN Officer needs to approve any disbursement obligation if that disbursement is made pursuant to a previously approved contractual or other obligation regardless of the amount.

Notwithstanding the approval limits set forth in this ~~P~~policy, no further Board approvals for contractual or disbursement obligations are required if the Board has previously approved a specific budget (outside of the annual budgeting approval process) within which the contractual or disbursement obligation is included. For example only, if the Board approves an overall budget for a particular project that is US\$4 million, and two of the contractual obligations within that project are estimated to exceed the approval limit for Officers under this Policy, ~~Public Meeting, which includes US\$1,000,000 for hotel and venue expenses~~, staff will be authorized to contract for and make any disbursements in furtherance of such contractual obligations or disbursement~~of payment for such hotel and venue expenses~~ without further Board approval.

6. Signatory Authority:

If Officer Approval is obtained pursuant to the limits set forth in section 5. above, only one Officer need sign the actual contract. Further, Officers may delegate their signatory authority to another member of the Executive team or to a trusted member of their team.

If an Officer does delegate their signing authority, that delegation must be in writing, must specify what types of contractual obligations or other commitments the Officer's delegate is authorized to sign, and must be approved by the General Counsel and Secretary (or designee) and must be communicated in writing to the other Officers. Notwithstanding the above, an Officer does not delegate their approval authority and is still ultimately responsible as an Officer for the contractual or disbursement obligations for which signing authority is delegated.

7. Actual Payment Authorization:

All payments must adhere to the terms and agreement within contractual or disbursement obligations. In terms of this Policy, a payment is defined as an authorization from ICANN to a financial institution to release funds from an ICANN account in furtherance of a contracting or disbursement obligation. Such a payment can be in the form of a check, a wire transfer, ACH, a cash withdrawal, or any other authorized means of payment.

~~The Before an Officer(s) authorizes payment as defined in this Policy they must: (i) confirm that the intended payment adheres to the terms and agreement within contractual or disbursement obligations; and (iii) must first verify that the disbursement being made has been approved by one, two, or three officers, or by the Board, in accordance with the approval limits set forth above.~~

Who authorizes payment?	Authorization Limits
Any one ICANN Officer	Up to US\$1,000,000

Any two ICANN Officers, one of whom must be the <u>President and CEO, COO, or CFO</u>	US\$1,000,000 or more
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The following other financial related matters may be authorized by any one ICANN Officer: (i) authentication of manual funds transfers; (ii) entering into agreements for electronic banking; (iii) opening of safe deposit box; (iv) application for letter of credit; and (v) other administrative actions required to operate existing bank accounts.

Payments made to any ICANN Officer must be approved by another ICANN Officer.

Payments made to any Board member must be approved by the President and CEO, COO, or the CFO or the General Counsel and Secretary.

~~6. Approval process:~~

~~Approvals may be structured as "up to" approvals. For example, the Board of Directors may approve of a known commitment in advance with a maximum amount approved. If the item is negotiated for a greater amount, then the approval must be requested again.~~

~~87. Reporting:~~

The CFO must report on a periodic basis to the ~~Board of Directors~~, through the Board Finance Committee, on all significant disbursement activities ~~including reporting on the new gTLD expenditures as referenced in paragraph No. 6 above~~, as well as report on financial performance and significant variances from budgets.

~~98. Compliance with Policy:~~

The CFO is responsible for complying with and reporting on all financial internal controls, including complying with this Policy.

~~109. Review of Policy:~~

The ~~Board Finance Committee~~Board Finance Committee is to review this Policy and the appropriate limits periodically, but no less that every five years.

[Archived Policy](#) (01 July 2013)

[Archived Policy](#) (16 March 2012)

[Archived Policy](#) (10 December 2010)

[Archived Policy](#) (20 February 2008)

[Archived Policy](#) (17 October 2006)

ICANN BOARD PAPER NO. 2026.01.25.1c

TITLE: ICANN Public Meeting Dates 2029 - 2033

PROPOSED ACTION: For Board Consideration and Approval

EXECUTIVE SUMMARY:

The Board is being asked to approve the proposed dates for the 2029 – 2033 ICANN Public meetings. The selected dates have been chosen in accordance with the recommendations of the Meeting Strategy Working Group, issued in 2014. A [Public Comment](#) period was open for 56 days and the comments were addressed.

ICANN ORGANIZATION RECOMMENDATION:

ICANN organization recommends that the Board approve the selected dates for the ICANN public meetings for 2029 – 2033.

PROPOSED RESOLUTION:

Whereas, ICANN intends to hold Meetings in 2029, 2030, 2031, 2032 and 2033.

Whereas, the five year schedule reflects the 2014 Meeting Strategy Working Group recommendations for timing and duration of ICANN Public Meetings.

Whereas, the dates proposed in this paper were published for public comment for a period of 56 days ending 8 December 2025.

Whereas, staff has completed a thorough review of the public comments received, and has used those comments to develop a recommended schedule of dates for ICANN meetings as follows:

2029

3 - 8 March 2029 No. 94

4 - 7 June 2029 No. 95

6 - 11 October 2029 No. 96

2030

9 - 14 March 2030 No. 97

3 - 6 June 2030 No. 98

19 - 23 October 2030 No. 99

2031

1 - 6 March 2031 No. 100

2 - 5 June 2031 No. 101

18 - 23 October 2031 No. 102

2032

28 February - 4 March 2032 No. 103

7 - 10 June 2032 No. 104

16 - 21 October 2032 No. 105

2033

5 - 10 March 2033 No. 106

6 - 9 June 2033 No. 107

22 - 29 Oct 20331 No. 108

Resolved (2026.01.25.xx), the Board approves the dates for the ICANN Public Meetings to be held in 2029, 2030, 2031, 2032 and 2033.

PROPOSED RATIONALE:

While ICANN continues to examine the overall structure of the Meetings and conferences it conducts, including the number, type and geographic rotation, it is important to identify and publish proposed dates for ICANN Meetings through 2033. Publishing the Meeting dates is important to prevent conflicts with other community

events, as well as to allow ICANN Meeting participants to plan for their attendance. This has been a key part of the recommendations established in 2014 by the Meeting Strategy Working Group (MSWG).

The proposed dates for ICANN Meetings in 2029 - 2033 were selected based on careful avoidance of important holidays, celebrations, and observances around the globe. Similarly, every effort was made to identify and prevent scheduling conflicts with other community events. The dates reflect the timing and duration for ICANN Public Meetings as recommended by the MSWG. Staff recommendations were then developed and subsequently published for a 54-day public comment period. Updates were made in response to the comments, resulting in the list of dates approved by the Board today.

There will be a financial impact on ICANN in hosting these meetings and providing travel support as necessary, as well as on the community in incurring costs to travel to the ICANN meetings. Given that ICANN is committed to having regular meetings, the financial and resource impact of today's decision is not anticipated to vary significantly from the regular operation of ICANN meetings.

This action is in furtherance of ICANN's mission and in the public interest as it allows the multistakeholder community to plan in advance for participation in ICANN Public Meetings. This action is in support of ICANN's Strategic Plan Strategic Objective 1 on evolving and promoting ICANN's multistakeholder model.

Signature Block:

Submitted by: Sally Costerton

Position: Sr. Advisor to President
and SVP, Global Stakeholder
Engagement

Date Noted: 15 January 2026

Email: sally.costerton@icann.org

ICANN BOARD PAPER NO. 2026.01.25.2a

TITLE: **ICANN Bylaws Amendment on IANA Naming Function Review**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

In September 2025, the ICANN Board accepted the recommendations within the Final Report of the Second IANA Naming Function Review (IFR2). The IFR2's Recommendation 4 calls for an amendment of the ICANN Bylaws at Article 18, Section 18.2 to update the cadence of the periodic (i.e., regularly occurring) IANA Naming Function Reviews. This update would move the IANA Naming Function Reviews from being initiated every five years as measured from the convening of the previous IANA Naming Function Review to every five years measured from the date the previous IANA Naming Function Review Team delivered its report to the ICANN Board. With the proposed new cadence, this allows more time for the implementation of IFR recommendations before the next IFR starts, as well as more time to observe and measure of the impact of those implemented recommendations. Without this modification, ICANN would continue to have an obligation to convene a new IFRs with only about three years passing since the previous IFR completed its work and submitted its recommendations to the Board. This Recommendation 4 can only be implemented after it is approved through a Fundamental Bylaws Amendment Process as set forth at Article 25, Section 25.2.

ORGANIZATIONAL EFFECTIVENESS COMMITTEE RECOMMENDATION

The OEC recommends the Board initiate the Fundamental Bylaws Amendment Process on Article 18, Section 18.2 to update the cadence of future periodic IANA Naming Function Reviews in accordance with Recommendation 4 of the Second IANA Naming Function Review.

PROPOSED RESOLUTION:

Whereas, on 10 September 2023, the ICANN Board [convened](#) the second IANA Naming Function Review (IFR2).

Whereas on 14 September 2025, the ICANN Board [accepted](#) the four recommendations within the IFR2’s final report. Recommendation 4 states “The IFRT2 recommends amending ICANN Bylaws [Article 18,] Section 18.2(b) to read “once every five (5) years, measured from the date that the most recent IFRT submits its Final Report to the ICANN Board of Directors.” Article 18 is identified as a “Fundamental Bylaw” that can only be amended pursuant to the process set forth at Article 25, Section 25.2

Whereas, without the recommended Bylaws change, the next IFR2 must convene by 9 September 2028. Presenting the ICANN community with the proposal to amend the Bylaws now allows time for proper consideration and planning based on the outcome of the Fundamental Bylaws Amendment Process.

Resolved (2026.01.25.xx), the ICANN Board directs the ICANN President and CEO, or his designee(s) to initiate a Fundamental Bylaws Amendment Process under Article 25, Section 25.2 of the ICANN Bylaws, through the posting of the proposed amendments to Article 18, Section 18.2(b).

PROPOSED RATIONALE:

What is the proposal being considered?

The initiation of the Fundamental Bylaws Amendment Process on Article 18, Section 18.2(b) is the next step in implementation of Recommendation 4 of the Second IANA Naming Function Review Team (IFR2). The Board accepted this and the other recommendations of the IFR2 on [14 September 2025](#). ICANN org is still planning for the implementation of the other three recommendations. The IANA Naming Function Reviews are the tool through which the ICANN community reviews the performance of ICANN’s affiliate Public Technical Identifiers’ (PTI) performance of the IANA Naming Function against the contractual requirements set forth in the IANA Naming Function Contract.

This recommendation will change how ICANN measures the frequency of the periodic (i.e., regularly occurring) IANA Naming Function Reviews, which are mandated under Article 18 of the ICANN Bylaws. Currently, these periodic IANA Naming Function Reviews are required to happen every five years, measured from the convening of the previous iteration of the IANA Naming Function Review. The IFR2 recommended that while IANA Naming Function Reviews should still happen on a five-year cycle, that cycle should be measured from the date that the previous IANA Naming Function Review team submitted its final report to the ICANN Board of Directors. This updated cadence allows time for each IANA Naming Function Review team to take the time necessary to conduct its review and complete the required community consultations to develop its recommendations, while also giving time for those recommendations to be implemented prior to convening the next review.

As an illustration, the IFR2 was convened on 10 September 2023. Its final report was delivered to the Board on 4 September 2025. If the Bylaws are not updated, the next periodic IANA Naming Function Review must be convened by 9 September 2028, less than three years from the time the IFR2 completed its work and submitted its report. Under the proposed update, the next IANA Naming Function Review would be required to convene by 3 September 2030, allowing up to five years between reviews, and more time for the next team to observe the impacts of the implementation of the IFR2 recommendations.

This extension of time would create a new outer time limit on when future periodic IANA Naming Function Reviews must be convened. If there are circumstances that show that an earlier periodic IANA Naming Function Review would be beneficial, the proposed updates would allow for that to happen. Further, nothing within the proposed update impacts the ability for the ICANN community to call for a “Special” IANA Naming Function Review, which can be convened “to address any deficiency, problem or other other issue that has adversely affected PTI’s performance under the IANA Naming Function Contract.” (Article 18, Section 18.12(a).)

Which stakeholders or others were consulted? What concerns or issues were raised by the community?

The proposed Fundamental Bylaws Amendment to change the cadence of the reviews was recommended by the IFR2, which is comprised of representatives from across the ICANN community, including customers of the IANA Naming Function. The IFR2 sought public comment on its report before submitting it to the Board.

What significant materials did the Board review?

The Board reviewed the IFR2’s Final Report and the proposed Fundamental Bylaws Amendment. The text of the proposed Amendment has been updated to conform with other sections of the ICANN Bylaws.

Are there positive or negative community impacts?

Initiating the Fundamental Bylaws Amendment Process will bring a positive community impact as it directly responsive to the recommendations arising out Bylaws-mandated review team. Allowing the ICANN community to provide inputs on the update to the cadence of future IANA Naming Function Reviews also supports future community planning for future cycles.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?

There are impacts on ICANN and the community in initiating the Fundamental Bylaws Amendment Process as there are required community processes that must be observed. Acting on recommendations from the IANA Naming Function Reviews supports ICANN in meeting its strategic goal 3.3 to “Deliver and Enhance the IANA Functions to Meet Evolving Community Needs”.

Are there any security, stability or resiliency issues relating to the DNS?

There are no security, stability or resiliency issues to the Internet's DNS anticipated as a result of this decision.

Is this decision in the public interest and within ICANN's mission?

The initiation of the Fundamental Bylaws Amendment Process supports and advances the public interest in being responsive to community recommendation. This also supports ICANN's delivery of its key technical mission.

Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?

The next step in the Fundamental Bylaws Amendment Process is to seek public comment.

Signature Block:

Submitted by: Samantha
Eisner

Position: Deputy General
Counsel

Date Noted: 15 January 2026

Email:
Samantha.eisner@icann.org

ARTICLE 18 IANA NAMING FUNCTION REVIEWS

Section 18.1. IANA NAMING FUNCTION REVIEW

Section 18.2. FREQUENCY OF PERIODIC IFRS

(a) The first Periodic IFR shall be convened no later than 1 October 2018.

(b) Periodic IFRs after the first Periodic IFR shall be convened no less frequently than every five years, measured from the date the previous IFR for a Periodic IFR ~~was convened~~ [submitted its final report to the ICANN Board of Directors in accordance with Article 18, Section 18.10\(c\)](#).

(c) In the event a Special IFR is ongoing at the time a Periodic IFR is required to be convened under this Section 18.2, the Board shall cause the convening of the Periodic IFR to be delayed if such delay is approved by the vote of (i) a supermajority of the ccNSO Council (pursuant to the ccNSO's procedures or, if such procedures do not define a supermajority, two-thirds (2/3) of the ccNSO Council's members) and (ii) a GNSO Supermajority. Any decision by the ccNSO and GNSO to delay a Periodic IFR must identify the period of delay, which should generally not exceed 12 months after the completion of the Special IFR.

ICANN BOARD PAPER NO. 2026.01.25.2b

TITLE: ICANN Bylaws Amendment on Customer Standing Committee (CSC) Effectiveness Review and CSC Charter amendments

PROPOSED ACTION: For Board Consideration and Approval

EXECUTIVE SUMMARY:

The Customer Service Committee is defined in the ICANN Bylaws for the purpose of monitoring PTI's performance of the IANA Naming Function Contract. The CSC membership is primarily appointed by the gTLD and ccTLD registry operators, with liaisons from across the ICANN community. The Bylaws require that the effectiveness of the CSC is reviewed on a three-year basis. The most recent CSC Effectiveness Review recommended that the Bylaws be amended to allow for the CSC Effectiveness Review to occur every five years. The CSC Effectiveness Review also recommended that groups appointing members or liaisons to the CSC be allowed to name alternates. The ICANN Bylaws, at Article 17, must be amended to allow for each of these to recommendations to be implemented. After confirmation with the ccNSO Council and the Registries Stakeholder Group on the scope of the needed amendments, the Board is asked to initiate the Fundamental Bylaws Amendment Process under Article 25, Section 25.2 on these proposed amendments.

ICANN STAFF RECOMMENDATION

ICANN org recommends the Board initiate the Fundamental Bylaws Amendment Process on Article 17 to update the cadence of the Customer Standing Committee Effectiveness Reviews in accordance with recommendation 7 of the Second Customer Standing Committee Effectiveness Review and allow for the seating and participation of alternate members and liaisons to the CSC, in accordance with the recommendations 4 and 6 of the Second Customer Standing Committee Effectiveness Review.

PROPOSED RESOLUTION:

Whereas, in alignment with its Bylaws mandate, the Customer Standing Committee (CSC) conducted its second CSC Effectiveness Review, with Final Report issued in March 2023.

Whereas, three of the recommendations of the CSC Effectiveness Review (4, 6 and 7) require ICANN Board involvement to complete implementation. These are on the appointment of alternates to the CSC (recommendations 4 and 6) and moving the cadence of the CSC Effectiveness Review from every two years to every five years (recommendation 7). To properly implement these recommendations and support the community oversight over the performance of the IANA naming function, the ICANN Bylaws and the Charter for the CSC must be updated, each requiring Board action.

Whereas, ICANN staff has coordinated with representatives from the ccNSO and the Registries Stakeholder Group, each primary customers of the IANA naming function, in confirming a proposed set of Bylaws amendments and an updated CSC charter that appropriate effectuate the CSC's recommendations.

Whereas, ICANN Bylaws Article 17, where the CSC and its work is defined, is defined as a part of the "Fundamental Bylaws" that can only be amended pursuant to the process set forth at Bylaws Article 25, Section 25.2, and the CSC Charter requires public comment and ICANN Board approval for any changes to be effected.

Resolved (2026.01.25.xx), the ICANN Board directs the ICANN President and CEO, or his designee(s) to initiate a Fundamental Bylaws Amendment Process under Article 25, Section 25.2 of the ICANN Bylaws, through the posting of the proposed amendments to Article 17 regarding the CSC.

Resolved (2026.01.25.xx), the ICANN Board directs the ICANN President and CEO, or his designee(s) to post the proposed amendments to the CSC Charter for public comment.

PROPOSED RATIONALE:

What is the proposal being considered?

The initiation of the Fundamental Bylaws Amendment Process on Article 17 and the posting of the proposed amendments to the Customer Standing Committee Charter are the next steps in completing the Board's role in supporting the implementation of the recommendations of the Second CSC Effectiveness Review. The CSC plays a key role in operational oversight of the IANA naming functions and ensuring continued satisfactory performance of the naming functions for its direct customers. Developed as part of the IANA Stewardship Transition, the role of the CSC is defined at Article 17 of the ICANN Bylaws, and is supplemented by a Board-approved Charter.

The Second CSC Effectiveness Review identified two areas of recommendations which require ICANN Board involvement. First, the Review identified a need to allow the groups appointing members and liaisons to the CSC to identify alternates. This change requires amending the ICANN Bylaws provisions on composition and voting, as well as updating to the CSC Charter to provide clarity on the roles of and rights of alternates. In addition, the Review identified that future CSC Effectiveness Reviews do not need occur on the two-year cycle that was initially defined in 2016, and recommend a more sustainable cadence of every five years for this review. To effectuate this change, the ICANN Bylaws must be updated. All parts of Bylaws Article 17 on the CSC are designated as Fundamental Bylaws under the ICANN Bylaws.

The specific changes to both the Bylaws and the CSC Charter that are presented to the Board were developed in coordination with the two groups of direct customers of the naming function, including representatives of the ccNSO and the gTLD Registries Stakeholder Group. This coordination assured that the proposed updates met the spirit of the recommendations and also addressed practical issues of voting and quorum that could be impacted by the introduction of alternates, while streamlining and reducing opportunities for inconsistency between the ICANN Bylaws and the CSC Charter.

The next step for each of these items is seeking public comment – the Board is not approving any updates today. The public comment will be integrated with the public comment on the proposed updates to Article 18 of the ICANN Bylaws, on the cadence for the IANA Naming Function Reviews (IFRs). As the CSC and the IFRs are both tools related to the community oversight of the performance of the IANA naming functions, and each Bylaws change is addressing the periodicity of reviews, ICANN will coordinate the comment period, future Board action, and the Empowered Community approval processes (if appropriate) on these items to streamline this effort. Further, the updates to the CSC Charter are closely tethered to any Bylaws amendments on the CSC's composition.

Which stakeholders or others were consulted? What concerns or issues were raised by the community?

The proposed Fundamental Bylaws Amendments and Charter updates are outputs of the CSC's Effectiveness Review, which required validation through the CSC processes including the direct customers of the IANA naming function. In addition, the ccNSO and the gTLD Registries Stakeholder Group were consulted directly to vet the proposed updates prior to presentation to the Board.

What significant materials did the Board review?

The Board reviewed the Second CSC Effectiveness Review Final Report, the proposed Fundamental Bylaws Amendment and the proposed CSC Charter Amendment.

Are there positive or negative community impacts?

Initiating the Fundamental Bylaws Amendment Process and CSC Charter amendment consideration will bring a positive community impact as it directly responsive to the recommendations arising out of a Bylaws-mandated community effectiveness review.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?

There are impacts on ICANN and the community in initiating the Fundamental Bylaws Amendment Process as there are required community processes that must be observed. In coordinating future action with the Bylaws Amendment process initiated by the Board on the IANA Naming Functions Review, ICANN seeks to mitigate the impact of duplicative processes. Acting on recommendations from the CSC Effectiveness Review supports ICANN in meeting its strategic goal 3.3 to “Deliver and Enhance the IANA Functions to Meet Evolving Community Needs”.

Are there any security, stability or resiliency issues relating to the DNS?

There are no security, stability or resiliency issues to the Internet’s DNS anticipated as a result of this decision.

Is this decision in the public interest and within ICANN’s mission?

The initiation of the Fundamental Bylaws Amendment Process and the related Charter updates supports and advances the public interest in being responsive to community recommendations. This also supports ICANN’s delivery of its key technical mission.

Is this either a defined policy process within ICANN’s Supporting Organizations or ICANN’s Organizational Administrative Function decision requiring public comment or not requiring public comment?

The next step in the Fundamental Bylaws Amendment Process and in updating the Charter is to seek public comment.

Signature Block:

Submitted by: Samantha
Eisner

Position: Deputy General
Counsel

Date Noted: 15 January 2026

Email:
Samantha.eisner@icann.org

Amended Charter of the Customer Standing Committee (CSC)

~~Date of adoption from ccNSO and GNSO Councils: 27 June 2018 version 2~~

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 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 direct 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 levels and through mechanisms to engage with the IANA Functions Operator to remedy identified areas of concern, including but not limited to the Remedial Action Procedures.

The CSC is not authorised 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.

The CSC will be the primary interface between the IANA Naming Functions Operator, currently PTI, and its customers. Should PTI cease to be the IANA Naming Functions Operator, the CSC will continue to perform its role to ensure satisfactory performance of the replacement operator.

Scope of Responsibilities

The CSC monitors the performance of the IANA naming function against agreed service levels on a monthly basis.

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

Where performance issues have been identified, the CSC will work with the IANA Functions Operator to understand the reasons for the failure and agree a plan for resolution.

The CSC or the IANA Functions Operator can request a review or change to service level/s.

The CSC, in consultation with the IANA Functions Operator, will develop procedures for changing service level/s including the removal of existing service levels or the inclusion of new service levels. These procedures will be commensurate with the type of the service level change being proposed. Informing the registry operators about proposed changes shall always be required; however, the type of service level change will determine whether it is necessary to conduct a community-wide consultation. The procedures may be updated from time to time, and will only become effective after publication of the process on the CSC webpage, and after informing the ccNSO Council and RySG, the direct customers.

The CSC is authorized to undertake remedial action to address performance issues in accordance with the Remedial Action Procedures (RAP) published on the CSC website. The RAP may be updated from time to time in accordance with the change mechanism foreseen in the RAP.

Should a new IANA Functions Operator be appointed, for example through the recommendations from the Special IANA Naming Function Review Team¹, the ccNSO and GNSO Councils will require the CSC to review and revise the RAP as necessary with the new operator.

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 contained in the RAP, the CSC is authorized to escalate the performance issues to the ccNSO and GNSO Councils 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 the IANA Functions Operator.

The CSC will review individual complaints with a view to identifying whether there are any patterns of poor performance by the IANA Functions Operator in responding to complaints of a similar nature. The CSC may invoke the RAP if necessary to resolve performance issues that may be systemic or persistent.

The CSC will, as need demands, conduct consultations with the IANA Functions Operator, meet with the direct 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 for any of the following reasons:

¹ See Section 18.12 ICANN Bylaws

- 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 to the IANA Naming Function Contract must be approved by the ccNSO Council 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 CSC Charter Review Team, the CSC Effectiveness Review Team, the IANA Function Review Team and to any Separation Cross Community Working Group. 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. Alternate members or alternate liaisons to the CSC are not eligible to be appointed by the CSC as liaisons to an IANA Naming Function Review Team (IFRT) or a Separation Cross-Community Working Group (SCWG).

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. The CSC's composition is defined at Section 17.2 of the ICANN Bylaws. At a minimum the CSC will comprise:

~~Two individuals representing gTLD Registry Operators appointed by~~

- ~~• In accordance with the Bylaws Registries Stakeholder Group~~
- ~~• Two individuals representing ccTLD Registry Operators appointed by the CSC may include anecNSO~~
- ~~• One liaison from the IANA Functions Operator (PTI).~~

~~An individual representing top-level domain registry operators a TLD that are is not considered to be a ccTLD or gTLD registries. For registry, for example, a representative from the Internet Architecture Board for .ARPA, may also be included as a member of the CSC. The individual would seek appointment by the ccNSO or GNSO Council, after submission of a letter of support from the registry operator it represents. 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 either the ccNSO or GNSO Council.~~

If any or all of the entities set forth at ICANN Bylaws Section 17.2(c) elect to appoint a liaison to the CSC, such 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.~~

Alternates

As set forth at Article 17, Section 17.2(d) of the Bylaws, all appointing organizations may also each appoint one alternate member or liaison to the CSC (each, an "Alternate"), in accordance with their own rules and procedures. The ccNSO and RySG, in particular, are strongly encouraged to each appoint an alternate member.

Alternates are expected to perform the role of a CSC member or liaison, when the appointed member or liaison is unable to attend a scheduled meeting. In the instance an Alternate stands in as a member, the alternate will be counted for quorum . Additionally, all Alternates will be permitted to attend CSC meetings as observers and will have access to the CSC mailing list as alternates are expected to stay informed of the CSC work.

Leadership

The Chair of the CSC and Vice-Chair, if deemed necessary by the CSC, will be elected on an annual basis by the CSC. ~~Preferably~~Ideally the Chair will be a direct customer of the IANA naming function, and cannot be the IANA Functions Operator Liaison.

Communication

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, and Alternates~~ to the CSC will be appointed by their respective communities in accordance with their 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.

~~In considering~~ While the registry-affiliated ccTLD and gTLD members being recommended for a new term, 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 Council and RySG are expected to ~~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 Councils. 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~~

~~these 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 Councils. While it will not be the role of the ccNSO and GNSO to question the validity of any recommended appointments to the CSC, in approving the full slate the ccNSO and GNSO Councils 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.

An Alternate may be appointed for a one or two-year period, at the discretion of the appointing organization. The appointing organization shall inform the CSC of the designated appointment period before the Alternate takes their seat.

Service as an Alternate shall not count towards the calculation of terms available for service as a CSC member or liaison.

Attendance

CSC members and liaisons are expected to

~~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 (or 75% of meetings in a one-year period if fewer than nine are held in such one-year period), and must not be absent for more than two consecutive meetings.~~

~~Failure~~

The ICANN Bylaws at Article 17, Section 17.2(h) specify that the CSC Chair may recommend removal of any CSC member or liaison if they fail to meet these required attendance obligations, though the CSC Chair may choose to not exercise the right of removal if the member or liaison has sufficient cause for their absence.

~~Alternates are not subject to this attendance requirement, and may result in the presence of an Alternate shall not mitigate the absence of a CSC member or liaison. replacement from the respective organisation.~~

Vacancy

A vacancy on the CSC shall be deemed to exist in the case of the death, resignation, or removal of a CSC member, ~~or liaison or alternate.~~ Upon the removal of a member or

liaison role, the CSC will recognize the Alternate as the interim member or liaison from that appointing organization. The appointing organization shall, within two months after the occurrence of such vacancy, either affirm the Alternate as the new member or liaison appointed serve the remainder of the unexpired term, or shall appoint a new member or liaison to serve the remainder of shall be filled by the appointing organization or advisory committee for the unexpired term. In the case of an appointment to fill a vacancy, service in the unexpired term shall not count towards calculation of terms available for service as a CSC member or liaison.

Upon the vacancy in an alternate role, the appointing organization shall be strongly encouraged, but not required to fill the vacancy within two months of the previous alternate's resignation. As appointing organizations are not required to appoint alternates, they are similarly not required to fill vacancies in alternate positions.

The ccNSO Council and the RySG must approve any appointment to fill a vacancy. Additionally, the GNSO Council should be notified of any appointment to fill a vacancy.

Changing circumstances of appointed CSC member, liaison, or alternate

In the event that a member, liaison, or alternate appointed to the CSC by either the ccNSO or RySG has a change in circumstances that may affect the basis upon which the member, liaison, or alternate was appointed to the CSC, they are required to notify their appointing organization of their changing circumstances. If the member, liaison, or alternate is willing to remain a member, liaison, or alternate of the CSC, they will be required to seek re-confirmation of their appointment. The appointing organization will be responsible for considering the request in accordance with internal procedures.

The appointing organization will be responsible for notifying the Chair of the CSC of its decision and should also notify the other appointing organization~~organisation~~.

In the event that the appointing organization is not willing to re-confirm the appointment, the member, liaison, or alternate will be required to resign from the CSC and the appointing organization will be required to fill the vacancy as soon as possible. A temporary replacement may be appointed while attempts are made to fill the vacancy.

If a member, liaison or alternate wishes to resign from the CSC because of a change in circumstances, or for any other reason, they must notify their appointing organization.

A resignation

~~Any new appointment will create a vacancy need to be filled in accordance with approved by both the section ccNSO Council and the RySG. The GNSO Council should be notified of this Charter on Vacancy any new appointment.~~

Recall of members, or liaisons, or alternates

~~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 ICANN Bylaws provide appointing entities with broad rights of removal of any member, liaison or alternate. In addition, the Chair of the CSC has certain rights to recommend the recall of members, liaisons and alternates. A removal or recall in any position shall result in a vacancy, which shall be filled in accordance with the section of this Charter on Vacancy. 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 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.

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, the CSC is also required to meet with the Board of the IANA Functions Operator at least twice a year. These meetings should, wherever possible, be held at ICANN meetings.

The CSC will also consider requests from other groups, including the ICANN Board and ICANN org, to provide updates regarding the IANA Functions Operator's performance.

Quorum

In order for a decision to be taken by the CSC, all four members must be present for the meeting. An alternate member may count for the purposes of achieving quorum.

Record of Proceedings

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

In the event that the CSC invokes the RAP, it will be required to inform the RySG, ccNSO and GNSO Councils and provide regular status updates.

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

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

Review and Amendment

The Charter may be reviewed at the request of the CSC, ccNSO Council, RySG or GNSO Council or in connection with an IANA Naming Function Review. The charter review will be conducted by a committee of representatives from the ccNSO and the RySG in accordance with a method determined by the ccNSO Council and RySG. Similarly, outside of an requested CSC Charter Review, the CSC, ccNSO Council, RySG or GNSO Council may recommend amendments to the CSC Charter, or amendments may be proposed in connection with an IANA Naming Function Review. AnyEach review shall ~~is to~~ include the opportunity for input from other ICANN stakeholders, via a Public Comment process. Similarly, all proposed amendments to the CSC Charter shall be posted for Public Comment following ICANN's standard Public Comment processes. If the review recommends proposed amendments, those can be presented in the same Public Comment process. All proposed amendments to the CSC Charter must be agreed upon by the CSC, ccNSO Council, RySG and GNSO Council and amendments must~~Any recommended changes are to~~ be ratified by the ccNSO and the GNSO Councils.

~~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.~~

ARTICLE 17 CUSTOMER STANDING COMMITTEE

Section 17.1. DESCRIPTION

ICANN shall establish a Customer Standing Committee ("**CSC**") to monitor PTI's performance under the IANA Naming Function Contract and IANA Naming Function SOW.

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

The CSC will achieve this mission through regular monitoring of the performance of the IANA naming function against the IANA Naming Function Contract and IANA Naming Function SOW and through mechanisms to engage with PTI to remedy identified areas of concern.

The CSC is not authorized to initiate a change in PTI through a Special IFR (as defined in Section 18.1), but may escalate a failure to correct an identified deficiency to the ccNSO and GNSO, which might then decide to take further action using consultation and escalation processes, which may include a Special IFR. The ccNSO and GNSO may address matters escalated by the CSC, pursuant to their operating rules and procedures.

Section 17.2. COMPOSITION, APPOINTMENT, TERM AND REMOVAL

(a) The CSC shall consist of:

(i) Two individuals representing gTLD registry operators appointed by the Registries Stakeholder Group;

(ii) Two individuals representing ccTLD ~~registry operators~~managers appointed by the ccNSO; and

(iii) One individual liaison appointed by PTI,

each appointed in accordance with the rules and procedures of the appointing organization; provided that such individuals should have direct experience and knowledge of the IANA naming function.

(b) If so determined by the ccNSO and GNSO, the CSC may, but is not required to, include one additional member: an individual representing top-level domain registry operators that are not considered a ccTLD or gTLD, who shall be appointed by the ccNSO and the GNSO. Such representative shall be required to submit a letter of support from the registry operator it represents.

(c) Each of the following organizations may also appoint one liaison to the CSC in accordance with the rules and procedures of the appointing organization: (i) GNSO (from the Registrars Stakeholder Group or the Non-Contracted Parties House), (ii) ALAC, (iii) either the NRO or ASO (as determined by the ASO), (iv) GAC, (v) RSSAC, (vi) SSAC and (vii) any other Supporting Organization or Advisory Committee established under these Bylaws.

(d) The Registries Stakeholder Group and the ccNSO may each identify one individual to serve as an alternate member of the CSC. Each entity that selects a liaison to the CSC may also identify one individual to serve as an alternate liaison to the CSC. The role and method of selection of alternates shall be defined by the CSC.

~~(ed) The GNSO and ccNSO shall approve the initial proposed members and liaisons of the CSC, and thereafter, t~~The ccNSO and GNSO shall approve each annual slate of members and liaisons being recommended for a new term.

~~(fe)~~ The CSC members and liaisons shall select from among the CSC members who will serve as the CSC's liaison to the IFRT (as defined in Section 18.1) and any Separation Cross-Community Working Group ("**SCWG**").

~~(gf)~~ Any CSC member, ~~or~~ liaison, or alternate may be removed and replaced at any time and for any reason or no reason by the organization that appointed such member or liaison.

~~(hg)~~ In addition, the Chair of the CSC may recommend that a CSC member or liaison be removed by the organization that appointed such member or liaison, ~~upon any of the following: (i) for not meeting the attendance requirements as specified within the CSC Charter. (A) for not attending without sufficient cause a minimum of nine CSC meetings in a one-year period (or at least 75% of all CSC meetings in a one-year period if less than nine meetings were held in such one-year period) or (B) if such member or liaison has been absent for more than two consecutive meetings without sufficient cause~~ The Chair of the CSC may also recommend that a CSC member, liaison or alternate be removed by the

[organization that appointed such member, liaison or alternate](#); ~~or (ii)~~ for grossly inappropriate behavior.

~~(i)~~ (h) A vacancy on the CSC shall be deemed to exist in the event of the death, resignation or removal of any CSC member, ~~or liaison, or alternate~~. Vacancies shall be filled by the organization(s) that appointed such CSC member or liaison [in accordance with the procedures specified in the CSC Charter](#). The appointing organization(s) shall provide written notice to the Secretary of its appointment to fill a vacancy, with a notification copy to the Chair of the CSC. ~~The organization(s) responsible for filling such vacancy shall use its reasonable efforts to fill such vacancy within one month after the occurrence of such vacancy.~~

Section 17.3.CSC CHARTER; PERIODIC REVIEW

(a) The CSC shall act in accordance with its charter (the "**CSC Charter**").

(b) The effectiveness of the CSC shall be reviewed ~~two years after the first meeting of the CSC; and then every five~~ [three years, calculated from the date of the delivery of the final report of the prior CSC effectiveness review. The effectiveness of the CSC may be reviewed at an interval shorter than five years upon request of the CSC, ccNSO, GNSO, the Board and/or the PTI Board. If such an off-cycle review is requested, the delivery of the final report from such review shall serve as the date for calculation of the five-year period prior to the next CSC effectiveness review.](#) ~~thereafter.~~ The method of review will be determined by the ccNSO and GNSO and the findings of the review will be published on the Website.

(c) The CSC Charter shall be reviewed by a committee of representatives from the ccNSO and the Registries Stakeholder Group selected by such organizations. This review shall commence one year after the first meeting of the CSC. Thereafter, the CSC Charter shall be reviewed by such committee of representatives from the ccNSO and the Registries Stakeholder Group selected by such organizations at the request of the CSC, ccNSO, GNSO, the Board and/or the PTI Board and/or by an IFRT in connection with an IFR.

(d) Amendments to the CSC Charter shall not be effective unless ratified by the vote of a simple majority of each of the ccNSO and GNSO Councils pursuant to each such organizations' procedures. Prior to any action by the ccNSO and GNSO, any recommended changes to the CSC Charter shall be subject to a public comment period that complies with the designated practice for public comment periods within ICANN. Notwithstanding the foregoing, to the extent any provision

Draft for Public Comment

Potential Revisions to the CSC Bylaws to address CSC Effectiveness Review Team
Recommendations

of an amendment to the CSC Charter conflicts with the terms of the Bylaws, the
terms of the Bylaws shall control.

Section 17.4. ADMINISTRATIVE AND OPERATIONAL SUPPORT

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.

**Final Report
Customer Standing Committee
Effectiveness Review**

Prepared by the Customer Standing Committee Effectiveness Review Team
March 2023

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Executive Summary

The Customer Standing Committee (“CSC”) was established on 1 October 2016 and was an important element of the package of recommendations supported by the US Government as part of the IANA Transition process. The CSC performs the operational oversight, and monitors the performance of, the Internet Assigned Names Authority (“IANA”) naming functions and its mission is to ensure the continued satisfactory performance of the IANA functions for the direct customers of the naming services. The role the CSC performs is very important and cannot be overstated.

In accordance with Section 17 of the ICANN Bylaws and the CSC Charter, the effectiveness of the CSC is to be reviewed two years after its first meeting, and then every three years, using a method determined by the ccNSO and GNSO. In September 2018, the ccNSO and GNSO Councils adopted a Template to conduct the first Effectiveness Review. In August 2021, the ccNSO and GNSO Councils adopted the Terms of Reference for the second CSC Effectiveness Review, using the same template as the first review supplemented with a question on whether the recommendations of the first review had been implemented and were effective. Both the ccNSO and GNSO Council appointed two representatives of their respective SOs to conduct the review (hereafter referred to as the Team).

Consistent with the findings of the first CSC Effectiveness Review, the Team found that the CSC is operating effectively and in accordance with the CSC Charter. In addition, the CSC continues to have an excellent working relationship with PTI. The Team assessed the effectiveness of the CSC against fourteen (14) metrics and concluded that eight (8) were achieved, three (3) were not applicable, and three (3) were not achieved. With respect to the implementation of the recommendations of the first review, the Team concluded three (3) of the four (4) recommendations were fully implemented, and one (1), was not. The Team believes that the metrics that were not achieved can be easily remedied and, accordingly, have recommended actions to be taken by the CSC to address the issues.

The Team agrees with the conclusion of the first review that much of the CSC’s effectiveness is primarily related to the caliber and dedication of the CSC members and liaisons. Even though the current CSC team had not had the opportunity to meet in person due to COVID, it is evident to the Team that the CSC works well together and is well-guided in performing its duties. During the review the Team identified several issues that may impact the effectiveness of the CSC in the longer term. For example, the work of the CSC has become routine and there is a concern that this may be to the detriment of the CSC being able to find suitably qualified volunteers in the future. In addition, the requirement for geographic diversity in team composition and associated time zone challenges, can mean that quorum is not met and decisions are deferred. The Team has made recommendations to address these issues to ensure the CSC remains effective in the performance of their role in the longer term.

1. Introduction

The Customer Standing Committee (“CSC”) was established as one of the post IANA Transition entities, and conducted its first meeting on 6 October 2016. The CSC performs the operational oversight, which was previously performed by the U.S. Department of Commerce’s National Telecommunications and Information Administration, related to the monitoring of the performance of the IANA naming functions, which are currently performed by Public Technical Identifiers (PTI) under contract with ICANN. The CSC’s mission is to ensure the continued satisfactory performance of the IANA naming function for the direct customers of the naming services.

According to the CSC Charter (Included as Annex D) and Section 17.3(b) of the ICANN Bylaws:

(b) The effectiveness of the CSC shall 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 and the findings of the review will be published on the Website.

In August 2021, the ccNSO and GNSO Councils adopted the Terms of Reference for the second CSC Effectiveness Review (included as Annex C). The Councils agreed that the most practical and efficient path forward was for the ccNSO and GNSO to:

1. Follow the same methodology used for the first CSC effectiveness review;¹ and
2. Appoint two members each to conduct the CSC Effectiveness Review.

In September 2021, Donna Austin, Jonathan Robinson, Maarten Simon, and Jens Petur Jensen (the “Team”) were appointed by the GNSO and ccNSO, respectively to conduct the CSC Effectiveness Review. In January 2022, Jens Petur Jensen was replaced by Sean Copeland.

In addition, the CSC appointed Brett Carr as a liaison to the Team, and ICANN org provided staff support. Additional expert advisors from both PTI and ICANN org assisted the Team by providing necessary factual background and information. The list of members, liaisons, and expert advisors and support staff is included as Annex E. The Team had an email list and wiki space, which can be found here: <https://community.icann.org/display/ER>.

While conducting the review, the Team identified additional topics for consideration and discussion.

¹ The first review was considered by all interested parties to be successful in terms of methodology, duration, and results. In addition, using the same methodology would allow for a longitudinal comparison of the effectiveness of the CSC.

2. Purpose, Scope, and Method of the Review

Purpose of the Review

The Team is tasked with considering the effectiveness of the CSC in carrying out its mission as defined in the CSC Charter.

Scope of the Review

While the scope of the review was initially restricted to measuring the effectiveness of the CSC against requirements in the CSC Charter, using the method developed by the Review Team that conducted the first review. The Team also agreed to assess whether the recommendations from the first CSC Effectiveness Review had been implemented. Finally, the Team added seven (7) additional topics for consideration, which are directly related to the future effectiveness of the CSC. These additional topics were added due to the conversations with the CSC, PTI and PTI Board.

Out of Scope of the Review

According to the Template if, in the course of its review, the Team identifies issues that are considered out of the scope of the CSC Effectiveness Review, but could be relevant for the proper functioning of the CSC, the Team is expected to inform the ccNSO and GNSO Councils.

The Team discussed the fact that the CSC is only responsible for monitoring IANA's performance as it relates to the naming functions and that IANA has other similar structures in place for the numbering functions and protocol parameter functions. For the numbering functions IANA is accountable to the Regional Internet Registries (RIRs) who establish an annual review committee to review IANA's performance for the previous year. For the protocol parameter functions primarily provided for the IETF community, there is an IETF IANA Leadership Group that meets regularly and is also responsible for reviewing IANA's performance.

While the Team recognizes these are three (3) distinct areas of responsibility for IANA, the Team is of the view that given the importance of the IANA function, particularly post IANA-transition, it would be beneficial for the CSC and their counterparts monitoring IANA's performance for the numbering and protocol parameters to meet on an annual basis to discuss their respective roles and provide an opportunity to discuss any concerns or issues that may have come to light during the year.

The Team believes this suggestion is beyond the remit of CSC Effectiveness Review, and therefore recommends that the ccNSO and GNSO Councils in consultation with the PTI Board discuss the merits of this suggestion and pursue accordingly.

Method of Review

The CSC Charter, or other potentially relevant documentation, does not specify how to measure the CSC’s “effectiveness”. However, the CSC Charter does define the CSC’s mission; how the CSC should conduct its work, places requirements on the membership of the CSC and sets requirements for reporting to the community.

The first review team developed a structured approach (method) to assess the effectiveness of the CSC based on an analysis of the Charter. Through this process, the first review team identified performance indicators and related metrics from the CSC charter that served as a basis to assess the CSC’s effectiveness. These indicators and metrics reflect both the CSC’s mission and the scope of its responsibilities; the first review team examined the work of the CSC based on how these requirements for oversight and reporting had been achieved. Using this outcome-based assessment, the first review team developed an objective, verifiable, and lightweight method to review the effectiveness of the CSC; in creating this template, the first review team also recommended that future effectiveness review teams use the same template. Accordingly, the Team agreed to conduct its work using the same template.

To inform its assessment of the CSC’s effectiveness, the Team met with representatives from the CSC, PTI, and ICANN org, and reviewed documentation available on the CSC website, the Final Report of the CSC Charter Review, the first CSC Effectiveness Review, and the first IANA Naming Function Review. The notes from these consultations, the meetings and the template used by the Team are available on the Team’s wiki:

<https://community.icann.org/display/CTeam>.

The Team is publishing its Initial Report for public comment to seek feedback and input from the broader community. Following the public comment period, the Team will publish the summary of public comments, and the summary will be included in Team’s Final Report, which will be submitted to both the ccNSO and GNSO Councils for their consideration.

3. Summary of Effectiveness Team Findings

The summary of the results of the review is presented in the following tables:

- Table 1: Overview of Metrics 2nd Effectiveness Review.
- Table 2: Overview of observations of Team on additional topics

The full findings and observations of the Team with respect to all items in Table 1 below are presented in detail in Annex A, Detailed Findings CSC effectiveness.

In addition, and to present the evolution of the effectiveness of CSC, the results of the first and second reviews are included in Annex B, Comparison Outcome 2nd and 1st review

Table 1: Overview of Metrics 2nd Effectiveness Review

	Metric	2nd Review Outcome
1.	CSC monitors the performance of the IANA naming function against agreed service level targets regularly	Achieved
2.	CSC analyzes monthly reports provided by PTI and publishes their findings	Achieved
3.	CSC follows up where required on any performance issues identified and agrees on a plan for resolution with PTI and ICANN	Achieved
4.	Where appropriate, the CSC requests a review or change of a service level agreement.	Achieved
5.	Where appropriate, the CSC undertakes remedial action to address poor performance in accordance with the Remedial Action Procedures	N/A
6.	When appropriate, if remedial action by the CSC has not resolved the poor performance, CSC is authorized to escalate the performance issues to the ccNSO and GNSO for consideration	N/A
7.	CSC has an effective process for tracking complaints escalated to PTI Management (Escalations), and CSC Members can be directly informed of individual complaints by email.	Achieved (For future to be reconsidered in context of frequency of meetings)
8.	CSC will conduct, at least annually, a consultation with PTI and ICANN, the primary customers of the naming services, and the ICANN community regarding the performance of PTI	Not achieved (impact of pandemic)
9.	CSC, in consultation with the registry operators, is authorized to discuss with ICANN and PTI ways to enhance the provision of IANA's operational services	Achieved
10.	Where ICANN and PTI have been responsible for implementing recommended changes to operational services or the Service Level Agreements, the CSC is confident that has been completed appropriately	Achieved
11.	CSC is providing a liaison to the IANA Functions Review Team	Achieved
12.	CSC is providing a liaison to a Separation Cross Community Working Group	N/A
13.	Meeting attendance of CSC Members	Not achieved, discuss appointment of alternates
14.	Meeting attendance of CSC liaisons excluding PTI Liaison	Not achieved, discuss appointment of alternates
15.	Implementation of the four 1 st Effectiveness Review Recommendations	Recommendation 1: Achieved/Fully Implemented Recommendation 2: Not Achieved/ Not fully implemented Recommendation 3: Achieved/Fully Implemented Recommendation 4: Achieved/Fully Implemented

4. Conclusions Effectiveness CSC and Recommendations

Based on its assessment, the Team has concluded that the CSC is operating effectively. Of the 14 metrics identified for the first Effectiveness Review, the Team concluded that eight (8) were achieved, three (3) were not applicable, and three (3) were not achieved.

With respect to the implementation of the recommendations of the first review, the Team concluded three (3) of the recommendations were fully implemented, and one (1), was not.

The Team found that the CSC did not achieve Metric 13, 14, and 15.2. These metrics deal with meeting attendance of the CSC members and liaisons excluding the PTI Liaison.

The Team believes that the CSC's continuing high level of effectiveness is primarily due to the commitment, knowledge, and expertise of the people appointed to the CSC.

Looking ahead, the Team is concerned that the effectiveness of the CSC could be compromised if members and liaisons do not attend meetings regularly. To address this, the Team again recommends that the CSC regularly informs the relevant appointing organizations about the meeting attendance of their appointed members and liaisons. In addition, the appointing organizations are advised to check whether their appointees attend meetings. When a member or liaison of the CSC is not meeting the minimum attendance requirements, the Chair of the CSC should formally and promptly notify the appointing organization.

In addition, and as recommended by the first Team, appointing organizations are urged to consider and communicate their expectations of appointees, both in terms of active participation in the CSC and reporting requirements. Appointing organizations are expected to use the means provided in the charter to ensure their expectations will be met.

5. Additional topics with potential impact effectiveness CSC

During its work and interviews the Team identified additional issues that may impact the effectiveness of the CSC in the longer term. They were not included in the original metrics and, in the view of the Team, should not be treated as metrics to assess the effectiveness. However, the Team believes that these issues need to be logged and solved at one point to ensure the CSC remains effective.

1. Chair & Vice-chair Election. Should the Chair be a member of the CSC?

The issue. According to the 2018 CSC Charter (Annex C): *“The Chair of the CSC will be elected on an annual basis by the CSC. **Ideally** (emphasis added) the Chair will be a direct customer of the IANA naming function, and cannot be the IANA Functions Operator Liaison.”* This is also reflected in the CSC internal procedure for the election of Chair and Vice-Chair (<https://www.icann.org/en/system/files/files/csc-appointment-procedure-04nov19-en.pdf>).

The Chair of the CSC at the time of this review , was Lars-Johan Liman, a Liaison appointed by the RSSAC to the inaugural CSC. While the Charter notes that, ideally, the Chair will be a direct customer of the IANA Naming Function, Lars was considered the best candidate in 2019 to become Chair because of his expertise and knowledge of the CSC’s roles and processes, as well as the continued stable functioning of the CSC. Lars was appointed to the CSC in October 2016, and the CSC members at the time of Lars’s appointment had considerably less CSC experience.

Finding. The Team notes that the limited number of CSC members and the length of their tenure may at times require the CSC to be flexible regarding their appointments. The Team agreed that the language in the Charter provides the CSC with the necessary flexibility to appoint the most appropriate Chair for the situation. In addition, the fact that the Chair does not represent a direct customer has not been detrimental to the functioning of the CSC in the performance of its role.

Recommendation. The team believes that the current arrangement to appoint the CSC Chair works well and the Charter does not need to be adjusted.

2. Frequency of meetings in light of the workload: is monthly meeting CSC still required?

The issue. The Charter requires that the CSC “ ... meet at least once every month via teleconference...”. This was to reflect the envisioned important role the CSC would perform and the possibility that the CSC could escalate PTI performance issues that could ultimately trigger a review of IANA. However, in discussions with the CSC, the Team was informed that most meetings are completed in 20-30 minutes as the work has become routine and is rarely controversial.

In addition, due to the geographic distribution of the CSC membership, attendance levels have dropped despite the introduction of rotating meeting times. The Team therefore considered whether the current meeting requirement is needed?

Findings. The CSC meetings generally have the same items on the agenda (Monthly Reports) that do not require substantive discussion. However, regular meetings were considered important to maintaining a good working relationship among the CSC as well as with the PTI. The CSC suggested that meetings should be held at least once every two-months. It was noted that although the work of the CSC was not directly affected by the pandemic, the potential cohesion of the group was at risk because some of the people on the CSC had never met in person. While the Team recognizes that this is the case not just for the CSC, but for a number of ICANN community groups, the cohesion of the CSC is considered very important given the role they undertake

Recommendation. The Team recommends that the CSC keeps the regular cadence of its meetings. It is acknowledged there is an issue with attendance. However, reducing the number of meetings would not resolve the issue in the Team's view.

The Team recommends that the CSC maintains flexibility in the timing of its meetings to optimize attendance. In addition, the appointing organizations (particularly the RySG and ccNSO) are strongly encouraged to appoint one (1) alternate, who could perform the role of a member or liaison, when a member or liaison is not able to attend a scheduled meeting (see also section 5.6 below) .

3. Attracting new volunteers: will the CSC keep attracting capable volunteers?

The issue. The first Review team noted that the effectiveness and success of the CSC is, to a great extent, due to the quality, expertise and commitment of the membership of the CSC. The Team concurs that this is also true for the current CSC. However, the Team also notes that since the first effectiveness review was concluded, the interest in the work of the CSC seems to be diminishing. One of the organizations that initially appointed a liaison declined to continue to do so after the first term. In their view, the work of the CSC is of lesser priority and they cannot find candidates committed to participating regularly. The Team also observes a decreasing level of interest during the annual call for nominations. One of the members of the Team noted that although the work looks interesting, the description of qualifications may be a barrier to attracting candidates and should be reviewed. The Team was made aware that each appointing organisation is responsible for developing their respective selection criteria and processes and that perhaps it might be timely for the appointing organisations to review their respective processes to assess whether it continues to be fit-for-purpose.

Findings. Whether the CSC will be able to keep attracting capable volunteers is a concern for the future effectiveness of the CSC.

Recommendation.

The Team believes that appointing one alternate to the CSC by each appointing organisation, will increase the pool of capable volunteers that could be appointed as a member to the CSC in the future. It is intended that the alternates will be allowed to attend CSC meetings and have access to the mailing list in order to be able to participate in the absence of an appointed member as required..

The Team also recommends that the appointing organisations review their expression of interest process to assess whether it continues to be fit for purpose and is not in any way a barrier to engaging potential volunteers.

Recommendations 3 should be read in conjunction with recommendation 6 as both Recommendations suggest that each of the appointing organisations appoint an alternate.

4. Limited role of the CSC: Is the scope of activities still beneficial to the effectiveness of the CSC?

The issue. In conversations with the CSC, PTI and PTI Board, the question of whether the CSC should take on a broader role was discussed.

The CSC's role is limited to: *"monitor PTI IANA Naming Function performance for the benefit and on behalf of the direct customers of the IANA Naming Function Services"*. The role of the CSC was the subject of considerable discussion by the CCWG IANA Transition. Given the important role the CSC was to undertake the CCWG agreed that the role should be limited and narrowly scoped.

Now that the CSC has been operating for five years and their processes are well-established there is concern that the CSC's limited scope may be detrimental in the future to attracting volunteers as the work has become routine.

Findings. As part of its review the Team considered the scope of work of the CSC as recorded in its charter. After extensive conversations with the CSC, PTI and PTI Board the Team is of the view that the scope of work of the CSC should not be expanded at this time. As already concluded by the first CSC effectiveness review team, and re-iterated in the discussions by the CSC, the PTI and PTI Board, the limited role of the CSC is a strength and broadening its scope of activities could put the focused approach at risk.

Recommendation. The Team recommends not expanding the limited role of the CSC at this time.

5. Should the PTI SLAs be reviewed periodically?

The issue. In its conversations with the CSC, PTI and PTI Board, the question whether the IANA Naming Function SLAs should be reviewed periodically was a recurring theme. Specifically, whether there is an expectation that the SLAs would be reviewed periodically, and if so, should this be done as part of an IANA Function Review or alternatively whether this could be done by the CSC under its current mandate?

The current SLAs were developed as part of the IANA Stewardship Transition Process and are reflected in the 2016 IANA Naming Function Contract. Given the passage of time, the Team was advised by both PTI and the PTI Board that it would be timely to assess the adequacy of the current SLAs by way of a review and that the CSC is considered well placed to conduct such a review, in consultation with the broader ICANN community.

Findings. The Team notes that as part of the IANA Naming Function Contract the CSC and PTI each have specific roles in amending individual SLAs as reflected in the CSC- PTI Process for Amending the IANA Naming Service Level Agreements. ([Process for Amending the IANA Naming Service Level Agreements](#))

The Team also notes that according to section 18.3 under the ICANN Bylaw, the IANA Function Review (Team) is mandated to review PTI’s Statement of Work under the IANA Naming Function Contract and its performance against the established SLAs². However, the review of the SLAs is not included in section 18.3 and , the first IANA Naming Function Review Team (IFRT) noted³ that the CSC reviewed specific, individual SLAs as expected and mandated under the IANA Naming Function Contract. The first IFRT did not review the SLAs.

The Team generally supports the view that a regular review of the SLAs (whatever regular means) would be appropriate to ensure that the SLAs remain current and relevant. Issues may emerge over time that require attention and a regular review of the coherent set of SLAs will help avoid longer-term problems that may emerge and maintain support and trust in structure resulting from the IANA Stewardship transition.

In addition, it was also noted that there is a gap between the performance of PTI that is measured through SLAs and the results of the Customer survey ([IANA Engagement Survey 2021](#)). A regular review of the SLAs could assist in addressing this gap.

The Team understands that the SLA review would be generic and undertaken regularly - however regular will be defined. The goal of the review is to ensure the SLAs remain adequate and relevant for the direct customers. When the Process for amending the IANA Naming Service Level Agreements was developed consideration was not given to conducting a more general and regular review of the SLAs.

During the conversations on this topic between the Team, the CSC and the PTI, it was stated that by its very nature, a general review of the SLA will have broader ramifications than just reviewing or adding individual SLAs for which the current Process was designed.

Recommendation: The Team recommends that the CSC in close cooperation with PTI develop a framework that could be used to conduct regular reviews of the SLAs. The starting point for such a framework could be based on the [Process for Amending the IANA Naming](#)

² Article 18.3 (f) of the ICANN Bylaws.

³ See section 5.3 of the IF Team Final Report ((Final Report 2021: [Review Team Written Documents: \(ex. Final Report\) - Confluence](#) , page 14 – 43), which list observations of the IFRT with respect to role of the CSC as anticipated under the IANA Naming Function Contract, specifically with respect to role of the CSC regarding changes of the Statement of Work and SLAs.

[Service Level Agreements](#). The framework will require the support of the direct customers of PTI.

6. Need to appoint Alternates for Members and/or Liaisons of the CSC?

The issue. The CSC raised concerns that the quorum requirement that all four (4) members of the CSC need to be present for a meeting means that decisions cannot be taken if all four members are not present and have to be deferred to an on-line decision. This is particularly difficult when also trying to accommodate the geographic diversity of the full membership. To share the burden of the time zone differences, the CSC membership agreed to rotate the timing of the calls i.e shifting the start 8 hours every other meeting.

The CSC suggested that the appointment of alternates could be a solution to reduce risk of non-quorate meetings. The alternate(s) would be allowed to substitute for a member who is unable to attend and would be counted as a member for quorum purposes. The CSC also suggested that appointing alternates could help attract future volunteers who may be interested in the work of the CSC.

The CSC proposed that the CSC liaison appointing organizations be also encouraged to appoint alternates. The alternates can attend a CSC meeting as an observer and ensure this way that the appointing organization is kept informed. In addition, alternates could contribute to attracting additional volunteers who have an interest in the work of the CSC and with the adequate profile.

Findings. As stated in section 4 above the Team noted that the level of attendance by the members does not meet the required level. The Team also notes that as a result of low attendance the CSC at times has had to defer its decision-making. The Team concurs with the CSC that the high bar for attendance together with the rotating call times, contributes to this situation.

The Team also noted that the level of attendance of the Liaisons does not meet the required level and the CSC has not been informing the appointing organisations as required. A possible consequence being that these organizations may not be informed about what's discussed by the CSC with respect to the IANA Naming Function and performance of the PTI.

Recommendation. The Team strongly encourages the ccNSO and RySG to each appoint one (1) alternate to the CSC. The Team also advises that the liaison appointing organizations each appoint one (1) alternate. The primary purpose of the alternative is to act as a substitute for an appointed member as required as a means to meet the quorum requirement. The appointed alternates should have the same access to information as the appointed members and liaisons, including - but not limited to - subscription to the CSC email list.

The CSC recommends that this will be resolved procedurally by the CSC, in consultation with the appointing organizations and not through a Charter amendment.

The CSC will be responsible for determining the role of the alternate and developing the procedure for appointment, in consultation with the appointing organizations.

Recommendations 6 should be read in conjunction with Recommendation 3 as both Recommendations suggest that each of the appointing organisations appoint an alternate.

7. (New-) Frequency of CSC Effectiveness Review

According to the CSC Charter and Section 17.3 (b) of the Bylaws, “The effectiveness of the CSC shall 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 and the findings of the review will be published on the Website.”

The Team has been made aware that the IANA Function Review is scheduled to start by September 2023. This review overlaps with 1. part of the work of the CSC and 2. The CSC Effectiveness review.

After concluding the second Review, the Team notes that both this and the first review found the CSC to be effective and acting in accordance with its charter and that the CSC continues to have an excellent working relationship with PTI. Also in line with the first review the second review team found that effectiveness is primarily related to the caliber and dedication of the CSC members and liaisons.

Although the role the CSC performs is very important and cannot be overstated and therefore its continued effectiveness needs to be ensured, the Team encourages the ccNSO and GNSO Councils to consider whether the prescribed frequency of the CSC Effectiveness Review remains appropriate. The Team is of the view that the Effectiveness Review could be reduced to a frequency of once every five years after the previous review was concluded without any adverse impact on the CSC or PTI.

Annex A — Findings basic metrics of 2nd CSC Team

	Metric	2 nd Review Assessment	Findings	2nd Review Outcome
1.	CSC monitors the performance of the IANA naming function against agreed service level targets on a regular basis	PTI sends the performance report to all CSC Members monthly. The CSC produces a monthly Findings report. The previous reports can be found at: https://www.icann.org/csc under the heading “Reports & Findings”. The PTI report includes references to all SLAs as listed under the IANA Naming Function Contract.	Detailed monthly PTI reports and CSC findings are available. I have noticed that one PTI report is missing (July 2020) and that a few that were missing have been posted last September. Further noticed that on January 20, 2022 the newest report is August 2022 and Findings July 2022.	Achieved
2.	CSC analyses monthly reports provided by PTI and publishes their findings			
3.	CSC follows up where required on any performance issues identified and agrees on a plan for resolution with PTI and ICANN	The CSC discusses and follows-up if an SLA is not met and reports the result in the Findings report, see for example: PTI performance Report December 2020 (https://www.icann.org/iana_csc_docs/519-csc-findings-of-pti-performance-december-2020-v-1) and follow-up discussion pertaining to the SLA that was missed (CSC agenda and discussion February & March 2021 (see for example: https://www.icann.org/uploads/iana_work_session_asset/attachment/1029/1631302896622Agenda_and_Notes_CSC_Meeting_47-17_February_2021.pdf))	Validated	Achieved
4.	Where appropriate, the CSC requests a review or change of a service level agreement.	The CSC is mandated to discuss the provisioning of IANA Naming Services through the process for amending the IANA Naming Service Level Agreements (https://www.icann.org/en/system/files/files/iana-naming-function-sla-amendment-process-28mar19-en.pdf). After the process became effective, 3 Service Level Agreements have been changed/introduced: <ul style="list-style-type: none"> - Technical checks - Processing IDN Table (new SLA) - ccTLD delegation/transfer (amendment) <p>Additionally the CSC together with PTI explored the need to change an SLA in February and March 2021 (see above item # 3).</p>	Validated	Achieved

	Metric	2 nd Review Assessment	Findings	2nd Review Outcome
5.	Where appropriate the CSC undertakes remedial action to address poor performance in accordance with the Remedial Action Procedures	The CSC is aware it is required to do this, but, so far, in my time in the CSC, this has never been required. No remedial action to date has been required The Procedure itself can be found at: https://www.icann.org/en/system/files/files/csc-remedial-action-procedures-19feb19-en.pdf	Validated	N/A
6.	When appropriate remedial action by the CSC has not resolved the poor performance, CSC is authorised to escalate the performance issues to the ccNSO and GNSO for consideration	To date, the Remedial Action Procedure has not been invoked.	Validated	N/A
7.	CSC has an effective process for tracking complaints that have been escalated to PTI Management (Escalations), and CSC Members can be directly informed of individual complaints by email.	The CSC is informed by PTI if they have received complaints and, if so, how it was handled. This is reported in CSC Findings of PTI Performance (see the monthly Findings Reports). According to its Charter the CSC does not handle individual complaints (see: https://www.icann.org/en/csc/complaints).	Random review of a number of the reports but did not encounter an example. Handled means concluded or under discussion. The CSC is not involved in handling complaints (not its remit), however is informed about details to assess whether systemic issue or not. Very limited number of complaints.	Achieved (For future meetings to be considered, if frequencies is changed, possible impact of duration between meetings)
8.	CSC will, at least annually, conduct a consultation with PTI and ICANN, the primary customers of the naming services, and the ICANN community about the performance of PTI	The CSC meets with the PTI Board and representatives of the ICANN board at least once each year to discuss PTI Performance and related matters. With respect to meetings with the BTC see for example agenda April 2021 (https://community.icann.org/display/CS/C/14+April+2021). For meetings with PTI Board see for example agenda October 2020 (https://www.icann.org/uploads/iana_work_session_asset/attachment/1025/1631302807621Agenda_and_Notes_CSC_Meeting_44_October_2020.pdf)	Information on consultation of primary customers and the ICANN Community is missing. The meetings with the community are scheduled and listed at the ICANN public meeting. Survey is conducted by PTI. Include requirements to list events on the website. Advise annual report. Suggestion to be discussed with CSC at the 2nd meeting. If so, it should not be too cumbersome.	Not Achieved (because of pandemic)
9.	CSC, in consultation with the registry operators, is authorized to discuss with ICANN and PTI ways to	The CSC is mandated to discuss the provisioning of IANA Naming Services through the process for amending the IANA Naming Service Level Agreements	Validated	Achieved

	Metric	2 nd Review Assessment	Findings	2nd Review Outcome
	enhance the provision of IANA's operational services	<p>(https://www.icann.org/en/system/files/files/iana-naming-function-sla-amendment-process-28mar19-en.pdf)</p> <p>According to process 3 Service Level Agreements have been changed/introduced:</p> <ul style="list-style-type: none"> - Technical checks - Processing IDN Table (new SLA) - ccTLD delegation/transfer (amendment) <p>Additionally the CSC together with PTI explored need to change the a SLA (see above item # 3) and whether there is a role if any, with respect to DNSsec KSK (for example see: item 6 agenda and notes CSC Meeting 45, https://www.icann.org/uploads/iana_work_session_asset/attachment/1027/1631302836785Agenda_and_Notes_CSC_Meeting_45_-_18_November_2020.pdf)</p>		
10.	Where ICANN and PTI have been responsible for implementing recommended changes to operational services or the Service Level Agreements, the CSC is confident that has been completed appropriately	<p>See examples:</p> <ul style="list-style-type: none"> - Technical checks - Processing IDN Table (new SLA) - ccTLD delegation/transfer (amendment) <p>The conclusion of implementation of an amended SLA is integral part of the amendment process (See Amendment process, Section II, sub 5,</p>	Validated	Achieved
11.	CSC is providing a liaison to the IANA Functions Review Team	The CSC has appointed a liaison to the first IFRT (see: https://community.icann.org/display/ifr/Review+Team+Composition)	Validated	Achieved
12.	CSC is providing a liaison to a Separation Cross Community Working Group	To date, a separation cross community working group has not been established..	Validated	N/A
13.	Meeting attendance of CSC members	<p>Attendance of the meetings for CSC Members is recorded here: https://community.icann.org/display/CS/Attendance?preview=/84216784/180028098/CSC_Attendance%20Tracker%2020_2021%20JAN-%20OCT.xlsx</p>	<p>According to the attendance sheet, the minimum of nine meetings in a one year period has not always been met, in part due to the rotation of call times that sometimes means it is not feasible to attend. However the requirement that a "member should not be absent for more than two</p>	Not Achieved

	Metric	2 nd Review Assessment	Findings	2nd Review Outcome
			<i>consecutive meetings</i> ", has not been breached.	
14.	Meeting attendance of CSC liaisons excluding PTI Liaison	Attendance of the meetings for CSC Liaisons is recorded here: https://community.icann.org/display/CSC/Attendance?preview=/84216784/180028098/CSC_Attendance%20Tracker%202020_2021%20JAN-%20OCT.xlsx	According to the attendance sheet, the minimum of nine meetings in a one year period has not always been met. In some cases a liaison did not attend two or more consecutive meetings.	Not Achieved
15.	Implementation 1 st Effectiveness Review Recommendations	<p>Recommendation 1: The CSC is to document and publish the procedure for how the CSC intends to deal with complaints they receive from individual PTI customers.</p> <p>Current status</p> <p>See Message on website: https://www.icann.org/en/csc/complaint_s</p> <p>A link to the IANA complaint process is also included on CSC website.</p> <p>Recommendation 2: The CSC provides appointing organizations with attendance records on a regular basis, at least every year in the month of May, and, where minimum attendance requirements are not being met, the Chair of the CSC formally notifies the appointing organization.</p> <p>Current Status</p> <p>The attendance for each meeting is r documented: Also noted that due to the geographic spread of members and liaisons of the CSC, it has adopted a rotational call schedule (10.00 UTC, 18.00 UTC and 02.00 UTC). Members understand the need to attend.</p> <p>Overview per meeting available: https://community.icann.org/display/CSC/Attendance</p> <p>Recommendation 3: The CSC develops an overview of the skills and expertise required on the CSC, and maps the skills of current members and liaisons against the required skill set to inform the</p>	<p>Rec 1: Validated</p> <p>Rec 2: Attendance is recorded and published. No information about providing updates to the appointing organizations, as (lack of) attendance has not been an issue. Communities are informed</p> <p>Rec3: Validated</p> <p>Rec4: Validated</p>	<p>Rec 1: Achieved</p> <p>Rec 2: partially achieved</p> <p>Rec 3: Achieved</p> <p>Rec 4: Achieved.</p>

	Metric	2 nd Review Assessment	Findings	2nd Review Outcome
		<p>selection process of the appointing organizations.</p> <p>Current Status</p> <p>Skill overview has been produced. Appointing organizations use it in their call for volunteers. Currently membership is very stable.</p> <p>See skill matrix: https://www.icann.org/en/system/files/files/csc-skill-set-matrix-members-liaisons-04jun19-en.pdf</p> <p>Recommendation 4: The CSC develops an induction program that new members and liaisons are required to participate in and complete.</p> <p>Current Status</p> <p>Introduction of new members and liaisons: Subscription to email list upon appointment. On-boarding session(s) with appointee, chair, vice-chair and staff.</p> <p>See: https://www.icann.org/en/system/files/files/csc-overview-members-liaisons-04jun19-en.pdf</p>		

Annex B: Comparison Findings 1st and 2nd CSC Review

	Metric	Outcome 2 nd Review	Outcome 1 st Review
1.	CSC monitors the performance of the IANA naming function against agreed service level targets on a regular basis	Achieved	Achieved
2.	CSC analyses monthly reports provided by PTI and publishes their findings		
3.	CSC follows up where required on any performance issues identified and agrees on a plan for resolution with PTI and ICANN	Achieved	Achieved
4.	Where appropriate, the CSC requests a review or change of a service level agreement.	Achieved	Achieved
5.	Where appropriate the CSC undertakes remedial action to address poor performance in accordance with the Remedial Action Procedures	N/A	N/A
6.	When appropriate remedial action by the CSC has not resolved the poor performance, CSC is authorised to escalate the performance issues to the ccNSO and GNSO for consideration	N/A	N/A
7.	CSC has an effective process for tracking complaints that have been escalated to PTI Management (Escalations), and CSC Members can be directly informed of individual complaints by email.	Achieved	Partially Achieved
8.	CSC will at least annually conduct a consultation with PTI and ICANN, the primary customers of the naming services and the ICANN community about the performance of PTI	Not Achieved	Achieved
9.	CSC, in consultation with the registry operators, is authorised to discuss with ICANN and PTI ways to enhance the provision of IANA's operational services	Achieved	Achieved
10.	Where ICANN and PTI have been responsible for implementing recommended changes to operational services or the Service Level Agreements, the CSC is confident that has been completed appropriately	Achieved	Achieved
11.	CSC is providing a liaison to the IANA Functions Review Team	Achieved	Achieved
12.	CSC is providing a liaison to a Separation Cross Community Working Group	N/A	N/A
13.	Meeting attendance of CSC members	Not Achieved	Achieved
14.	Meeting attendance of CSC liaisons excluding PTI Liaison	Not Achieved	Not Achieved

Annex C -Response Public comments Initial Report on the Second CSC Effectiveness Review

Proceeding Link:

<https://www.icann.org/en/public-comment/proceeding/initial-report-on-the-second-csc-effectiveness-review-14-09-2022>

Section 1: What We Received Input On

The CSC Effectiveness Review Team sought input on its findings and recommendations (sections 4 and 5 of the Initial Report). Section 4 contained the findings and recommendations pertaining to the effectiveness of the CSC in performing its tasks as listed in the CSC charter and whether the CSC has implemented the recommendations of the first CSC Effectiveness Review. In Section 5 of the report, the Team presented its findings and recommendations on seven additional topics which were identified and which could impact the future effectiveness of the CSC.

Outcome:

The RT received (eight) 8 submissions, (six) 6 from community groups, one (1) of which was accepted after closure of the public forum. One (1) was from an external organization, and two (2) from individuals, of which one (1) was spam. This comment is not referenced below. In their comment the submitters covered [x] topics. The comments are categorized into three categories of comments: general, specific, and not related to the Effectiveness Review.

The Public Comment summary report only includes the ICANN org staff summary of the comments. The review team has reviewed the comments and considered whether to amend its findings and recommendations.

Based on the comments, questions and suggestions the RT has concluded to:

Section 2: Submissions

Organizations and Groups:

Name	Submitted by	Initials
NIC United Kingdom of Great Britain and Northern Ireland (UKGBNI)	Andrew Hallfamn	UKGBNI
Country Code Names Supporting Organization	Alejandra Reynoso	ccNSO
Customer Standing Committee	Brett Carr	CSC
Registry Stakeholder Group	Unknown	RySG
At-Large Advisory Committee (ALAC)	Unknown	ALAC
Cross-Community Working Party on ICANN and Human Rights (CCWP-HR)	Ephraim Kenyanito	CCWP-HR

Individuals:

Name	Affiliation (if provided)	Initials
Bolutife Adisa	Unknown	BA

Section 3: Summary of Submissions and RT response

General Comments

The ALAC, ccNSO Council, CCWP-HR, CSC and RySG, generally expressed their support for the findings and recommendations of the review team. However, each group did make some specific comments, which will be summarized below in the specific comments section.

In addition, and as a general comment, the ccNSO supports the conclusion that the CSC operates effectively. The ccNSO welcomes that the CSC has an excellent working relationship with PTI and expects that this working relationship will continue in the future. The ccNSO supports the conclusion that the limited role and remit of the CSC should not be expanded.

RT response

The RT welcomes the support of ALAC, ccNSO, CCWP-HR, CSC and RySG.

Specific Comments

On the recommendation of appointment of alternates

Comment BA

BA commented that the appointing organizations should ensure a requirement that addresses the time zone difference while selecting an alternate for the CSC appointees.

RT response

While the Team agrees this should be a consideration in selecting alternates, we note that the selection of the alternate will be the responsibility of the appointing organizations. The Team is also aware that the RySG and ccNSO individual selection processes put an emphasis on the expertise and experience of their appointees with the IANA naming Function. The RT will include the suggestion that if an appointing organization intends to appoint an alternate, then the time zone diversity should be given a high priority.

Need to adjust the Initial Report?

No need to adjust the report

Comment ALAC

ALAC supports the appointment of an alternate by each SO/AC for their member/liaison of the CSC. The alternate should be given access to all information which a CSC member/liaison receives and be invited to attend to CSC meetings (in an observer role if need be).

RT response

The RT fully supports this suggestion by ALAC. Only if an alternate has full access, the alternate can step-in when needed. The RT will include this as suggestion for the CSC

Need to adjust the Initial Report?

The recommendation has been updated to reflect that an alternate should have the same access to information as the appointed members and liaisons, including - but not limited to - subscription to the CSC email list.

Comment ccNSO

The ccNSO supports the recommendation that the CSC appointing organizations appoint alternates. However they should be informed timely that a regularly appointed member or liaisons will not be able to attend and must be kept abreast of the discussions in the CSC.

RT response

The RT fully supports this suggestion by the ccNSO. Only if an alternate has the same access to information as the appointed member, the alternate can step-in when needed. The RT will include this as a suggestion for the CSC.

Need to adjust the Initial Report?

The recommendation has been updated to reflect that an alternate should have the same access to information as the appointed members and liaisons, including - but not limited to - subscription to the CSC email list.

On the development of framework to review SLAs**Comment ALAC**

ALAC supports the development of such a framework.

RT response

The RT welcomes the comments from ALAC on this topic

Comment RySG

The RySG agreed that a regular review of the SLAs would be appropriate. However, they noted that the need to “develop a framework” for such a review may be too overly process-oriented, given the quality of the current “Process for Amending IANA Naming Service Level Agreements”. This current process for amendment has sufficient involvement of direct customers such that cross-SLA impacts would be accounted for during an amendment process. The RySG recommends that the report will be updated to remove the recommendation that a new Framework for regular SLA reviews be developed.

RT response

The RT appreciates the comments of the RySG. The RT agrees that the SLA review should not be overly process-oriented. At the same, the RT notes that a generic SLA review was not considered when the Process for amending IANA Naming Service Level Agreements was developed. During the conversations on this topic between the CSC and PTI, it was raised that by its very nature, a general review of the SLA may have broader ramifications than just reviewing or adding individual SLAs for which the current Process was designed. For example, the frequency of such a review, and impact of the review. The suggestion that the CSC and PTI develop a Framework is to ensure that both PTI and the CSC work through the issues associated with a general review, and document how and when they want to engage with the direct customers and other stakeholders. At the same time the RT believes that the current p does provide a solid basis for such a Framework.

Need to adjust the Initial Report?

The Recommendation in the Report has been expanded to provide a better explanation of why the Team supports the suggestion of the CSC and PTI to develop a Framework first and the difference between such a general review and the change procedure of a single or limited number of SLAs for which the “Process for Amending IANA Naming Service Level Agreements” was developed.

Comment CSC

The CSC has consulted with the PTI and other bodies regarding the need to periodically review these SLAs to ensure that they remain relevant and covering IANA's activities in the area of the naming function, but there has been little guidance in existing process documents on how this would be initiated and conducted. The CSC welcomes the Team's recommendation that such periodic reviews be undertaken and initiated by the CSC in close cooperation with the PTI.

RT response

The RT welcomes the response from the CSC

Need to adjust the Initial Report?

No need to adjust the report

ccNSO Comment

The ccNSO believes strongly that IANA Naming Function SLAs should be reviewed periodically to ensure longer-term trust in the model. The SLAs should remain relevant, up-to-date and adequate and be used as a mechanism to avoid the emergence of issues, which could have been avoided if the SLAs were up-to-date. The ccNSO also supports the development of a SLA Review Framework, which needs to be supported by the direct customers to ensure that direct customers are informed and involved in such a review process. The ccNSO suggests that such a review should be done at most once every five (5) years after the results of the previous review have been implemented or if circumstances (to be determined by PTI and CSC) do require such a review.

RT response

The RT welcomes the response from the ccNSO. The RT will suggest to the CSC and PTI to take the ccNSO suggestions into consideration when developing a Framework. The RT notes that such a Framework will require an amendment of the current Process and to amend the current Process both the ccNSO and RySG must be consulted by the CSC, before of the amended process can be approved by the CSC, PTI and ICANN.

Need to adjust the Initial Report?

The Report has been amended to reflect the comment of the ccNSO.

Comment CWG-HR

The CWG-HR urges to adopt a holistic approach in interpreting SLA obligations to ensure that IANA works with registries and registrars to ensure that all IETF RFCs applicable to DNS operations are implemented in order to ensure robust DNS server operations. Such an approach of amendments to the SLA would assist to ensure that IANA and its direct customers operate their systems in a manner that is focused on the registrant and do not act in any way that indirectly harms registrant through any act or omission.

RT response

The RT welcomes the comments of the CWG-HR. The RT appreciates the importance of implementation of applicable IETF RFCs. However, the suggestion of the CWG-HR is out of scope of the proposed SLA review. The proposal to introduce a general SLA is related to the IANA Naming Function services provided by PTI to its direct customers (defined in the CSC charter as: top-level domain registry operators, but also include root server operators and other non- root zone functions) and the SLA defined through the IANA Naming Function Contract between ICANN and PTI. They do not relate to implementation of the relevant RFCs by registrars and registries.

Need to adjust the Initial Report?

No need to adjust the report

On the selection of the chair and vice-chair of the CSC**ALAC Comment**

ALAC supports the current practice that preferably the chair of the CSC should be a RySG or ccNSO appointed member, however if no CSC member is available, a CSC liaison with direct knowledge of the role and processes of the CSC, may fill the role of chair.

RT response

The RT welcomes the comments of ALAC, and believes this is in line with the RT's findings and charter of the CSC.

Need to adjust the Initial Report?

No need to adjust the report

On the frequency of meetings and meeting attendance

Comment ALAC

ALAC supports the existing arrangements for monthly meetings. However, if a meeting is canceled, the reports on the PTI performance should still be circulated monthly and if there are any concerns with the report, a meeting should be called to address those concerns.

RT response

The RT welcomes the comments of ALAC, and believes this is in line with the RT's findings and practices of the CSC.

Need to adjust the Initial Report?

No need to adjust the report

Comment RySG

The RySG stated that it does not understand the rationale for the recommendation related to the topic of frequency of meetings. No indication is provided regarding the level of engagement of current CSC members, whether by email, or in another way. Although issues related to meeting attendance are mentioned, no information is provided whether members who are not participating in the meetings are disengaged.

Relating to this topic, the RySG made the following recommendations:

- The next CSC Review should consider measures of CSC Member engagement that are broader and more meaningful than meeting attendance.
- The CSC should be allowed more control over its meeting schedule to be able to change meeting frequency to every other month.
- The CSC should adjust its attendance rules so that under certain conditions a member or liaison can assign their proxy to the other member from the same appointing organization.
- Appointing organizations should be allowed, but not required to appoint Alternates for Members/Liaisons.

RT response

The RT welcomes the comments of the RySG. In preparing its recommendations, the RT discussed the engagement of the members. As noted in the Initial Report, based on the conversations with PTI, PTI Board and CSC itself, the Team believes that the high level of effectiveness of the CSC is primarily related to *“the caliber and dedication of the CSC members and liaisons. Even though the current CSC team had not had the opportunity to meet in person due to COVID, it is evident to the Team that the CSC works well together and is well-guided in the carriage of their work by processes and procedures established by the inaugural CSC.”*

In the conversations with the CSC, lack of engagement was not raised as a reason for non-attendance, now or in future.

With respect to the recommendation of the RySG that the RT should consider measures of CSC Member engagement that are broader and more meaningful than meeting attendance, the RT believes that, as stated above, the membership is engaged. However, in light of the limited composition of the CSC (4 members, and 4 liaisons) the rotating meeting times (a rotation of 8 hours per meeting) are onerous on members and liaisons.

With respect to the RySG's suggestion that the CSC should be allowed more control over its meeting schedule to be able to change meeting frequency to every other month, the following: The Team notes that the CSC charter prescribes monthly meetings. The Team also found that a regular cadence of meetings is considered important by both the CSC and PTI to maintain the good working relationship and engagement with the work of the CSC. The team therefore believes that reducing the number of meetings would not reduce the level of non-attendance in light of the time-zone issues and the relatively small size of the group.

With respect to the recommendation to introduce proxies, the Team notes that the level of attendance does not directly affect the decision prowess of the CSC. The CSC has ensured in its procedures that decisions can be taken either at meetings, and if the meeting is not quorate on-line (see: <https://www.icann.org/en/system/files/files/guideline-csc-practices-24mar17-en.pdf>). However, as stated, regular meeting attendance is needed to ensure cohesion of the CSC and good working relations among the membership and with PTI.

Finally the RT concurs with the RySG that appointing organizations should be allowed, but not required to appoint Alternates for Members/Liaisons. The RT recommended that the appointing organizations are strongly encouraged to appoint one (1) alternate, who could perform the role of a member or liaison, when a member or liaison is not able to attend a scheduled meeting

Need to adjust the Initial Report?

The report has been adjusted to reflect that the appointing organizations are (strongly) advised to appoint alternates.

Comment ccNSO

The ccNSO notes that according to the CSC Charter, members and liaisons are expected to attend at least nine (9) meetings in a one-year period, and the CSC is expected to meet every month. The ccNSO also notes that since its creation, the CSC meets on average ten (10) times a year. The ccNSO considers this requirement - to attend at least nine (9) meetings annually (= 90 % of the meetings) quite onerous, also in light of the rotating meeting times. The ccNSO suggests that - without amendment of the CSC Charter – the CSC and community interpret the attendance requirement to mean that members and liaisons are expected to attend 75 % of the meetings annually.

The ccNSO supports not to reduce the number of meetings should not be reduced. Regular meetings ensure the cohesion of the CSC and maintain the working relationship between the CSC and PTI.

The ccNSO suggests that the CSC should regularly inform the relevant appointing organizations about the meeting attendance of their appointed members and liaisons.

RT Response

The RT welcomes the comment of the ccNSO, and appreciates the suggestion that the CSC and community interpret the attendance requirement to mean that the CSC membership is expected to attend 75 % of the annual meetings. However, the RT notes the proposed interpretation is ultimately a matter between the CSC, the appointing organization and the individual member or liaison. According to the Article 17.2 (g) of the ICANN Bylaws and the CSC Charter failure to meet the attendance requirement **may** result in the Chair of the CSC **requesting** a replacement from the respective organization (emphasis added). The RT is of the view that the Bylaws and Charter support the suggestion of the ccNSO.

The RT welcomes the comments of the ccNSO of the ccNSO with respect to the meeting frequency and will support the suggestion that the CSC more actively inform the appointing organization about attendance of the meetings by their attendees.

Need to adjust the Initial Report?

No need to adjust the report

Attracting committee members with the right profile

Comment CSC

The CSC recognizes that attracting members & liaisons with the right profile may, and will continue to be an issue. The CSC will support efforts of the involved constituencies to attract and find appropriate candidates.

Response RT

The RT welcomes the comment from the CSC.

Need to adjust the Initial Report?

No need to adjust the report

Comment ccNSO

The ccNSO notes the observation of a decreasing interest in becoming a member or liaison of the CSC. The ccNSO agrees with the observation of the Review Team that the *“effectiveness and success of the CSC is to a great extent due to the quality, expertise and commitment of the membership of the CSC”*. However from a ccNSO perspective this is not a general trend.

]

Response RT

The RT welcomes the comment from the ccNSO and is pleased to note the ongoing interest in CSC of the ccTLD community. However, the Team notes that other appointing organizations have more difficulty in attracting the interested candidates, see also comment from the CSC..

Need to adjust the Initial Report? No need to adjust the report

Comments not-related to the effectiveness review of the CSC.

On Scope of the CSC

Comment UKGBNI

The UKGBNI is of the opinion that the CSC does not seem to be of great importance to ICANN, as a number of consumer rights have been violated by abusive practices by ICANN, Registries and registrars.

Comment CCWP-HR

According to CCWP-HR the mandate of the CSC can be expanded in order for it to be responsive to needs of indirect customers and beneficiaries of IANA such as registrants and website visitors (and/or the community at large).

Response RT

According to the ICANN Bylaws article 17.1 and the Charter, the remit of the CSC is limited to:
To monitor PTI's performance under the IANANaming Function Contract and IANA Naming Function SOW.

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

AS stated in the Initial Report the RT is of the view that As already concluded by the first CSC effectiveness review team, and re-iterated in the discussions by the CSC, the PTI and PTI Board, the limited role of the CSC is a strength and broadening its scope of activities could put the focused approach at risk.

Need to adjust the Initial Report?

No need to adjust the report

Annex D Second CSC EFFECTIVENESS REVIEW TEMPLATE

Conditionally Adopted by the ccNSO Council: 3 August 2021

Version 2

Adopted by the GNSO Council: 19 August 2021

Adopted by the ccNSO Council: 26 August 2021

1. Context

Section 17.3 (b) of the ICANN Bylaws and the Charter of the Customer Standing Committee (hereafter: CSC) require that 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 was established in October 2016 and conducted its first meeting on 6 October 2016.

In October 2018, the first review of the CSC Effectiveness Review was kicked-off, and was concluded in March 2019, with adoption of the Final CSC Effectiveness Review Report by the ccNSO and GNSO Councils.

2. Intent of the Review

The CSC Effectiveness Review is intended to consider the Effectiveness of the CSC in carrying out its mission as defined in its charter.

3. Measures of CSC Effectiveness

- a. According to Section 17.3 (b) of the ICANN Bylaws and the CSC Charter *“...the method of review will be determined by the ccNSO and GNSO.”* Neither the relevant section of the Bylaws nor the Charter specify what is meant by, or how to measure, *“effectiveness.”*
- b. The mission of the CSC is defined in the relevant section of the ICANN Bylaws and Charter as:
 - i. to ensure the continued satisfactory performance of the IANA function for the direct customers of the naming services; and that this:
 - ii. 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.
- c. The Scope of Responsibilities in the Charter identifies how the CSC should work:
 - i. The CSC is authorized to monitor the performance of the IANA naming function against agreed service level targets on a regular basis.
 - ii. The CSC will analyse reports provided by the IANA Functions Operator on a monthly basis and publish their findings.
 - iii. Where performance issues have been identified, the CSC will work with the IANA Functions Operator to understand the reasons for the failure and agree a plan for resolution.
 - iv. Either the CSC or the IANA Functions Operator can request a review or change to service level/s, including the removal of existing service levels or the inclusion of new service levels. The procedures will have to be commensurate with the type of the service level change being proposed. Informing the registry operators about proposed changes shall always be required; however, the type of service

level change will determine whether it is necessary to conduct a community-wide consultation.

- v. The CSC is authorized to undertake remedial action to address poor performance in accordance with the Remedial Action Procedures, which have been developed and agreed by the CSC and the IANA Functions Operator.
- vi. 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.
- vii. 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.
- viii. 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 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.
- ix. 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.
- x. 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.
- xi. 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.
- xii. The CSC will provide a liaison to the IANA Function Review Team and a liaison to any Separation Cross Community Working Group.

4. Effectiveness can also be measured against these requirements.

- a. the Charter places certain requirements on members of, and liaisons to, the CSC and sets requirements for reporting to the community:
 - i. The CSC should be kept small and comprise representatives with direct experience and knowledge of IANA naming functions;
 - ii. Minimum membership and openness to liaisons;
 - iii. Election of the Chair;
 - iv. primary and secondary points of contact to facilitate formal lines of communication between the CSC and the IANA Functions Operator;
 - v. Meeting frequency and publication of meeting record;
 - vi. Regular CSC updates to the direct customers of the IANA naming function.
- b. In working as a committee, the CSC has needed to define its working methods and in particular to assess how to work with the IFO. This includes defining with the IFO the framework for remedial action and amending Service Level Expectations, and establishing a framework for regular reporting to the community.

5. Method of assessing effectiveness

- a. In its nearly five years of operation, the CSC has regularly monitored the performance of IANA and informed the community of its findings. These monthly reports of the CSC together with the related monthly reports from PTI, provide a useful framework for assessing

the effectiveness of the CSC in developing its relationship with PTI, keeping the direct customers informed of PTI performance and in ensuring that the wider community is also aware of how the PTI is meeting its obligations.

- b. The First Review Team developed a set of metrics drawn from requirements contained in the CSC Charter (see Sections 3 and 4 above) as the basis for assessing the effectiveness of the CSC in performing its role. It is recommended that the Second Review Team adopt the same methodology to ensure a consistent approach and allow for comparison of the effectiveness of the CSC over time. The performance indicators and related metrics are included in Annex A: Overview Metrics, Assessment and Outcome. Where needed the Review Team may draw on the recently concluded IANA Naming Function Review.
- c. In addition, the Second Review Team shall also assess if and to what extent the recommendations from the first review have been implemented and the extent to which the issue identified in the first review has been addressed. Related metrics and performance measures should be developed as considered necessary by the Review Team.
- d. In conducting the Review, the Review Team is encouraged to review publicly available documents and CSC reports to assess how effectively the CSC has performed since the first review and also engage directly with the members of the CSC and PTI as deemed appropriate by the Review Team..
- e. The Review Team is also expected to consider whether and how to consult with the direct customers on whose behalf the CSC is monitoring the performance of the PTI in performing the IANA Naming Functions and other ICANN community groups that appoint liaisons to the CSC about their awareness of the CSC's work and effectiveness and also the PTI Board.

6. Issue which are Out of Scope of the review

If, in the process of the review, the CSC Effectiveness Review Team becomes aware of issues that are out of scope of this 2nd CSC Effectiveness Review, but are considered relevant for the proper functioning of the CSC, it will inform both the ccNSO and GNSO Councils accordingly.

7. CSC Effectiveness Review Team

The ccNSO and GNSO will each appoint two members to CSC Review Team, in accordance with their internal processes. At least one member appointed by the ccNSO Council and one member appointed by the GNSO Council should be related to or associated with a TLD Operator (direct customer of the IANA Naming Function). The CSC is requested to appoint a Liaison to the Review Team. The PTI is also requested to appoint a Liaison to the Review team.

The Review team is expected to appoint a spokesperson who will, when needed, represent the Review Team and speak on behalf of the Review Team.

In developing its output – working method, work plan or any reports or papers - the full Review Team (members and liaisons) shall seek to act by consensus (Full Consensus - a position where no minority disagrees; identified by an absence of objection or Consensus – a position where a small minority disagrees, but most agree)

In the absence of Full Consensus, the Review Team should allow for the submission of minority viewpoint(s) and these, along with the consensus view, shall be included in the report, paper or other relevant deliverable.

In rare cases, the Review Team may decide to use of a poll to assess the level of support for a deliverable. However, care should be taken in using polls: they should not become votes, as there are often disagreements about the meanings of the poll questions or of the poll results. Such a poll shall be limited to the members appointed by the ccNSO and GNSO Councils and the polling should be recorded and included in the deliverable.

8. Proposed Review Process

The role of the CSC Effectiveness Review Team is to:

1. Conduct a review of the CSC Effectiveness in accordance with the elements identified above. The review will include an analysis of governance or guiding documents developed during the implementation phase of the CSC, drafting of ICANN's bylaws only if considered to be relevant by the Review Team.
2. Conduct interviews with the CSC and the PTI to determine whether the CSC is fit for purpose and effective and whether measures should be taken to enhance the effectiveness of the CSC from their perspective.
3. Conduct a public session at or around ICANN72 (October 2021) that is intended to provide an opportunity for the community to provide input to the process.
4. Produce a Report on the outcome of the review. This report should also include suggested recommendations, if any, to improve the effectiveness of the CSC. The Report will be submitted to the ccNSO and GNSO Councils for discussion and adoption at the time foreseen in section 9, Review Schedule.

9. Review Schedule

The Review Schedule provided below is indicative only and will need to be reviewed and confirmed by the Review Team once appointed. However, it is the expectation of both the GNSO and ccNSO Councils that the review will be concluded within 12 months of the initial meeting of the Review Team.

September 2021- Adoption of Template for effectiveness review and appointment of the Review Team

- By 30 September 2021, the ccNSO and GNSO Councils are expected to have adopted the template for review of the effectiveness of the CSC and as a result have determined the method of the CSC Effectiveness Review.
- Each of the Councils is also expected to have appointed their members by 30 September 2021.

October 2021

- *Initial meeting of the CSC Effectiveness Review Team*
- *Agreement on scope, process and timeline*

November 2021 Consultation with CSC and PTI

- Informal consultations if considered necessary by the Team
- Virtual Public Consultation (open session) & Interview CSC and PTI
- Virtual Public consultation direct customers and other interested parties (ccTLD, gTLD operators, others) post ICANN72

December 2021 – January 2022 Draft Report on findings & recommendations

- Preparation draft initial report, including recommendations, if any. Include findings, report on identified issues, if any, and recommendations to resolve issues.

1 February 2022 Public comment period on draft report

- Virtual meeting to alert and introduce on findings prior to or during first week of Public comment period.
- Public comment period 40 days

April 2022 - Finalization Report and submission to ccNSO and GNSO Councils

- Publication and submission of the Final Report to ccNSO and GNSO Councils for adoption according to their own rules and procedures.
- Following the adoption of the report by the ccNSO and GNSO Councils, the review team closes.
- ccNSO and GNSO Councils inform CSC and ICANN of result.

10. Omission in or unreasonable impact of the Template

If, in the process of conducting the Review, the Review Team determines that the Template does not provide sufficient guidance and/or the impact of the Template is found to be unreasonable for conducting the business of the Review, the Review Team has the authority to determine a proper course of action to mitigate the issue. Any proposed modification to the Template shall only be effective after approval by the ccNSO and GNSO Councils. The Review Team shall exercise reasonable discretion with respect to whether this Template does not provide guidance and/or the impact of the Template is unworkable with respect to the conduct of business of the Review Team.

11. References

- Charter Customer Standing Committee - <https://www.icann.org/en/system/files/files/csc-charter-amended-27jun18-en.pdf>
- CSC Charter review team - <https://community.icann.org/display/CRT/CSC+Review+Team+Home>
- First CSC Effectiveness Review - <https://community.icann.org/display/ER>

ANNEX E- CSC Charter adopted June 2018

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 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 direct 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 levels and through mechanisms to engage with the IANA Functions Operator to remedy identified areas of concern, including but not limited to the Remedial Action Procedures.

The CSC is not authorized 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.

The CSC will be the primary interface between the IANA Naming Functions Operator, currently PTI, and its customers. Should PTI cease to be the IANA Naming Functions Operator, there should be an obligation on successor operators to work with the CSC to ensure satisfactory performance of the IANA naming functions.

Scope of Responsibilities

The CSC monitors the performance of the IANA naming function against agreed service levels on a monthly basis.

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

Where performance issues have been identified, the CSC will work with the IANA Functions Operator to understand the reasons for the failure and agree a plan for resolution.

The CSC or the IANA Functions Operator can request a review or change to service level/s.

The CSC, in consultation with the IANA Functions Operator, will develop procedures for changing service level/s including the removal of existing service levels or the inclusion of new service levels. These procedures will be commensurate with the type of the service level change being proposed. Informing the registry operators about proposed changes shall always be required; however, the type of service level change will determine whether it is necessary to conduct a community-wide consultation. The procedures may be updated from time to time and will only become effective after publication of the process on the CSC webpage, and after informing the ccNSO Council and RySG, the direct customers.

The CSC is authorized to undertake remedial action to address performance issues in accordance with the Remedial Action Procedures (RAP) published on the CSC website. The RAP may be updated from time to time in accordance with the change mechanism foreseen in the RAP.

Should a new IANA Functions Operator be appointed, for example through the recommendations from the Special IANA Naming Function Review Team⁴, the ccNSO and GNSO Councils will require the CSC to review and revise the RAP as necessary with the new operator.

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 contained in the RAP, the CSC is authorized to escalate the performance issues to the ccNSO and GNSO Councils 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 the IANA Functions Operator.

The CSC will review individual complaints with a view to identifying whether there are any patterns of poor performance by the IANA Functions Operator in responding to complaints of a similar nature. The CSC may invoke the RAP if necessary to resolve performance issues that may be systemic or persistent.

The CSC will, as need demands, conduct consultations with the IANA Functions Operator, meet with the direct 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 for any of the following reasons:

- 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 to the IANA Naming Function Contract must be approved by the ccNSO Council 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 CSC Charter Review Team, the CSC Effectiveness Review Team, the IANA Function Review Team and 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 individuals representing gTLD Registry Operators appointed by the Registries Stakeholder Group
- Two individuals representing ccTLD Registry Operators appointed by the ccNSO
- One liaison from the IANA Functions Operator (PTI).

⁴ See Section 18.12 ICANN Bylaws

An individual representing a TLD that is not considered to be a ccTLD or gTLD registry, for example from the Internet Architecture Board for .ARPA, may also be included as a member of the CSC. The individual would seek appointment by either the ccNSO or GNSO Council.

Liaisons can also be appointed from the following organizations; 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 Council 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 Councils. 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 Councils. While it will not be the role of the ccNSO and GNSO to question the validity of any recommended appointments to the CSC, in approving the full slate the ccNSO and GNSO Councils 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 organization.

A vacancy on the CSC shall be deemed to exist in the case of the death, resignation, or removal of a CSC member or liaison. This vacancy shall be filled by the appointing organization or advisory committee for the unexpired term.

Changing circumstances of appointed CSC member

In the event that a member appointed to the CSC by either the ccNSO or RySG has a change in circumstances that may affect the basis upon which the member was appointed to the CSC, they are required to notify their appointing organization of their changing circumstances. If the member is willing to remain a member of the CSC, they will be required to seek re-confirmation of their appointment. The appointing organization will be responsible for considering the request in accordance with internal procedures.

The appointing organization will be responsible for notifying the Chair of the CSC of its decision and should also notify the other appointing organization.

In the event that the appointing organization is not willing to re-confirm the appointment, the member will be required to resign from the CSC and the appointing organization will be required to fill the vacancy as soon as possible. A temporary replacement may be appointed while attempts are made to fill the vacancy.

If a member wishes to resign from the CSC because of a change in circumstances, or for any other reason, they must notify their appointing organization.

Any new appointment will need to be approved by both the ccNSO Council and the RySG. The GNSO Council should be notified of any new appointment.

Recall of members or liaisons

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 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.

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, the CSC is also required to meet with the Board of the IANA Functions Operator at least twice a year. These meetings should, wherever possible, be held at ICANN meetings.

The CSC will also consider requests from other groups, including the ICANN Board and ICANN org, 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.

In the event that the CSC invokes the RAP, it will be required to inform the RySG, ccNSO and GNSO Councils and provide regular status updates.

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

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

Review

The Charter may be reviewed at the request of the CSC, ccNSO Council, RySG or GNSO Council or in connection with an IANA Function Review. The review will be conducted by a committee of representatives from the ccNSO and the RySG in accordance with a method determined by the ccNSO Council and RySG. Each 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 Councils.

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.

Annex F – Membership CSC Effectiveness Review Team

Members

Donna Austin - GNSO appointed
Maarten Simon - ccNSO appointed
Sean Copeland - ccNSO appointed
Jonathan Robinson - GNSO appointed

Liaison Brett Carr – CSC appointed

Expert Advisors

Amy Creamer
Kim Davies
Jennifer Bryce

Support Staff

Bart Boswinkel
Steve Chan
Claudia Ruiz
Caitlin Tubergen

PROPOSED Amended 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 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 direct 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 levels and through mechanisms to engage with the IANA Functions Operator to remedy identified areas of concern, including but not limited to the Remedial Action Procedures.

The CSC is not authorized 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.

The CSC will be the primary interface between the IANA Naming Functions Operator, currently PTI, and its customers. Should PTI cease to be the IANA Naming Functions Operator, the CSC will continue to perform its role to ensure satisfactory performance of the replacement operator.

Scope of Responsibilities

The CSC monitors the performance of the IANA naming function against agreed service levels on a monthly basis.

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

Where performance issues have been identified, the CSC will work with the IANA Functions Operator to understand the reasons for the failure and agree a plan for resolution.

The CSC or the IANA Functions Operator can request a review or change to service level/s. The CSC, in consultation with the IANA Functions Operator, will develop procedures for

changing service level/s including the removal of existing service levels or the inclusion of new service levels. These procedures will be commensurate with the type of the service level change being proposed. Informing the registry operators about proposed changes shall always be required; however, the type of service level change will determine whether it is necessary to conduct a community-wide consultation. The procedures may be updated from time to time, and will only become effective after publication of the process on the CSC webpage, and after informing the ccNSO Council and RySG, the direct customers.

The CSC is authorized to undertake remedial action to address performance issues in accordance with the Remedial Action Procedures (RAP) published on the CSC website. The RAP may be updated from time to time in accordance with the change mechanism foreseen in the RAP.

Should a new IANA Functions Operator be appointed, for example through the recommendations from the Special IANA Naming Function Review Team¹, the ccNSO and GNSO Councils will require the CSC to review and revise the RAP as necessary with the new operator.

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 contained in the RAP, the CSC is authorized to escalate the performance issues to the ccNSO and GNSO Councils 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 the IANA Functions Operator.

The CSC will review individual complaints with a view to identifying whether there are any patterns of poor performance by the IANA Functions Operator in responding to complaints of a similar nature. The CSC may invoke the RAP if necessary to resolve performance issues that may be systemic or persistent.

The CSC will, as need demands, conduct consultations with the IANA Functions Operator, meet with the direct 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 for any of the following reasons:

- to meet changing technological environments;

¹ See Section 18.12 ICANN Bylaws

- 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 to the IANA Naming Function Contract must be approved by the ccNSO Council 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 CSC Charter Review Team, the CSC Effectiveness Review Team, the IANA Function Review Team and to any Separation Cross Community Working Group. 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. Alternate members or alternate liaisons to the CSC are not eligible to be appointed by the CSC as liaisons to an IANA Naming Function Review Team (IFRT) or a Separation Cross-Community Working Group (SCWG).

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. The CSC's composition is defined at Section 17.2 of the ICANN Bylaws.

In accordance with the Bylaws the CSC may include an individual representing top-level domain registry operators that are not considered to be ccTLD or gTLD registries. For example, a representative from the Internet Architecture Board for .ARPA, may also be included as a member of the CSC. The individual would seek appointment by the ccNSO or GNSO Council, after submission of a letter of support from the registry operator it represents. 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.

If any or all of the entities set forth at ICANN Bylaws Section 17.2(c) elect to appoint a liaison to the CSC, such 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.

Alternates

As set forth at Article 17, Section 17.2(d) of the Bylaws, all appointing organizations may also each appoint one alternate member or liaison to the CSC (each, an “Alternate”), in accordance with their own rules and procedures. The ccNSO and RySG, in particular, are strongly encouraged to each appoint an alternate member.

Alternates are expected to perform the role of a CSC member or liaison, when the appointed member or liaison is unable to attend a scheduled meeting. In the instance an Alternate stands in as a member, the alternate will be counted for quorum. Additionally, all Alternates will be permitted to attend CSC meetings as observers and will have access to the CSC mailing list as alternates are expected to stay informed of the CSC work.

Leadership

The Chair of the CSC and Vice-Chair, if deemed necessary by the CSC, will be elected on an annual basis by the CSC. Preferably the Chair will be a direct customer of the IANA naming function, and cannot be the IANA Functions Operator Liaison.

Communication

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

Membership Selection Process

Members, Liaisons, and Alternates to the CSC will be appointed by their respective communities in accordance with their 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.

In considering the registry-affiliated members being recommended for a new term, the ccNSO Council and RySG are expected to consult prior to finalizing their selections with a view to providing a slate of members that has, to the extent possible, diversity in terms of geography and skill set.

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 to question the validity of any recommended appointments to the CSC, in approving the full slate the ccNSO and GNSO Councils 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.

An Alternate may be appointed for a one or two-year period, at the discretion of the appointing organization. The appointing organization shall inform the CSC of the designated appointment period before the Alternate takes their seat.

Service as an Alternate shall not count towards the calculation of terms available for service as a CSC member or liaison.

Attendance

CSC members and liaisons are expected to attend a minimum of nine meetings in a one-year period (or 75% of meetings in a one-year period if fewer than nine are held in such one-year period), and must not be absent for more than two consecutive meetings.

The ICANN Bylaws at Article 17, Section 17.2(h) specify that the CSC Chair may recommend removal of any CSC member or liaison if they fail to meet these required attendance obligations, though the CSC Chair may choose to not exercise the right of removal if the member or liaison has sufficient cause for their absence.

Alternates are not subject to this attendance requirement, and the presence of an Alternate shall not mitigate the absence of a member or liaison.

Vacancy

A vacancy on the CSC shall be deemed to exist in the case of the death, resignation, or removal of a CSC member, liaison or alternate. Upon the vacancy in a member or liaison role, the CSC will recognize the Alternate as the interim member or liaison from that appointing

organization. The appointing organization shall, within two months after the occurrence of such vacancy, either affirm the Alternate as the new member or liaison appointed serve the remainder of the unexpired term, or shall appoint a new member or liaison to serve the remainder of the unexpired term. In the case of an appointment to fill a vacancy, service in the unexpired term shall not count towards calculation of terms available for service as a CSC member or liaison.

Upon the vacancy in an alternate role, the appointing organization shall be strongly encouraged, but not required to fill the vacancy within two months of the previous alternate's resignation. As appointing organizations are not required to appoint alternates, they are similarly not required to fill vacancies in alternate positions.

The ccNSO Council and the RySG must approve any appointment to fill a vacancy. Additionally, the GNSO Council should be notified of any appointment to fill a vacancy.

Changing circumstances of appointed CSC member, liaison, or alternate

In the event that a member, liaison, or alternate has a change in circumstances that may affect the basis upon which the member, liaison, or alternate was appointed to the CSC, they are required to notify their appointing organization of their changing circumstances. If the member, liaison, or alternate is willing to remain a member, liaison, or alternate of the CSC, they will be required to seek re-confirmation of their appointment. The appointing organization will be responsible for considering the request in accordance with internal procedures.

The appointing organization will be responsible for notifying the Chair of the CSC of its decision and should also notify the other appointing organization.

In the event that the appointing organization is not willing to re-confirm the appointment, the member, liaison, or alternate will be required to resign from the CSC.

If a member, liaison or alternate wishes to resign from the CSC because of a change in circumstances, or for any other reason, they must notify their appointing organization.

A resignation will create a vacancy to be filled in accordance with the section of this Charter on Vacancy.

Removal or recall of members, liaisons, or alternates

The ICANN Bylaws provide appointing entities with broad rights of removal of any member, liaison or alternate. In addition, the Chair of the CSC has certain rights to recommend the recall of members, liaisons and alternates. A removal or recall in any position shall result in a vacancy, which shall be filled in accordance with the section of this Charter on Vacancy.

Meetings

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

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, the CSC is also required to meet with the Board of the IANA Functions Operator at least twice a year. These meetings should, wherever possible, be held at ICANN meetings.

The CSC will also consider requests from other groups, including the ICANN Board and ICANN org, to provide updates regarding the IANA Functions Operator's performance.

Quorum

In order for a decision to be taken by the CSC, all four members must be present for the meeting. An alternate member may count for the purposes of achieving quorum.

Record of Proceedings

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

In the event that the CSC invokes the RAP, it will be required to inform the RySG, ccNSO and GNSO Councils and provide regular status updates.

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

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

Review and Amendment

The Charter may be reviewed at the request of the CSC, ccNSO Council, RySG or GNSO Council or in connection with an IANA Naming Function Review. The charter review will be conducted by a committee of representatives from the ccNSO and the RySG in accordance with a method determined by the ccNSO Council and RySG. Similarly, outside of an requested CSC

DRAFT for Public Comment
As of 15 January 2026

Charter Review, the CSC, ccNSO Council, RySG or GNSO Council may recommend amendments to the CSC Charter, or amendments may be proposed in connection with an IANA Naming Function Review. Any review shall include the opportunity for input from other ICANN stakeholders, via a Public Comment process. Similarly, all proposed amendments to the CSC Charter shall be posted for Public Comment following ICANN's standard Public Comment processes. If the review recommends proposed amendments, those can be presented in the same Public Comment process. All proposed amendments to the CSC Charter must be agreed upon by the CSC, ccNSO Council, RySG and GNSO Council and amendments must be ratified by the ccNSO and the GNSO Councils.

ICANN BOARD PAPER NO. 2026.01.25.2c

TITLE: **Proposed Bylaws Amendment to Align Reviews**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

After the Board's May 2025 decision to further defer ATRT4, two conversations continued within the community: (1) conducting a community dialogue to refresh reviews; and (2) whether and how to address the fact that ICANN is out of compliance with its Bylaws obligations to conduct Specific Reviews on five-year cycles. While item (1) is being addressed through the Review of Reviews Cross Community Group (Reviews CCG), for item (2), ICANN socialized a proposed Standard Bylaws Amendment that would temporarily remove ICANN's obligations to conduct Standard Reviews while Reviews CCG is proceeding. After extensive discussion on a proposal during the ICANN Public Meeting in Dublin, ICANN staff developed an updated Transition Article. The SO/AC Leadership has indicated that gathering broader public input is the next step, and the Board is being asked to initiate the Standard Bylaws Amendment Process to allow for public comment.

The proposed Bylaws amendment does the following:

- Through a transition article, lifts ICANN's obligations to conduct the Specific Reviews;
- Allows 12 months of progress on the community dialogue before ICANN's obligation to conduct reviews is reinstated;
- Defines parameters for how ICANN's obligations can be paused for additional time if the community dialogue is progressing but not yet completed, with a maximum total pause of 24 months;
- If no updates to the Bylaws result from the current community effort and ICANN's obligations to conduct Specific Reviews are renewed, sets a workable schedule for reviews to be re-initiated in a manner that will not replicate the overlap of reviews that led in part to the issues ICANN currently experiences with reviews.

STAFF RECOMMENDATION:

Staff recommends that the Board initiate the Standard Bylaws Amendment Process to allow for public comment on the proposed introduction of a new simplified Transition Article (at Article 27 of the ICANN Bylaws) that would address the issue of ICANN’s ongoing obligation to initiate Specific Reviews while the community is considering how ICANN’s review program can evolve.

PROPOSED RESOLUTION:

Whereas, the ICANN Bylaws at Article 4, Section 4.6, mandate ICANN conduct three of the four Specific Reviews (Accountability and Transparency (ATRT); Security, Stability and Resiliency (SSR) and the Registration Directory System (RDS)) every five years, measured from the convening of the prior cycle’s review team.

Whereas, ICANN has twice deferred (in 2024 and 2025) the initiation of the next iteration of the ATRT to allow a community dialogue to focus on the future of reviews. The third iterations of the SSR and RDS reviews are also both deferred from their Bylaws-mandated starts, as there is a pending recommendation from the third ATRT review that the next ATRT4 should evaluate the timing and future of each of those reviews.

Resolution Text Superseded

Whereas, the ICANN community and Board has chartered a Review of Reviews Cross Community Group (Reviews CCG) to address the ICANN Board’s May 2025 convening a community dialogue on reviews. ICANN Board and staff are active members of that CCG effort.

Resolution Text Superseded

Resolved (2026.01.25.xx), the ICANN Board initiates the Standard Bylaws Amendment process set for at Article 25, Section 25.1 of the ICANN Bylaws to explore the introduction of a new Transition Article that would bring ICANN back into compliance with the Bylaws while the community conversation is pending, while maintaining a strict outer time limit for any pause on ICANN reviews. The ICANN President and CEO, or his designee(s) is directed to post the proposed Transition Article for public comment.

PROPOSED RATIONALE:

Today the Board is initiating a Standard Bylaws Amendment so that it can receive public comment from the community on a proposed pause on ICANN’s obligations to conduct Specific Reviews while the community conversation of the evolution of reviews is proceeding. Under the ICANN Bylaws, Article 4, Section 4.6, ICANN is required to conduct three of the four Specific Reviews (Accountability and Transparency (ATRT); Security, Stability and Resiliency (SSR) and the Registration Directory System (RDS)) every five years, measured from the convening of the prior cycle’s review team.¹ The challenges posed by this schedule have been well documented, including issues of community overload in overlapping reviews, as well as the lack of sufficient time to implement and recommendations between review team cycles. Rationale Text Superseded

It was supposed to convene ATRT4 in 2023, and has subsequently twice deferred the initiation of ATRT4, including in May 2025, to allow a community dialogue to focus on the future of reviews. The third iterations of the SSR and RDS reviews are also both deferred from their Bylaws- mandated starts, as there is a pending ATRT3 recommendation that the ATRT4 should evaluate the timing and future of each of those reviews. Rationale Text Superseded

Rationale Text Superseded

In the community conversations in response to the Board’s May 2025 resolution on deferral of the ATRT4 and convening a community dialogue on reviews, parts of the community pushed ICANN to consider a Bylaws amendment that would recognize a deferral of the Specific Reviews pending the community conversation. The community also expressed an expectation that any further deferral be time-bound.

Rationale Text Superseded

The proposed Transition Article as the path forward. The Transition Article, which would be added at Article 27, achieves the following:

¹ The Consumer Choice and Trust (CCT) review is on a separate schedule based on the timing of the introduction of New gTLDs.

- Leaves the full language of Article 4, Section 4.6 intact in the event the community dialogue on the evolution of reviews does not result in proposed updates to the ICANN Bylaws;
- Establishes a 12-month deferral of ICANN's obligations to conduct reviews, extendable to up-to 24 months in limited and defined events, such as pending consideration of community recommendations on reviews;

Rationale Text Superseded

- Establishes a sustainable schedule for the re-introduction of Specific Reviews even if no changes to the Bylaws at Article 4, Section 4.6 are achieved.

A Standard Bylaws Amendment Process is required to achieve this amendment, which includes Board initiation of the Bylaws amendment process; public comment; Board consideration after public comment; and opportunity for Empowered Community to reject the Board's approval of the Bylaws change.

ICANN presented variations of this Transition Article to the SO/AC leadership during ICANN84, to test if the proposed path may be an acceptable solution for the community. The language is now ready for broader community consideration through the public comment process.

What significant materials did the Board review?

The Board reviewed the proposed Standard Bylaws Amendment.

Are there positive or negative community impacts?

Initiating the Standard Bylaws Amendment Process will bring a positive community impact as it directly responsive to community requests for a path to address ICANN's ongoing non-compliance with the Bylaws on initiating reviews.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?

There are impacts on ICANN and the community in initiating the Standard Bylaws Amendment Process as there are required community processes that must be observed. This action is supports ICANN in meeting its strategic objective of evolving and promoting ICANN's multistakeholder model, as it allows for the community dialogue on reviews to continue without worry of the pending need to initiate a review that may no longer be seen as fit for purpose.

Are there any security, stability or resiliency issues relating to the DNS?

There are no security, stability or resiliency issues to the Internet's DNS anticipated as a result of this decision.

Is this decision in the public interest and within ICANN's mission?

The initiation of the Standard Bylaws Amendment Process supports and advances the public interest as it demonstrates ICANN's responsiveness and intent to act in line with its Bylaws obligations.

Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?

The next step in the Standard Bylaws Amendment Process is to seek public comment.

Signature Block:

Submitted by: Samantha Eisner

Position: Deputy General Counsel

Date Noted: 15 January 2025

Email: Samantha.eisner@icann.org

DRAFT of New Transition Article To Address Specific Reviews

Section 27.6 TIMING FOR SPECIFIC REVIEWS

- (a) As of [effective date], hereinafter the “Effective Date for Section 27.6”, ICANN’s obligation to conduct the Specific Reviews set out at Article 4, Section 4.6(b) [Accountability Transparency Review]; Section 4.6(c) [Security, Stability, and Resiliency Review]; Section 4.6(d) [Competition, Consumer Trust and Consumer Choice Review]; and Section 4.6(e) [Registration Directory Service Review] (collectively, “Specific Reviews”) is paused.
- (b) ICANN’s obligation to conduct the Specific Reviews shall resume 12 months from the Effective Date for Section 27.6, unless any of the following circumstances exist:
- i. The ICANN Board has accepted a community-developed recommendation(s), issued after the Effective Date for Section 27.6, on how any or all of the Specific Reviews should be modified and directed implementation of such recommendation(s);
 - ii. A Bylaws Amendment Process pursuant to Article 25 of these Bylaws has been initiated for the purpose of modifying or replacing ICANN Bylaws Article 4, Section 4.6 as in force prior to the Effective Date for Section 27.6; or
 - iii. Four of the seven of ICANN’s Supporting Organizations and Advisory Committees, as set forth within these Bylaws, have issued a statement supporting a further pause of the Specific Reviews.

The total pause available under this Transition Article shall not exceed 24 months.

- (c) If ICANN resumes its obligation to conduct Specific Reviews as in force prior to the Effective Date for Section 27.6, the schedule for conducting such Specific Reviews will be as follows:
- i. The Accountability and Transparency Review (“ATR”) specified at Article 4, Section 4.6(b) shall be initiated within 90 days of the date that ICANN’s obligation to conduct Specific Reviews resumes;
 - ii. The Security, Stability, and Resiliency Review (SSRR) specified at Section 4.6(c) shall be initiated within 18 months of the initiation of the ATR;

PROPOSAL FOR PUBLIC COMMENT

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- iii. The Registration Directory Service Review specified at Article 4, Section 4.6(e) shall be initiated within 18 months of the initiation of the SSRR; and
- iv. The timing for the Competition, Consumer Trust and Consumer Choice Review pursuant to Article 4, Section 4.6(d) shall be initiated when the next round of new gTLDs has been in operation for two years, such operation being measured from the time that 500 gTLDs applied for within that round have been delegated into the root zone.

(d) For avoidance of doubt, any amendments to Article 4, Section 4.6 taken at any point while the terms of this Transition Article are in effect shall supersede the operation of this Transition Article.

ICANN BOARD SUBMISSION No. 2026.01.25.2d

TITLE: **New gTLD Program: 2026 Round Budget Surplus/Deficit Plan**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

The Board is being asked to approve a plan to address a potential budget surplus or deficit for the 2026 round of the New gTLD Program (2026 Round). As set out in the 2012 Applicant Guidebook and affirmed by the Board-approved [recommendations of the New gTLD Subsequent Procedures Policy Development Process](#) (SubPro PDP):

The gTLD evaluation fee is set to recover costs associated with the new gTLD program. The fee is set to ensure that the program is fully funded and revenue neutral and is not subsidized by existing contributions from ICANN funding sources, including generic TLD registries and registrars, ccTLD contributions and RIR contributions.

The SubPro PDP Final Report furthermore recommended that ICANN have a plan in place to manage any excess fees collected or budget shortfalls experienced in the New gTLD Program and communicate that plan in advance of accepting further New gTLD Program applications and fees. The ICANN Board discussed a proposed cost-recovery approach with ICANN staff during its workshop in May 2025. This approach has now been documented by ICANN in a proposed New gTLD Program: 2026 Round plan for managing any surplus or deficit as a result of the New gTLD Program (the “Plan”) [include [link](#)]. This proposed Plan addresses:

- Surplus / Deficit for 2026 Round
- Funding of Implementation Costs – now and future
- Funding of processing costs prior to receiving fees
- 2012 Round Remaining Funds
- Auction Proceeds

BOARD FINANCE COMMITTEE (BFC) RECOMMENDATION:

The BFC recommends that the Board adopt ICANN’s Plan for managing any surplus or deficit as a result of the New gTLD Program and authorize the President and CEO, or his designee(s), to execute on the Plan accordingly.

PROPOSED RESOLUTION:

Whereas, the New gTLD Program gTLD evaluation fee is set to recover costs associated with a round by ensuring that it covers all costs resulting from the program, is cost neutral to ICANN, and that program costs are not subsidized by existing contributions from ICANN funding sources, including gTLD registries and registrars, ccTLD contributions, and Regional Internet Registry contributions.

Whereas, ICANN org, following discussion with the ICANN Board at the May 2025 Board Workshop, developed a proposed plan for managing any excess fees collected or budget shortfalls experienced in the New gTLD Program: 2026 Round (the “Plan”) pursuant to the SubPro PDP Final Report recommendations and implementation guidance.

Whereas, following initial review by the New gTLD Program: Next Round Board Caucus the Plan was shared with the SubPro Implementation Review Team (IRT) for its review.

Whereas, following IRT review the Plan was submitted to the Board Finance Committee for its consideration.

Whereas, the Board Finance Committee has recommended that the Board authorize the President and CEO, or his designee(s), to execute on the Plan accordingly following Board approval.

Resolved (2026.01.25.xx), the ICANN Board adopts the New gTLD Program: 2026 Round plan for managing any surplus or deficit as a result of the New gTLD Program and authorizes the President and CEO, or his designee(s), to execute on the Plan accordingly.

PROPOSED RATIONALE:

Why is the Board addressing the issue and what is the proposal being considered?

The New gTLD Program: 2026 Round plan for managing any surplus or deficit as a result of the New gTLD Program (Plan) sets out the approach for managing any surplus or deficit as

a result of the New gTLD Program. For the New gTLD Program to be fully funded and cost neutral, per the policy recommendations, ICANN has taken the approach that the rounds in themselves (2012 Round and the 2026 Round) are implemented with the cost recovery principle as their basis. The Plan, furthermore, aligns with the relevant SubPro affirmations, recommendations, and implementation guidance, whereby implementation guidance 15.6 relating to excess refunds to applicants is partially implemented.

Is this decision in the public interest and within ICANN’s mission?

The ICANN Board’s adoption of the Plan is consistent with ICANN’s mission and is in the public interest as it allows ICANN to ensure that the New gTLD Program is fully funded, cost neutral, and able to manage any excess fees collected or budget shortfalls experienced.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?

The Board action to approve the Plan will not in and of itself have a fiscal impact, but to the extent there is a surplus or deficit, there would be a fiscal impact which would be handled in accordance with the Plan.

Are there any security, stability or resiliency issues relating to the DNS?

This action is intended to have a positive impact on the security, stability, and resiliency of the domain name system.

Is this either a defined policy process within ICANN’s Supporting Organizations or ICANN’s Organizational Administrative Function decision requiring public comment or not requiring public comment?

This is an Organizational Administrative Function that does not require public comment, noting that the SubPro policy recommendations and implementation guidance did go through the different public comment requirements associated with the GNSO Policy Development Process.

Submitted by: Marika Konings
Position: VP, new gTLD Program, Lead
Date Noted: 13 January 2026
Email: marika.konings@icann.org

In alignment with the Board approved policy recommendations, this paper sets out ICANN’s plan for “managing any excess fees collected or budget shortfalls experienced”¹ in managing funds for the New gTLD Program.

This paper has been reviewed by the New gTLD Program: Next Round Board Caucus.

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¹ See [Final Report on the new gTLD Subsequent Procedures](#) Affirmation with Modification 15.4.

1. Background

As set out in the 2012 Applicant Guidebook and affirmed by the Board-adopted recommendations of the new gTLD Subsequent Procedures Policy Development Process (PDP):

The gTLD evaluation fee is set to recover costs associated with the new gTLD program. The fee is set to ensure that the program is fully funded and revenue neutral and is not subsidized by existing contributions from ICANN funding sources, including generic TLD registries and registrars, ccTLD contributions and RIR contributions.

For the program to be fully funded and cost neutral, ICANN has taken the approach that the rounds in themselves (the “2012 Round” and the “2026 Round”) are implemented with the cost recovery principle as their basis. This approach is also supported by SubPro’s Affirmation with Modification 15.4, which was also approved by the ICANN Board, which notes that “For the next application round and each subsequent round, an assessment must take place prior to each round to estimate the application fee that would be necessary to achieve cost recovery”. As this fee is developed prior to knowing the application volume and/or the mix of application types, unforeseen circumstances, such as the exercise of accountability mechanisms, may require a round to remain open for longer than originally planned, which means that costs continue to be incurred. Therefore, it is not possible to assess the full costs of a round, and whether there is an excess or deficit, until all or nearly all processing activities, including any applicable accountability mechanisms and/or litigation, have been completed.

2. Surplus / Deficit for 2026 Round

Before any gTLD evaluation fees are received, up to US\$85.6M is estimated to have been spent. That includes the \$70M implementation costs and up to \$15.6M of processing costs. There will be commitments that ICANN will have made to contractors that may be fixed as well as a base level of staff that will need to be in place to manage processing activities before the round opens. These represent so-called “stranded costs”, as no matter the volume of applications, these expenses are expected to be incurred as a minimum. To minimize these stranded costs, ICANN has deferred commitments as far as possible until after the number of applications is known and fees collected. ICANN is also putting plans in place that will focus on variable cost contracts that are volume dependent as well as processes that will allow for a quick ramp up of resources once the application volume is known.

The extent of any excess or deficit can only be determined once the processing of applications is complete. The processing budget has been built on several assumptions (resources needed, vendor costs, and number of applications) that may or may not hold up once the round is underway. The impact in relation to accountability mechanisms and/or litigation, in particular, is difficult to assess at the outset.

In the case of a deficit, there are various approaches that could be pursued, such as using the recuperated implementation costs of the 2026 Round to fund the deficit, or other funds, as the Board deems appropriate. If the program receives 500 applications or less, a deficit will be incurred as the implementation costs will not be fully recovered.

At 1,000 applications, ICANN is expected to recover all implementation and stranded costs. If there is any excess at the end of the 2026 Round opening in April 2026, with processing currently expected to complete by June 2030, the funds would be held in the New gTLD Program Fund, to be managed by the program for future rounds or steady state application processing implementation.

3. Funding of Implementation Costs – Now and Future

In preparation for the New gTLD Program: 2026 Round, the ICANN Board agreed to use application fee funds from the 2012 Round and from the Supplemental Fund for Implementation of Community Recommendations (SFICR) to fund the costs of implementation for the 2026 Round. ICANN continues to use these funds while also ensuring that 2012 Round activities still have adequate funding.

A total of \$34M is expected to have been used from the 2012 Round remaining fees to support the implementation of the 2026 Round. When these costs have been recuperated from the 2026 Round application fees, consistent with the approach outlined here, the remaining will be moved to a segregated fund managed by the New gTLD Program to “help alleviate the potential burden of an overall budget shortfall” (SubPro Implementation Guidance 15.8) as well as “apply towards covering the costs of maintaining the capability to assemble future subsequent rounds of new gTLDs with minimum delay and to ensure that the New gTLD Program is able to continue into the future” (SubPro Implementation Guidance 15.5).

A total of \$36M is expected to have been used from the SFICR. ICANN plans on replenishing the SFICR for future needs, as the purpose of that fund is for implementing community recommendations.

This approach is consistent with the concept that is outlined in SubPro implementation guidance 15.5: “ICANN org may set aside a certain small percentage of excess fees (to the extent there are excess fees) to apply towards covering the costs of maintaining the capability to assemble future subsequent rounds of new gTLDs with minimum delay and to ensure that the new gTLD Program is able to continue into the future”. It may be worth noting that in the case of the 2012 Round, these cannot be considered excess fees while there are still remaining applications and processing of these continues.

Implementation Budget - \$70M		
Approved Tranches - \$45M	Future Tranches - \$25M	Total - \$70M
<u>2012 Round Application Fees - \$32M</u> Tranche #1: \$9M - Apr 2023 - Oct 2024 Tranche #3: \$23M - Jul 2024 - Mar 2025 (extended through May 2025)	<u>2012 Round Application Fees - \$2M</u>	<u>2012 Round Application Fees - \$34M</u>
<u>SFICR Fund - \$13M</u> Tranche #2: \$23M - Nov 2024 - Jun 2024	<u>SFICR Fund - \$23M</u> Tranche #4: \$23M - Jun 2025 - Apr 2026	<u>SFICR Fund - \$36M</u>

4. Funding of Processing Costs Prior to Receiving Fees

Although the processing costs are covered by the new gTLD application evaluation fee, some of these costs are incurred prior to fees being received. The New gTLD Program segregated fund (“New gTLD Program Fund”) can provide the cash flow to fund these activities, such as identifying and onboarding of vendors, training of staff and vendors, and planning for activities that happen early in the processing phase. The funds for these activities would then be repaid to the New gTLD Program Fund to allow funding of other activities that are essential either for a round or the overall program such as implementation activities for a subsequent round.

5. Implementation Guidance 15.6 – Excess Refunds to Applicants

Implementation Guidance 15.6 states, amongst others: “If excess fees are collected in subsequent procedures and the cost recovery model is followed (...) any excess fees should be returned to applicants where possible in the form of a refund or a credit towards future fees, where applicable. (...)” and “ICANN may establish a schedule for the disbursement of refunds upon the achievement of specified milestones”.

ICANN expects to provide an application volume refund to applicants if an excess is received in relation to the implementation costs that are expected to be recuperated through the gTLD evaluation fee. This refund is expected to apply if more than 1,000 fully paid applications are received. ICANN will be able to establish whether the criteria for an application volume refund have been met after the close of the application window and as a result, if the application volume refund is applicable, it will be refunded to applicants soon after Reveal Day.

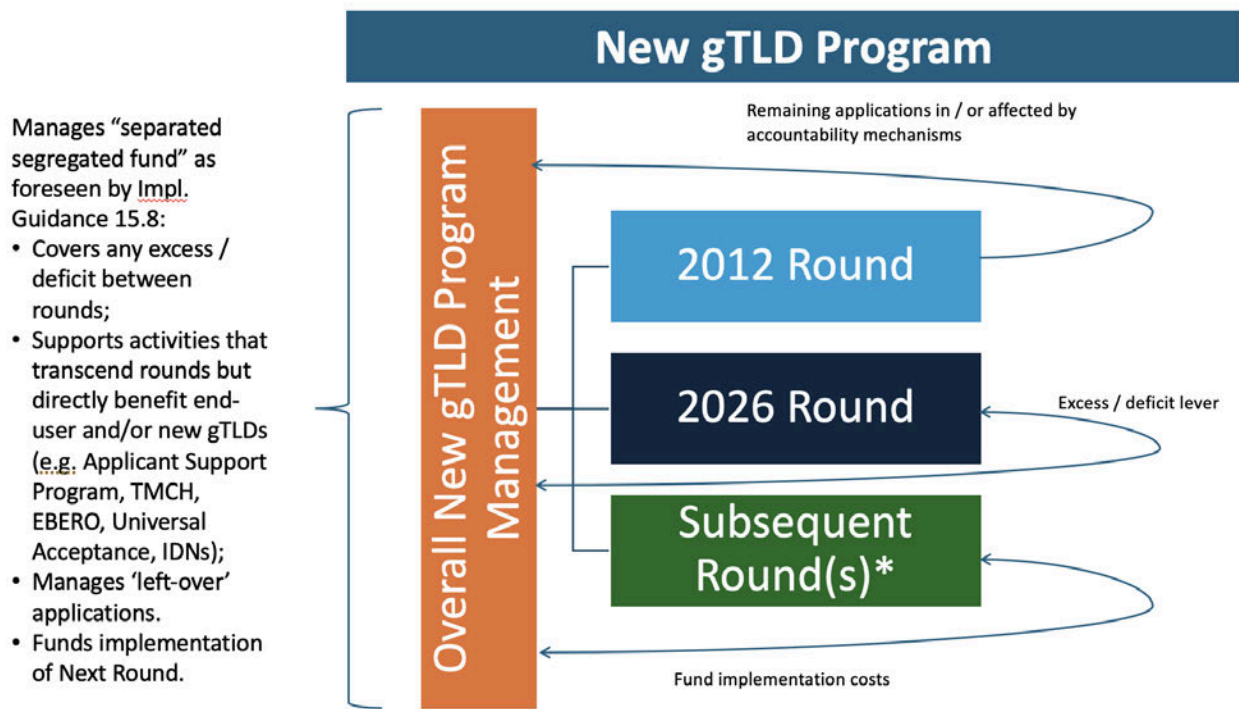
Nevertheless, as outlined previously, ICANN cannot establish whether an excess is applicable in relation to the other costs that the gTLD evaluation fee is expected to recover until all, or nearly all, applications have completed processing. To avoid keeping a round open while processing may be on hold for remaining applications of that round, ICANN plans to move any remaining applications from a round as well as any remaining fees to the New gTLD Program level so that continued support can be provided for these remaining applications when needed. At the same time, this will allow the program to continue supporting other activities that are for the benefit of new gTLDs and/or end-users such as the Applicant Support Program, Trademark

Clearinghouse, Emergency Back-end Registry Operators (EBERO) and Internationalized Domain Names (IDNs)/Universal Acceptance activities which is consistent with SubPro Recommendation 15.7.

As a volume refund is provided, ICANN considers that Implementation Guidance 15.6 has been partially implemented.

As outlined in the graphic below, by using the New gTLD Program Fund to manage any excess or deficit that is the result of the different rounds, it will be possible to build a sustainable and cost-efficient program as it reduces the need to build up and ramp down activities and allows for retention of key resources to support both completing of activities of previous rounds as well as implementing subsequent rounds.

This approach also allows the closing out of a round even if not all applications have been completed as responsibility for the management of such remaining applications can be moved to the program level, which allows closing out of any resources or vendors that would otherwise need to remain on standby and incur costs as a result.



*Note, if at some point in the future there is a shift from a "rounds" approach to a steady state, the overall New gTLD Program Management would manage funds for all activities related to a steady state.

6. Reporting and Communication of Financial and Program Status

ICANN will provide periodic reporting on estimates for potential surplus or deficit in the 2026 Round. Reports will cover updates on funds received, program expenditures, refunds,

contingency spend, and investment of funds managed. The reports are intended to inform the community on the overall status of the program and current projections.

7. 2012 Round Remaining Funds

In line with the approach outlined in the last paragraph of section 5 of this Plan, ICANN is in the process of closing out remaining 2012 applications that were not successful. This will allow reviewing existing 2012 Round vendor commitments by either closing those out, moving these to ICANN operations, or continuing this under the umbrella of the New gTLD Program. Remaining 2012 funds will be transferred to the New gTLD Program Fund to allow for continued support for the remaining applications that are currently impacted/involved in ongoing accountability mechanisms.

8. Auction Proceeds

It is important to note that the new gTLD Auction Proceeds Cross-Community Working Group recommendations and the ICANN Board decision on the 2012 auction proceeds only applies to such proceeds and should not be presumed to also apply to future auction proceeds. From the [CCWG Final Report](#): “The role of this CCWG is to identify and to evaluate possible mechanisms to disburse proceeds received through auctions from the 2012 gTLD application round.” Further, the Board [scorecard](#) states that “The task of the CCWG-AP was to develop a set of recommendations for the distribution of funds collected from auctions of last resort within the 2012 New gTLD round”.

The Board [scorecard](#) also noted that the Board has “Direct[ed] the ICANN President and CEO, or his designees, to provide a recommendation to the Board, when appropriate, regarding the potential of using the ICANN Grant Giving Program for proceeds stemming from future auctions of last resort if such auctions are utilized for future gTLD application processes such as the ones contemplated within the policy recommendations on New gTLD subsequent procedures”. As a result, upon the recommendation from ICANN staff, the Board will need to determine what happens to any proceeds that may be the result of the New gTLD Program: 2026 Round auctions. At any point before such a decision, the Board retains the ability to make decisions on the use of these proceeds in line with its fiduciary responsibility, for example, if there would be a deficit as the result of a limited number of applications received causing funding issues for either the processing or implementation of a future round. Following the completion of the New gTLD Program: 2026 Round contention resolution, ICANN staff and Board will assess the available funds as well as the financial state of the round and the New gTLD Program Fund to determine the timeline for a recommendation to the Board on this topic.

9. Conclusion

The approach outlined in this paper is expected to create a sustainable and cost-efficient environment for the New gTLD Program as it embarks on the 2026 Round and beyond.

Annex - SubPro Final Report Recommendations

See

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf>

Affirmation with Modification 15.4: The Working Group affirms the principle of cost recovery reflected in the 2012 Applicant Guidebook: “The gTLD evaluation fee is set to recover costs associated with the new gTLD program. The fee is set to ensure that the program is fully funded and revenue neutral and is not subsidized by existing contributions from ICANN funding sources, including generic TLD registries and registrars, ccTLD contributions and RIR contributions.”

For the next application round and each subsequent round, an assessment must take place prior to each round to estimate the application fee that would be necessary to achieve cost recovery. In the event that the estimated application fee, based on the revenue neutral principle, falls below a predetermined threshold amount (i.e., the application fee floor), the actual application fee should be set at that higher application fee floor instead. The development of the application fee must be fully transparent with all cost assumptions explained and documented.

In managing funds for the New gTLD Program, ICANN must have a plan in place for managing any excess fees collected or budget shortfalls experienced. The plan for the management and disbursement of excess fees, if applicable, must be communicated in advance of accepting applications and collecting fees for subsequent procedures. The implementation guidance below describes in more detail how this should be accomplished.

Implementation Guidance 15.5: Although ICANN must operate the new gTLD Program on a cost recovery basis (subject to any floors as set forth in this report) ICANN org may set aside a certain small percentage of excess fees (to the extent there are excess fees) to apply towards covering the costs of maintaining the capability to assemble future subsequent rounds of new gTLDs with minimum delay and to ensure that the new gTLD Program is able to continue into the future. Examples of such costs include retaining staff with program expertise and maintaining requisite systems. Any excess fees set aside by ICANN for this purpose should be explicitly recorded and justified.

Implementation Guidance 15.6: If excess fees are collected in subsequent procedures and the cost recovery model is followed (i.e., the application fee floor is not implemented) any excess fees should be returned to applicants where possible in the form of a refund or a credit towards future fees, where applicable. ICANN may establish a schedule for the disbursement of refunds upon the achievement of specified milestones. For illustrative purposes only, such a schedule could establish that once 50% of the applications have been fully processed (eg., delegated, withdrawn, or not approved), ICANN would issue a payment of 25% of the excess fees back to the applicants. The disbursement mechanism must be communicated before applicants submit applications and fees to ICANN. If ICANN is unable to locate the applicant for the return of excess

fees, the amount of the excess for that applicant should be used for the purposes described in Recommendation 15.7. Further, to the extent that excess fees per applicant are lower than a predetermined amount, for example \$US1,000, the funds should not be refunded to the applicant, but rather should be used for the purposes described in Recommendation 15.7. ICANN org should further explore the issues related to the management of excess fees with the Implementation Review Team and ensure that the resulting implementation is clearly documented in the Applicant Guidebook.

Recommendation 15.7: In the event that an application fee floor is used to determine the application fee, excess fees received by ICANN must be used to benefit the New gTLD Program and not any other ICANN program or purpose; that includes one or more of the following elements of the New gTLD Program:

- (a) a global communication and awareness campaign about the introduction and availability of new gTLDs;*
- (b) long-term program needs such as system upgrades, fixed assets, etc.;*
- (c) Applicant Support Program;*
- (d) top-up of any shortfall in the segregated fund as described below; or*
- (e) other purpose(s) that benefits the New gTLD Program.*

Implementation Guidance 15.8: To help alleviate the potential burden of an overall budget shortfall, a separate segregated fund should be set up that can be used to absorb any shortfalls and topped-up in a later round. The amount of the contingency should be a predetermined value that is reviewed periodically to ensure its adequacy.

13 January 2026

ICANN BOARD PAPER NO. 2026.01.25.2e

TITLE: **Extension of Professional Services Contract for the New gTLD Program: 2026 Round Application Lifecycle Management Systems**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

In December 2023, the Board approved contracts with a selected provider for: (i) rights to use the platform and enterprise support needed for the New gTLD Program: 2026 Round; and Confidential Negotiation Information professional services to assist ICANN with application development. The contracts were not to exceed Confidential Negotiation Infor

The initial funding authorization focused on delivering the minimum functionality required for the April 2026 application window. As development progressed, it became clear that several key capabilities required for string evaluation, application evaluation and contracting workflows were unable to fit in the timelines set for the gTLD application window to open, and could be sequenced for later phases of development once applications had begun to be collected.

Given the timing and scale of the services to be delivered as set forth above, it is critical that ICANN negotiate a contract extension with the vendor. ICANN has identified the need for two contracts to support the development and operations of the New gTLD Program: 2026 Round application lifecycle management systems. Confidential Negotiation Information
Confidential Negotiation Information

Because the total of both contracts is greater than US\$500,000, under ICANN's Contracting and Disbursement Policy the Board

is required to approve entering into and making disbursements in furtherance of these contracts.

ICANN STAFF AND BOARD FINANCE COMMITTEE (BFC) RECOMMENDATION:

The BFC recommends that the ICANN Board authorize the President and CEO, or his designee(s), to enter into, and make disbursements in furtherance of, contract extensions not to exceed Confidential Negotiation Information for rights to use a platform and ancillary services, and to assist ICANN in the development of applications that will work with the platform needed for the New gTLD Program: 2026 Round.

PROPOSED RESOLUTION:

Whereas, ICANN has a continued need for third-party professional services to help develop applications that will work with the vendor's platform.

Whereas, ICANN conducted a full request for proposal to select established provider(s) for the use of a platform and professional services in October 2023.

Privileged and Confidential

13 January 2026

Whereas, ICANN staff and the BFC recommended that the ICANN Board pass the following resolution.

Resolved (2026.01.25.xx), the Board authorizes the President and CEO, or his designee(s), to enter into, and make disbursements in furtherance of, contract extensions not to exceed ^{Confidential Negotiation Information} for rights to use a platform and ancillary services, and to assist ICANN in the development of applications that will work with the platform needed for the New gTLD Program: 2026 Round.

Confidential Negotiation Information

Resolved (2026.01.25.xx), specific items within this resolution shall remain confidential for negotiation purposes pursuant to Article 3, section 3.5(b) of the ICANN Bylaws until the Interim President and CEO determines that the confidential information may be released.

PROPOSED RATIONALE:

In order to incorporate several key capabilities required to operate the New gTLD Program: 2026 Round in accordance with the Applicant Guidebook and policy obligations, ICANN has a continued need for both the rights to use the platform as well as the needed professional service resources in coordination with one another. Without these capabilities, ICANN cannot timely execute the core phases of the program after application submission acceptance, creating potential operational risk to the program.

The vendor is delivering a complex application under compressed and evolving conditions. The program's timelines, shifting policy/service requirements and dependency delays across other streams resulted in multiple out-of-sequence components during the build phase. This approach enabled ICANN to make the application window timeline viable, but ultimately required ICANN and the vendor to prioritize developing application window-critical modules rather than at the expense of post-application window workflow.

While the initial TLD Application Management System (TAMS) budget was based on the scope known in December 2023, several critical elements expanded during development and policy implementation. These items are mandatory for the 2026 Round to operate correctly and transparently, but have expanded the system's functional footprint beyond the original estimates. To accommodate, the development vendor expanded the size of the team and increased the burn rate for an extended period, in addition to extending through the readiness window. To ensure April 2026 opening is not jeopardized, the vendor's team will be intentionally kept at a higher staffing level through readiness not only to ensure stability of the system, but also to maintain continuity of the team throughout the work. This approach allows ICANN to meet its commitment for opening date, but increased vendor costs compared to the original budget timeline assumptions.

Accordingly, ICANN staff and the BFC recommended that the ICANN Board authorize the President and CEO, or his designee(s), to enter into, and make disbursements in furtherance of, contract extensions not to exceed US\$4,255,000 in the aggregate, for rights to use a platform and ancillary services, and to assist ICANN in the development of applications that will work with the platform needed for the New gTLD Program: 2026 Round. The professional services will augment the

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Engineering and IT team capabilities in support of the 2026 Round infrastructure development work with the selected vendor.

This decision is in the furtherance of ICANN's mission and the support of public interest to support the security, stability and resiliency of the domain name system (DNS) by ensuring that there is a fully resourced engineering and IT team able to support the organization in a fiscally responsible and accountable manner.

This decision will have a fiscal impact, but the impact has already been accounted for in the FY26 budget and will be for future budgets as well.

As noted above, this action is intended to have a positive impact on security, stability and resiliency of the DNS.

This is an Organizational Administrative Function that does not require public comment.

Submitted by: Xavier Calvez
Position: SVP, Planning and CFO
Date Noted: 13 January 2026
Email: xaver.calvez@icann.org

ICANN BOARD SUBMISSION No. 2026.01.25.2f

TITLE: **Advance Contracting and Disbursement Approval Request for the New gTLD Program: 2026 Round - Batch #2**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

Implementation of the New gTLD Program: 2026 Round will require a significant number of external vendors (Service Providers) that will perform work throughout the course of the program. Many of these Service Provider contracts will exceed US\$500,000, which under [ICANN's Contracting and Disbursement Policy](#) require Board approval.

In May 2025, the Board authorized the President and CEO to take all steps needed in relation to a first set of contracts (Batch #1) for the New gTLD Program: 2026 Round that are expected to exceed US\$500K, but are not yet ready to review individually, so long as the contract amounts are covered by the previously Board-approved budget amounts. In order to streamline the processes and ensure efficiencies of time and resources, ICANN will present the Board with requests for advance approval for these contracts in batches as they are anticipated to be needed on a going forward basis. This paper relates to "Batch #2" of the advance contracting and disbursement approval requests, which includes contracts for services that are expected to be needed in the next six to 12 months and that are expected to exceed US\$500,000. The contract amounts for approval are an estimation with a not-to-exceed amount per Service Provider.

BOARD FINANCE COMMITTEE (BFC) RECOMMENDATION:

The BFC recommends that the Board authorize the President and CEO, or his designee(s), to enter into, and make all disbursements pursuant to, all contracts set out in Batch #2 of the advance contracting and disbursement approval requests for contracts expected to be needed in next six to 12 months and that are expected to exceed US\$500,000 for the New gTLD Program 2026 Round, so long as those contract amounts are within previously Board-approved budget amounts for the program.

PROPOSED RESOLUTION:

Whereas, ICANN staff has delivered to the Board the Batch #2 external vendor details for the New gTLD Program: 2026 Round, which are vendors with which contracts are expected

to be needed in the next six to 12 months and that are expected to exceed US\$500,000 (Service Providers).

Whereas, Batch #2 of Service Providers includes services for maintaining the trademark database, performing background screenings, and ensuring quality control of application evaluations.

Whereas, to date ICANN has identified potential Service Providers for activities for the New gTLD Program: 2026 Round, including evaluation panels and program processes, and is vetting additional Services Providers for program requirements.

Whereas, [ICANN's Contracting and Disbursement Policy](#) limits ICANN Officers from contracting for or disbursing more than US\$500,000.00 per obligation without Board approval.

Whereas, efficiency dictates that ICANN have the flexibility to enter into contracts with Service Providers on a timely basis, which may not coincide with regular scheduled ICANN Board review cycles.

Whereas, the Board Finance Committee has recommended that the Board pass the below resolution.

Resolved (2026.01.25.xx), the ICANN Board authorizes the President and CEO, or his designee(s), to enter into all contracts exceeding US\$500,000 with, and make all disbursements pursuant to, all contracts set out in Batch #2 of the advance contracting and disbursement approval requests for contracts expected to be needed in next six to 12 months and that are expected to exceed US\$500,000 for the New gTLD Program: 2026 Round, estimated a not-to exceed total of Confidential Negotiation Information so long as those contract amounts are within previously Board-approved budget amounts for the program.

Resolved (2026.01.25.xx), specific items within this resolution shall remain confidential for negotiation purposes pursuant to Article 3, section 3.5(b) of the ICANN Bylaws until the Interim President and CEO determines that the confidential information may be released.

PROPOSED RATIONALE:

Implementation and operation of the New gTLD Program: 2026 Round will require a significant number of external vendors (Service Providers) that will perform work throughout

the course of the program. Some of these Service Provider contracts likely will exceed US\$500,000.

ICANN's Contracting and Disbursement Policy limits ICANN Officers from contracting for or disbursing more than US\$500,000.00 per obligation without Board approval. With the potential level of expenses that ICANN might incur with any one or more of the Service Providers, the contracting and disbursement limits of Officers in the Disbursement Policy could be exceeded frequently during the implementation and operations of the New gTLD Program: 2026 Round.

Accordingly, to ensure that timely obligations are made and satisfied with the Service Providers, it is appropriate to take this action now and have the Board's advanced approval to undertake contractual obligations for contracts that are not yet ready to review individually, so long as the contract amounts are covered by the previously Board-approved budget amounts. The Board will be presented with requests for advance approval of service contracts in batches on a going forward basis. With this action, the President and CEO, or his designee(s), can enter into, and make disbursements in furtherance of, all contracts exceeding US\$500,000 with all Services Providers for the New gTLD Program: 2026 Round so long as the contract and disbursement amounts are included in Batch #2 of the advance contracting and disbursement approval requests.

The table below shows a breakdown of the services included in Batch #2 and the not-to-exceed contracts, Confidential Negotiation Information

The total approval request for Confidential Negotiation Information in potential contract and related disbursements is included in the budget estimates for 2,000 applications.

2026 Round External Service	Service Provided	Contract Spend Not to Exceed (USD in millions)
String Similarity	Conduct algorithmic and linguistic evaluations of applied-for gTLDs, identifying similarities that could cause user confusion and ensuring unique and distinguishable strings.	Confidential Negotiation Information
Variant Strings	Ensure that any applied-for gTLD variant string meets the minimal community needs, given caution by	Confidential Negotiation Information

	the technical community to reduce the variant strings being delegated.	Confidential Negotiation Information
Community Priority Evaluation	Determine whether a community-based application fulfills the CPE criteria and should receive priority in the contention set.	Confidential Negotiation Information
Safeguard Assessment	Assess proposed gTLDs for security, stability, and public safety concerns, ensuring appropriate safeguards are in place to mitigate potential risks.	Confidential Negotiation Information
Total		

ICANN Board's approval of entering into these contractual obligations is in the furtherance of ICANN's mission and the support of public interest to support the security, stability and resiliency of the domain name system by ensuring that ICANN can timely contract with and pay the Service Providers that are supporting the the New gTLD Program: 2026 Round in a fiscally responsible and accountable manner.

This decision will have a fiscal impact, but the impact has already been accounted for in the New gTLD Program: 2026 Round overall budget and set application fee.

This action is intended to have a positive impact on the security, stability, or resiliency of the domain name system.

This is an Organizational Administrative Function that does not require public comment.

Submitted by: Xavier Calvez
Position: SVP, Planning and CFO
Date Noted: 13 January 2026
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ICANN BOARD PAPER NO. 2026.01.25.xx

TITLE: **Appointment of Independent Audit Firm(s) for Fiscal Year 2026**

PROPOSED ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

Section 22.2 of the ICANN Bylaws (<http://www.icann.org/general/bylaws.htm>) requires that after the end of the fiscal year, the books of ICANN must be audited by certified public accountants, which shall be appointed by the Board.

As the Audit Committee has recommended that the Board approve ^{Confidential Negotiation Information} member firms as the independent audit firm(s) for the fiscal year ending 30 June 2026 for any annual ICANN independent audit requirements, the Board is now being asked to approve the Audit Committee's recommendation.

AUDIT COMMITTEE RECOMMENDATION (*Subject to Audit Committee Approval*):

The Audit Committee recommends that the Board authorize the President and CEO, or his designee(s), to take all steps necessary to engage ^{Confidential Negotiation Information} member firms as ICANN's annual independent audit firm(s) for the fiscal year ending 30 June 2026, for any annual independent audit requirements in any jurisdiction.

PROPOSED RESOLUTION:

Whereas, the Board Audit Committee has recommended that the Board authorize the President and CEO, or his designee(s), to take all steps necessary to engage the selected audit firm and its member firms to carry out the independent audit for the fiscal year ending 30 June 2026.

Resolved (2026.01.25.XX), the Board authorizes the President and CEO, or his designee(s), to take all steps necessary to engage the selected audit firm and its member firms as the audit firm(s) for the financial statements for the fiscal year ending 30 June 2026.

Resolved (2026.01.25.XX), specific items within this resolution shall remain confidential for negotiation purposes pursuant to Article 3, section 3.5(b) of the ICANN Bylaws until the President and CEO determines that the confidential information may be released.

PROPOSED RATIONALE:

The selected audit firm and its member firms have been ICANN's independent audit firms since the audit of fiscal year 2022. ICANN's staff undertook an evaluation of the FY25 Audit Firm and presented a report of that evaluation to the Committee for consideration.

Based on the report from ICANN staff and the Audit Committee's evaluation of the work performed during last year's audit, the Audit Committee has recommended that the Board authorize the President and CEO, or his designee(s), to take all steps necessary to engage the selected firm and its member firms as ICANN's independent audit firm(s) for fiscal year 2026 for any annual independent audit requirements in any jurisdiction.

This furthers ICANN's accountability to its Mission and processes, and the results of the independent audit firm's work will be publicly available. Taking this decision is both consistent with ICANN's Mission and in the public interest as the engagement of an independent audit firm is in fulfilment of ICANN's obligations to undertake an audit of ICANN's financial statements and helps serve ICANN's stakeholders in a more accountable manner.

This decision will have a fiscal impact on ICANN, which is accounted for in the FY26 ICANN Operating Plan and Budget and in the Draft ICANN FY27 Operating Plan and Budget. This decision should not have any direct impact on the security, stability and resiliency of the domain name system.

This is an Organizational Administrative Function not requiring public comment.

Submitted by: Xavier Calvez
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