

## Adopted Board Resolutions | Silicon Valley / San Francisco

18 March 2011

\*Note: Where available, draft Rationale of the Board's actions is presented under the associated Resolution. The draft Rationale is not final until approved with the minutes of the Board meeting.

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### 1. Consent Agenda

RESOLVED, the following resolutions in this Consent Agenda are hereby approved:

#### 1.1. Approval of Minutes of 25 January 2011 ICANN Special Board Meeting

Resolved (2011.03.18.01), the Board hereby approves the minutes of the 25 January 2011 ICANN Special Board Meeting.

#### 1.2. Approval of Changes to SSAC Membership

Whereas, the Security and Stability Advisory Committee (SSAC) does review its membership and make adjustments from time-to-time.

Whereas, the SSAC Membership Committee, on behalf of the SSAC, requests that the Board should appoint David Conrad to the SSAC.

Resolved (2011.03.18.02), that the Board appoints David Conrad to the SSAC.

*Rationale for Resolution 2011.03.18.02*

*The SSAC is a diverse group of individuals whose expertise in specific subject matters enables the SSAC to fulfill its charter and execute its mission. Since its inception, the SSAC has invited individuals with deep knowledge and experience in technical and security areas that are critical to the security and stability of the Internet's domain name system.*

*The SSAC's continued operation as a competent body is dependent on the accrual of talented subject matter experts who have consented to volunteer their time and energies to the execution of the SSAC mission. David Conrad has been providing his expertise to the SSAC, both while he was an ICANN staff member and more recently as an Invited Guest. The SSAC will benefit from David's commitment as a full member, which will give the SSAC access to skills that are essential for the SSAC to fulfill its responsibilities.*

#### 1.3. ccNSO Review – Receipt of Board WG Final Report and Dissolution of the WG

Whereas, the ccNSO review Working Group has delivered to the Structural Improvements Committee (SIC) its final report of activity, which contains conclusions and recommendations for enhancing the effectiveness of this structure.

Whereas, the ccNSO review Working Group has fulfilled the tasks assigned to it at the time of their establishment, and it can now be dissolved.

Whereas, the Board agrees with the SIC on its proposal to thank the Chair and Members of the Working Group for their commitment and ability to fulfill the tasks assigned to them; and

Whereas, the SIC will provide the Board with a set of suggested actions to address the conclusions and recommendations of the final report of this Working Group.

Resolved (2011.03.18.03), the Board receives the final report of the ccNSO review Working Group.

Resolved (2011.03.18.04), the Board dissolves the ccNSO Review Working Group and thanks the Chair and Members of the ccNSO review Working Group: Jean-Jacques Subrenat (Chair), Ram Mohan, Demi Getschko, Alejandro Pisanty and Vittorio Bertola, for their commitment and ability to fulfill their tasks.

Resolved (2011.03.18.05), the Board directs the Structural Improvements Committee to present a set of suggested actions for approval at the 24 June 2011 Board meeting, so as to address the conclusions and recommendations formulated in the final report of this Working Group.

*Rationale for Resolution 2011.03.18.03-2011.03.18.05*

*The proposed actions conclude an important step in the review process and pave the way for implementation planning and implementation of the recommended measures, with a view to fulfilling the purpose of the review, notably improvements of the ccNSO. The actions can be achieved through efforts of existing ICANN staff and are not anticipated to entail any budgetary consequences. No potential negative effects with the actions have been identified and there are no advantages to gain by delaying the actions.*

#### **1.4. Approval of Revision of Bylaws re: Implementation of SSAC Review Working Group Report**

##### **A. Bylaws change**

Whereas, Article XI, Section 2, Subsection 2 of the Bylaws governs the Security and Stability Advisory Committee (SSAC).

Whereas, in its final report published 29 January 2010 <<http://www.icann.org/en/reviews/ssac/ssac-review-wg-final-report-29jan10-en.pdf>>, the Security and Stability Advisory Committee (SSAC) recommended that task area one of the SSAC Charter (Section 2(2)(a)(1) <<http://www.icann.org/en/general/bylaws.htm-XI>>) should be removed because it is out of scope of the activities of the SSAC.

Whereas, on 12 March 2010, the Board received the SSAC final report and directed the Structural Improvements Committee (SIC) to identify actions necessary to address the recommendations within the report, at <<http://www.icann.org/en/minutes/resolutions-12mar10-en.htm-1.6>>.

Whereas, the SIC, at its 14 October 2010 meeting, recommended that the Bylaws should be amended to achieve the recommendation of the Working Group on improvements to the SSAC by removing task area one and renumbering the other task areas.

Whereas, the SIC also considered the SSAC reviewer's recommendation that the Board should have the power to remove SSAC members, and recommended that the Bylaws should be amended to reflect this companion removal power. Any removal should be formed in consultation with the SSAC.

Whereas, in resolution [2010.28.10.11](#) the Board directed staff to post the proposed Bylaws amendments for a period of no less than 30 days.

Whereas, the proposed amendments were posted for public comment for a period of 30 days beginning 03 November 2010 and ending 02 December 2010.

Whereas, staff provided the Board with a summary and analysis of the public comments received and recommended that the Board approve the Bylaws amendments as posted at <<http://www.icann.org/en/general/proposed-bylaw-changes-xi-2-03nov10-en.pdf>>.

Resolved (2011.03.18.06), the Board approves the Bylaws revisions as posted for public comment in furtherance of the recommendations arising out of the SSAC review Working Group.

##### **B. Task to develop a security framework**

Whereas, in its final report published 29 January 2010 <<http://www.icann.org/en/reviews/ssac/ssac-review-wg-final-report-29jan10-en.pdf>>, the Security and Stability Advisory Committee (SSAC) recommended that task area one of the SSAC Charter (Section 2(2)(a)(1) <<http://www.icann.org/en/general/bylaws.htm-XI>>) should be removed because it is out of scope of the activities of the SSAC.

Whereas, on 18 March 2011, the Board approved the amendment to the Bylaws reflecting the removal of task area one from the SSAC Charter, which read "To develop a security framework for Internet naming and address allocation services that defines the key focus areas, and identifies where the responsibilities for each area lie. The committee shall focus on the operational considerations of critical naming infrastructure."

Whereas, the ICANN Board desires that the work foreseen within task area should be performed by ICANN.

Resolved (2011.03.18.07), the Board directs the Board Governance Committee to recommend to the Board a working group to oversee the development of a risk management framework and system for the DNS as it pertains to ICANN's role as defined in the ICANN Bylaws. The Board recommends that the BGC consider in its recommendation the inclusion of a

member of the working group to come from the SSAC. The Board requests that the BGC submit its recommendation consideration at the Board meeting in Singapore in June 2011.

*Rationale for Resolutions 2011.03.18.06 and 2011.03.18.07*

*The proposed actions are in line with the adopted implementation plan following the SSAC Review and serve to fulfil the commitments agreed by the Board to that end. The Bylaws changes have been posted for public comments. No comments were received indicating any foreseen negative effects and there is no reason to delay the adoption of the amendment. The task to develop a security framework is intended to fulfil the Board's expressed desire that work within task area one of the SSAC Charter should be performed by ICANN. There is no reason to delay the scoping task as it there are no budgetary consequences to performing the scoping work. The outcomes of that scoping work should explicitly address resource estimates, to be considered and decided by the Board once the scoping task has been accomplished and a proposal put forward. The approval of initiating the scoping work will assist ICANN in continuing to work to maintain security, stability and resiliency of the DNS.*

#### **1.5. Approval of Membership of IDN Variants Working Group**

Whereas, the Board requested that the BGC recommend membership of a Board IDN Variant Working Group (BV-WG) to oversee and track the IDN Variant Issues Project. See Resolution (2010.12.10.31) available at <http://www.icann.org/en/minutes/resolutions-10dec10-en.htm-7>.

Whereas, the BGC recommended that the Board approve the following Board members to serve on the BV-WG: Ram Mohan (Chair), Thomas Narten, Kuo-Wei Wu and Suzanne Woolf.

Resolved (2011.03.18.08), the ICANN Board approves Ram Mohan, Thomas Narten, Suzanne Woolf and Kuo-Wei Wu as the members of the Board IDN Variant Working Group, with Ram Mohan as Chair.

#### **1.6. Approval of Location of ICANN Public Meeting in North America – October 2012**

Whereas, ICANN intends to hold its third Meeting for 2012 in the North America region as per its policy.

Whereas, the Canadian Internet Registration Authority (CIRA) submitted a viable proposal to serve as host for the ICANN 2012 North America Meeting.

Whereas, staff has completed a thorough review of the Canadian Internet Registration Authority (CIRA) proposal and finds it acceptable.

Whereas, the Board Finance Committee reviewed and approved the budget for the ICANN 2012 North America Meeting, with a budget not to exceed US\$2.01M.

Resolved (2011.03.18.09), the Board designates the ICANN meetings to be held in Toronto, Canada from 14-19 October 2012 as the 2012 Annual Meeting, and approves a budget for the meeting not to exceed US\$2.01 million.

*Rationale for Resolution 2011.03.18.09*

*As part of ICANN's public meeting schedule, three times a year ICANN hosts a meeting in a different geographic region (as defined in the ICANN Bylaws) of the world. Meeting Number 45, scheduled for 14-19 October 2012, is to occur in the North America Geographic Region. A call for recommendations for the location of the meeting in North America was posted on 1 November 2010. A proposal was received from the Canadian Internet Registration Authority (CIRA).*

*The Board reviewed Staff's recommendation for hosting the meeting in Toronto, Canada, and the determination that the proposal met the significant factors of the Meeting Selection Criteria used to guide site selection work. Outside of the call for recommendations, the process for selection of sites does not call for public consultation, as the staff assessments of the feasibility of any site is the primary consideration.*

*There will be a financial impact on ICANN in hosting the meeting and providing travel support as necessary, as well as on the community in incurring costs to travel to the meeting. There is no impact on the security or the stability of the DNS due to the hosting of the meeting.*

#### **1.7. ICANN Meeting in Singapore – June 2011**

Whereas, ICANN intends to hold its second Meeting for 2011 in the Asia-Pacific region as per its policy.

Whereas, the Board previously designated Amman, Jordan as the location for the June 2011 Asia-Pacific meeting.

Whereas, due to unforeseen circumstances, the ICANN Board Executive Committee determined to change the meeting location to Singapore.

Resolved (2011.03.18.10), the Board ratifies the Executive Committee's approval of Singapore as the location for the June 2011 ICANN public meeting.

*Rationale for Resolution 2011.03.18.10*

*As part of ICANN's public meeting schedule, three times a year ICANN hosts a meeting in a different geographic region (as defined in the ICANN Bylaws) of the world. Meeting Number 41, scheduled for 18-24*

*June 2011, is to occur in the Asia-Pacific Geographic Region. While the Board previously designated Amman, Jordan as the location for the June 2011 Asia-Pacific meeting, unforeseen circumstances, lead the Executive Committee to change the meeting location to Singapore.*

*The Committee reviewed the recommendation for hosting the meeting in Singapore, and the determined that the proposal met the significant factors of the Meeting Selection Criteria used to guide site selection work. Outside of the call for recommendations, the process for selection of sites does not call for public consultation, as the staff assessments of the feasibility of any site is the primary consideration.*

*All public meetings advance ICANN's transparency and accountability objectives. There will be a financial impact on ICANN in hosting the meeting and providing travel support as necessary, as well as on the community in incurring costs to travel to the meeting. There is no impact on the security or the stability of the DNS due to the hosting of the meeting.*

#### **1.8. Approval of ICANN Public Meeting Dates for 2014-2016**

Whereas, ICANN intends to hold Meetings in 2014, 2015 and 2016 as per its policy.

Whereas, the dates proposed in this paper were published for public comment for a period of 15 days ending 8 March 2011.

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:

##### 2014

- 23 - 28 March 2014 No. 49 | Europe (Tentative)
- 22 - 27 June 2014 No. 50 | North America (Tentative)
- 12 - 17 October 2014 No. 51 | Asia Pacific (Tentative)

##### 2015

- 8 - 13 February 2015 No. 52 | Africa (Tentative)
- 21 - 26 June 2015 No. 53 | Latin America (Tentative)
- 18 - 23 October 2015 No. 54 | Europe (Tentative)

##### 2016

- 28 Feb - 4 Mar 2016 No. 55 | North America (Tentative)
- 19 - 24 June 2016 No. 56 | Asia Pacific (Tentative)
- 30 Oct - 4 Nov 2016 No. 57 | Africa (Tentative)

Resolved (2011.03.18.11), the Board accepts the dates of meetings to be held in 2014, 2015 and 2016.

##### *Rationale for Resolution 2011.03.18.11*

*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 2016. 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.*

*The proposed dates 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. Staff recommendations were then developed for review by members of the ICANN Public Participation Committee, and subsequently published for a 15-day public comment period. Though commenters noted that conflicts remained for two of the June meeting dates, there are no sufficient alternative dates available for those meetings.*

*There will be no financial impact on ICANN in announcing the dates of upcoming ICANN Meetings. There is no impact on the security or the stability of the DNS due to announcement of the dates.*

#### **1.9. Thanks to Departing ccNSO Council Volunteers**

Whereas, ICANN wishes to acknowledge the considerable energy and skills that members of the stakeholder community bring to the ICANN process.

Whereas, in recognition of these contributions, ICANN wishes to acknowledge and thank members of the community when their terms of service on Sponsoring Organizations and Advisory Committees end.

Whereas, four ccNSO Councilors are leaving their positions at the end of the Silicon Valley San Francisco meeting:

Ondrej Filip (March 2005 – March 2011)

Mohamed El Bashir (March 2005 – March 2011)

Patrick Hosein (March 2008 – March 2011)

Chris Disspain (June 2004 – March 2011)

Resolved (2011.03.18.12), Ondrej Filip, Mohamed El Bashir, Patrick Hosein and Chris Disspain have earned the deep appreciation of the Board for their terms of service, and the Board wishes them well in their future endeavors.

Whereas, Chris Disspain was selected as the first chair of the ccNSO in December 2004.

Whereas, Chris has been elected to a seat on the ICANN Board of Directors with a term beginning in June 2011.

Whereas, Chris will be stepping down at the end of the Silicon Valley San Francisco meeting as Chair of the ccNSO Council to assume the ICANN Board seat.

Resolved (2011.03.18.12), Chris Disspain has earned the deep appreciation of the Board for his service as the first chair of the ccNSO.

#### **1.10. Thanks to Sponsors**

The Board wishes to thank the following sponsors:

VeriSign, Neustar, .ORG, The Public Interest Registry, Iron Mountain, Afiliis Limited, GMO Registry, Inc., AusRegistry International, China Internet Network Information Center (CNNIC), Community.Asia, united-domains AG, Internet Systems Consortium, InterNetX, NTT Communications – Global IP Network, RegistryPro, ironDNS, NameMedia, and JSU RU-CENTER.

#### **1.11. Thanks to Scribes, Interpreters, Staff, Event and Hotel Teams**

The Board expresses its appreciation to the scribes, the interpreters, technical teams, and to the entire ICANN staff for their efforts in facilitating the smooth operation of the meeting.

The Board would also like to thank the management and staff of The Westin St. Francis San Francisco for the use of this wonderful facility to hold this event.

#### **1.12. Thanks to Speakers**

The Board wishes to extend its thanks to the Welcome Ceremony speakers, Ira Magaziner, Vint Cerf, Andrew McLaughlin, and Larry Strickling, for their support and participation during the meeting. The Board also extends particular gratitude to former President Bill Clinton for his inspiring remarks to the ICANN community.

#### **1.13. Thanks to Meeting Participants**

Whereas, the success of ICANN depends on the contributions of participants at the meetings.

Whereas, the participants engaged in fruitful and productive dialog at this meeting.

Resolved, the Board thanks the participants for their contributions.

## **2. Approval of the 2011-2014 Strategic Plan**

Whereas, ICANN's July 2011 through June 2014 Strategic Plan seeks to provide four areas of high level strategic focus for ICANN.

Whereas, ICANN's July 2011 through June 2014 Strategic Plan identifies in addition to four areas of focus, enablers across all areas to reflect ICANN's responsibilities towards a multi-stakeholder model, collaboration, and being international, transparent and accountable.

Whereas, ICANN's July 2011 through June 2014 Strategic Plan captures strategic objectives and strategic projects, details of community work and staff work will be reflected in the operational plan and identifies strategic performance metrics.

Whereas, ICANN's Strategic Plan is based on input from the ICANN Staff, community organizations, ICANN Board of Directors, public consultations on ICANN's website, and presentations at the ICANN Cartagena meeting and to constituency groups.

Whereas, the Strategic Plan will form the framework around which the July 2011 through June 2012 Operational Plan and the associated budget are constructed.

Whereas, members of the community have been very generous with their time and the Board appreciates the work that they have done.

Resolved (2011.03.18.13), the Board approves the July 2011-June 2014 Strategic Plan, and directs the President and staff to move forward with the community-based Operational planning process based on the strategic objectives as set forth in the plan. Minor edits will be provided to staff by the Board before close of business on Monday 21 March 2011, and final changes will be subject to the Chairman's final approval.

*Rationale for Resolution 2011.03.18.13*

*What Stakeholders or others were consulted?*

*As part of this extensive review, ICANN conducted many community consultations that were held to receive input. These included meetings with the ccNSO Strategy and Operations Planning Group, GNSO leadership, ALAC, and RALOs (separately). During the recent Silicon Valley Board Workshop, the Board formed a working group that was to discuss strategic planning and to provide direction. This group is comprised of Steve Crocker, Bruce Tonkin, Katim Touray, Mike Silber, Ramaraj, Ray Pizak, Dennis Jennings (ret), and Jonne Soininen (ret).*

*What concerns or issues were raised by the community?*

*Following the public comment period (27 November 2010 - extended to 25 January 2011) and the continued consultations, the three areas outlined below were identified as being areas of concern that needed refinement.*

*1. Re-organization of objectives to: (a) distinguish areas of Influence versus Control, and (b) clarify levels of engagement.*

*Based on consultations with the Board Working Group, the language in the first sections of each of the focus areas was revised to amplify and clarify the role of ICANN's Influence versus Control in each of the strategic focus areas.*

*2. Establish more measurable objectives with: (a) clear definition of desired outcomes, and (b) a consistent evaluation model.*

*Performance metrics have been added to each focus area that provide measureable metrics to gauge ICANN's progress toward the strategic goals. Relevant comments were incorporated that added clarity to the Strategic Plan's various objectives. For example, one of the pillar labels was changed from "Consumer Choice, Competition and Innovation," to "Competition, Consumer Trust and Consumer Choice" to specifically align language with the Affirmation of Commitments; the "Healthy Internet Eco-System" was modified to "A Healthy Internet Governance Eco-System."*

*3. Revised and added additional wording for clarity.*

*Language in the prose sections that describes the objectives in more detail have been standardized and a set of more measurable strategic objectives were listed at the close of each section.*

*Are there Positive or Negative Community Impacts?*

*There are positive impacts because the Community will see in the updated Strategic Plan that their feedback was taken into account and thus the multi-stakeholder bottom-up decision-making model is being implemented. Secondly, the Strategic Plan is refined to incorporate strategic performance metrics in alignment with Community feedback and expectation.*

*This plan also includes 36 new performance metrics that ICANN will now carry forward into the Operations Planning process to link the Strategic Planning process to the Operating and Budget planning processes. ICANN will also need to develop the tracking and reporting mechanisms for these new performance metrics to provide greater transparency and accountability.*

*This year's planning process was planned to be a "dusting off" of the previous plan, but resulted in more substantial adjustments following extensive Community participation and feedback. In order to accommodate the information, the consultation process was adjusted accordingly, which delayed the timeline from a planned approval in Cartagena (December 2010) to the Silicon Valley meeting in San Francisco (March 2011).*

*Anticipating that future planning processes will result in similarly intensive engagements, the Strategic Planning cycle will be started earlier next year. That planning cycle will be published shortly.*

*The remainder of the annual planning cycle includes: approval of the Strategic Plan, incorporation of the Strategic Plan into the Operating Plan framework (currently in process), and finally development of the next fiscal year Budget (planned for approval in June). A framework of the proposed Operating Plan is posted and anticipates many features of this proposed Strategic Plan.*

*As part of ICANN's planning process, the adopted Strategic Plan guides the development of the FY12 Operating Plan and Budget. Historically, the Strategic Plan is important as it focuses the operating priorities for the Board, Staff and Community for the next three years.*

### **3. Process for Completion of the Applicant Guidebook for New gTLDs**

Whereas, the Board and Governmental Advisory Committee held a successful intersessional meeting in Brussels with the intention to identify areas of difference between the proposed implementation and the GAC's advice, and, where possible, reach agreement on those issues.

Whereas, the Board and GAC have conducted in-depth discussions during the San Francisco meeting to continue the good-faith effort to reach mutually acceptable solutions on the issues identified by the GAC in its Scorecard.

Whereas, the Board has reviewed and considered the comments made by constituency groups, stakeholder groups, and individuals in the broader community during the San Francisco meeting.

Whereas, ICANN Bylaws Article XI, Section 2.1j provides that "The advice of the Governmental Advisory Committee on public policy matters shall be duly taken into account, both in the formulation and adoption of policies. In the event that the ICANN Board determines to take an action that is not consistent with the Governmental Advisory Committee advice, it shall so inform the Committee and state the reasons why it decided not to follow that advice. The Governmental Advisory Committee and the ICANN Board will then try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution."

Whereas, in its efforts to implement the Bylaws-mandated process, ICANN (i) developed preliminary briefing papers on each of the GAC topics identified in the GAC Communiqué from Cartagena; (ii) conducted informal calls between ICANN and GAC subject matter experts; (iii) participated in a nearly-three day meeting in Brussels with the GAC; (iv) reviewed the GAC scorecard and provided comprehensive Board notes on the scorecard.

Whereas, these inputs have been duly considered by the Board.

Resolved (2011.03.18.14), the Board thanks the GAC for the many hours of intense work preparing for and conducting the recent Board-GAC exchanges, and thanks for the community for its continuing support and cooperation.

Resolved (2011.03.18.15), the Board adopts a working timeline for completion of the Applicant Guidebook and launch of the New gTLD process as posted at <http://www.icann.org/en/minutes/draft-timeline-new-gtlds-18mar11-en.pdf>.

Resolved (2011.03.18.16), as set forth in the timetable, ICANN will target 15 April 2011 as the date for publication of a final response to the GAC Scorecard, along with Applicant Guidebook extracts showing changes.

Resolved (2011.03.18.17), the Board intends to complete the process set forth in the timeline in time for final approval of the New gTLD implementation program at an extraordinary meeting of the ICANN Board to be held on Monday, 20 June 2011, at the ICANN meetings in Singapore. (Note: the Board also intends to hold its usual meeting on Friday morning, 24 June 2011, to conclude the mid-year meeting.)

*Rationale for Resolutions 2011.03.18.14 – 2011.03.18.17*

*The rationale discussed during the Board meeting will be posted in draft form with the Preliminary Report of this meeting, and will be posted as approved by the Board with minutes of this meeting.*

#### 4. AOC Reviews, Including ATRT Recommendations

Whereas, the Accountability and Transparency Review Team (ATRT) Report provided 27 recommendations to improve ICANN, and the Affirmation of Commitments obligates ICANN to take action on the Report by 30 June 2011.

Whereas, the Board encouraged public comment and input from ICANN organizations on the Report.

Whereas, Staff has provided 27 proposed initial implementation proposals, along with proposed budgets and timelines for Board review.

Whereas, the Board finds that all 27 of the recommendations have the potential to advance ICANN's transparency and accountability objectives and may be implemented by ICANN following careful and transparent consideration, and with the necessary support and resources.

Whereas, some of the ATRT recommendations relate to operations that staff has already changed, or is in the process of changing, thanks to ATRT guidance, and some recommendations will require additional time, resources, and consultations to implement.

Resolved (2011.03.18.18), the Board received the initial implementation plans, and directs staff to publish them as soon as feasible.

Resolved (2011.03.18.19), the Board requests that ICANN Staff provide the Board with final proposed plans for the implementation of the ATRT recommendations in time for Board consideration as soon as possible.

Resolved (2011.03.18.20), the Board requests input on the cost of the implementation of all of the ATRT recommendations, and advice for consideration at the April 2011 Board meeting concerning the estimated budget implications for the FY2012 budget.

Resolved (2011.03.18.21), the Board requests that the Governmental Advisory Committee and the Nominating Committee work with the Board on implementation of recommendations involving their organizations.

Resolved (2011.03.18.22), to fully respond to the obligations in the Affirmation of Commitments, the Board requests that ICANN Staff develop proposed metrics to quantify and track activities called for in the Affirmation and ATRT report, and benchmarks that enable ICANN to compare its accountability and transparency-related efforts to international entities' best practices.

*Rationale for Resolutions 2011.03.18.18 - 2011.03.18.22*

*As required by the Affirmation of Commitments, the recommendations resulting from the Accountability and Transparency Review Team (ATRT) were provided to the Board on 31 December 2010 and posted for public comment. The ATRT provided a constructive report that validates and builds upon ICANN's commitments and improvements. The Board encouraged and considered input from the community, including the Supporting Organizations, Advisory Committees, and the Nominating Committee, and reviewed the staff's input and proposed implementation plans. The public comments were supportive of the ATRT report and staff's due diligence resulted in advice that ICANN move forward with implementation work on the ATRT's 27 recommendations.*

*The Board finds that these recommendations: have the potential to advance ICANN's transparency and accountability objectives, which are articulated in the Affirmation and ICANN's bylaws; may be implemented by ICANN (pending resource allocation); and do not appear to negatively impact the systemic security, stability and resiliency of the DNS. The Board has asked staff to work with affected organizations and develop final implementation plans for Board approval, and notes that ICANN has already made progress on implementation of several operational changes called for by the ATRT.*

*Finally, the Board has asked staff to develop metrics and benchmarks for consideration. Without agreement on clear, measurable actions, future transparency and accountability improvement efforts and assessments could be hampered.*

## 5. Approval of ICM Registry Application for .XXX

Whereas, on 25 June 2010, the ICANN Board, after substantial public comment was received on the process options available to ICANN to consider the Independent Review Panel's Declaration of 19 February 2010, the Board accepted (in part) the findings of the Panel. The Board then directed staff "to conduct expedited due diligence to ensure that: (1) the ICM Application is still current; and (2) there have been no changes in ICM's qualifications."

Whereas, ICANN staff performed the required due diligence, that showed that the ICM Application remains current and that there have been no negative changes in ICM's qualifications.

Whereas, ICM provided ICANN with a new proposed registry agreement that included additional provisions, requirements and safeguards to address the issues that the GAC and other community members had raised with respect to the previously proposed agreement.

Whereas, the proposed registry agreement and due diligence materials were posted for public comment. Over 700 comments were received, though few of the comments addressed the terms of the registry agreement. No changes to the registry agreement are recommended in response to the comments.

Whereas, on 10 December 2010, the Board agreed with an assessment that entering into the proposed registry agreement would conflict with only three items of GAC advice and directed the staff to communicate this information to the GAC.

Whereas, on 10 December 2010, the Board further determined that it intends to enter into a registry agreement with ICM Registry for the .XXX sTLD, subject to GAC consultation and advice, and thereby invoked the consultation as provided for in ICANN Bylaws section Article XI, Section 2, Paragraph 1(j). See <http://www.icann.org/en/minutes/resolutions-10dec10-en.htm-4>.

Whereas, to facilitate the Bylaws consultation with the GAC, on 25 January 2011, the Board directed staff to forward a letter from the Board to the GAC clearly setting forth the Board's position on how the ICM proposed registry agreement meets items of GAC advice, and setting forth the items of GAC advice remaining for consultation. The letter was forwarded on 11 February 2011 and is available at <http://www.icann.org/en/correspondence/jeffrey-to-to-dryden-10feb11-en.pdf>.

Whereas, on 16 March 2011, the GAC forwarded a letter of the Board clarifying GAC advice on the ICM matter.

Whereas, the Board has carefully considered comments from the community and the GAC in making this decision, in furtherance of ICANN's mission.

Whereas, on 17 March 2011, the Board and the GAC completed a formal Bylaws consultation on those items for which entering the registry agreement might not be consistent with GAC advice.

Resolved (2011.03.18.23), the Board authorizes either the CEO or the General Counsel to execute the proposed registry agreement for the .XXX sTLD, in substantially the same form posted for public comment in August 2010.

Resolved (2011.03.18.24), the Board adopts and fully incorporates herein its Rationale for Approving Registry Agreement with ICM for .XXX sTLD <INSERT-LINK-WHEN-AVAILABLE> to support the entering into the proposed registry agreement.

Resolved (2011.03.18.25), the Board and the GAC have completed a good faith consultation under the ICANN Bylaws, Article XI, Section 2.j. As the Board and the GAC were not able to reach a mutually acceptable solution, pursuant to ICANN Bylaws, Article XI, Section 2.k, the Board incorporates and adopts as set forth in the Rationale the reasons why the GAC advice was not followed. The Board's statement is without prejudice to the rights or obligations of GAC members with regard to public policy issues falling within their responsibilities.

*Rationale for Resolutions 2011.03.18.23 – 2011.03.18.25*

[Rationale for Approving Registry Agreement with ICM's for .XXX sTLD](#)

## 6. Approval of Expenses Related to Board-Directed Activities

Whereas, on 29 June 2010, the ICANN Board passed the FY11 Operating Plan and Budget.

Whereas, during FY11, the Board has undertaken several activities that were not addressed in the budget.

Whereas, the budget for these items were presented on 13 March 2011 to the Board Finance Committee (BFC).



Whereas, the Board Finance Committee recommends that the Board confirm the proposed budgets for these activities, directing the CEO to stay within the total overall FY11 approved budget, if feasible, by funding these items from the contingency line item of USD\$1.5M.

Resolved (2011.03.18.26), the Board confirms that the CEO has been directed to undertake the activities for which the additional budget numbers have been recommended by the Board Finance Committee.

Resolved (2011.03.18.27), the Board approves the proposed budgets for the following additional activities in FY11 in an amount not to exceed \$1,640,000.00: (i) AOC Reviews; (ii) third Board Retreat; (iii) GAC Meeting; (iv) IDN Variant Panel; and (v) ATRT Recommendations. The Board further directs the CEO to use the USD\$1.5M contingency line item to stay, if feasible, within the total amount of the FY11 approved budget when implementing these activities.

*Rationale for Resolutions 2011.03.18.26 – 2011.03.18.27*

*The Board had previously approved the important activities that are addressed in this resolution. At the time the Board approved the activities, the budgets for the additional items were not available. Thus, the BFC has now approved the budget for these additional activities and the Board has confirmed its approval of the activities in light of the budget for them.*

*The approval of these additional line items should have a positive public effect in that it increases transparency of the amount spent on such important activities undertaken by ICANN in this fiscal year. There financial impact on ICANN is evident from the budget and the direction for the CEO to remain within the original FY11 budget, if feasible. It does not appear that there will be any financial impact on the ICANN Community. Approval of these budget lines items does not present any impact on the systemic security, stability and resiliency of the DNS.*

## 7. TLG Review – Actions Based on Independent Reviewer's Final Report

Whereas, the independent reviewers for the Technical Liaison Group (TLG) Review have delivered a final report, which contains conclusions and recommendations for enhancing the effectiveness of this structure, primarily by abandoning the current structure and potentially to replace it with bilateral or other arrangements.

Whereas, the report has been posted for public comments, both at the draft stage and in its final version, and some comments received have raised concerns about the future of the relationships between ICANN and other members of the Internet technical community.

Whereas, the Board agrees with the Structural Improvements Committee (SIC) on its proposal to thank the independent reviewers and the others involved in commenting and advancing the activities of the review for their commitment and contributions; and

Whereas, the Board agrees with the SIC on its proposal to establish a Board Working Group to consider measures to enhance the coordination and cooperation between ICANN and other members of the Internet technical community before deciding on any dismantling of the TLG.

Resolved (2011.03.18.28), the Board accepts the Final Report on the TLG Review from JAS Communications LLC and thanks the independent reviewers, staff and the SIC members for their work with this review.

Resolved (2011.03.18.29), the Board establishes the Board Technical Relations Working Group to consider measures to enhance the coordination and cooperation between ICANN and other members of the Internet technical community with the intent of, among other things, dissolving the TLG by the 2011 Annual Meeting; and asks the Working Group to engage the ICANN community in a fully consultative process on the coordination and cooperation between ICANN and other members of the Internet technical community.

Resolved (2011.03.18.30), the Board requests the BGC to nominate five members of this working group, one of whom to serve as Chair for consideration at the Board meeting of 21 April 2011.

Resolved (2011.03.18.31), the Board requests that the SIC develop a charter for this Working Group based upon the report of the TLG review, comments to that review and any other available information, for consideration at the Board meeting of 21 April 2011.

*Rationale for Resolutions 2011.03.18.28 - 2011.03.18.31*

*The proposed actions conclude an important step in the review process and pave the way for careful consideration of the measures proposed by the independent reviewers, while ensuring that any restructuring is done in a sequence agreed by the community. The actions to be decided do not entail any budgetary consequences in and of themselves, nor any potential negative effects. It is important to take these actions now to timely prepare for future restructuring actions to be proposed for the Board's consideration and decision.*

## 8. IDN ccTLD Fast Track Review

Whereas, the Final Implementation Plan for the IDN ccTLD Fast Track Process was approved by the ICANN Board at its annual meeting in Seoul, Republic of Korea on 30 October 2009 and launched on 16 November 2009.

Whereas, the Final Implementation Plan requires annual review of the process, and the ICANN Board directed staff to "monitor the operation of the IDN ccTLD Fast Track process at regular intervals to ensure its smooth operation, and, subject to Board review, update the process when new technology or policies become available, with the goal to efficiently meet the needs of Fast Track process requesters, and to best meet the needs of the global Internet community."

Whereas, ICANN has completed the first review of the IDN ccTLD Fast Track Process, conducted in two parts: A public session held during the ICANN meeting in Cartagena on 6 December 2010 and an online public comment forum running from 22 October to 17 December 2010 and subsequently extended to 31 January 2011 at community request.

Whereas, ICANN released on 21 February 2011 a review of the received comments with accompanied ICANN recommendations and general feedback.

Whereas, the Board notes that the Fast Track Process is limited in its approach and eligibility requirements, while the community works to solve policy issues necessary to build a broader and ongoing process, and while outstanding issues related managing variant TLDs is pending further study per the draft proposal for the study of issues related to the delegation of IDN Variant TLDs released for public comment.

Resolved (2011.03.18.32), the ICANN Board approves the recommendations set forth in "ICANN Recommendations of Public Comment Received on the Review of the IDN ccTLD Fast Track Process" and directs the CEO to have the identified work performed.

Resolved (2011.03.18.33), the Board thanks the community for participation in the first annual review of the Fast Track process, and acknowledges that the first review of the Fast Track process is complete.

*Rationale for Resolutions 2011.03.18.32 and 2011.03.18.33*

*Why the Board is addressing the issue now?*

*As approved by the Board, the IDN ccTLD Fast Track process calls for staff to conduct a review of the process on an annual basis. The IDN ccTLD Fast Track Program launched in November 2009, and commenced its first review in October 2010.*

*What are the proposals being considered?*

*Many proposals were received by the community within the review, including proposals that called for changes to the limited nature of the Fast Track process. In maintaining a focus is on what necessary changes could be made to enhance the Fast Track while remaining true to the limited nature of the process, no overreaching proposals were considered. Instead, proposals regarding clarifications in communications with requesters and better education on the process were the primary proposals taken under consideration.*

*What Stakeholders or others were consulted?*

*A public comment period was held from 22 October 2010 to 31 January 2011 and an open consultation session was hosted at the ICANN Cartagena meeting, with interactive participation from those in Cartagena and those participating remotely worldwide. Both forums allowed for extensive community participation from members of the DNS technical community and ccTLD community, as well as individual Internet users.*

*What concerns or issues were raised by the community?*

*As detailed in the Annex, there were general concerns about the limited nature of the IDN ccTLD Fast Track process. Specific issues included the lack of an appeal process, IDN tables, and transparency of the process while a request is pending. Other operational concerns included operational issues such as confusion between the documentation requirements for string evaluation and the IANA delegation process. Ongoing work is currently in place to address the operational concerns.*

*What significant materials did Board review?*

*The Final Implementation Plan of the IDN ccTLD Fast Track, public comments received from DNS technical community, ccTLD community, individual Internet users, and the ICANN Recommendations of Public Comments Received on the Review of the IDN ccTLD Fast Track Process (<http://www.icann.org/en/public-comment/fast-trackreview-summary-comments-18feb11-en.pdf>).*

*What factors the Board Found to be Significant?*

*Despite its limited scope, the IDN ccTLD Fast Track Process works well. Since its launch, the IDN ccTLD Fast Track Program received requests from 34 different countries/territories, 25 countries/territories have completed the string evaluation stage of the process, and 17 countries/territories (represented by 27 IDN ccTLDs) are delegated in the DNS root zone. Continued actions are being taken to address the operational issues expressed in the review to improve communication with requesters. The ongoing improvements in education and communications work, along with the identified consultation work recommended by staff, are all significant in determining that no major changes should be instituted in the Fast Track Process. In addition, the ongoing policy work in the ccNSO regarding broader introductions of IDN ccTLDs offers another arena for concerns to be raised and addressed.*

*Are there Positive or Negative Community Impacts?*

*Many of the comments received were from the Bulgarian Internet community expressed disappointment about the rejection of the applied-for string reporting that there may be a negative impact on that community if no appeals mechanism is instituted within the process. However, maintaining the limited scope of the Fast Track, and allowing the ongoing IDN policy work to continue without interference, will have a positive community impact in maintaining the accountability of ICANN to its processes.*

*Are there fiscal impacts/ramifications on ICANN (Strategic Plan, Operating Plan, Budget); the community; and/or the public?*

*There may be additional costs in conducting outreach, though minimal. Greater involvement with the browser and application developer community may require broader support from the community and supporting organizations. Additional staff and/or consultant resources will be required to provide expertise in order to support work on IDN tables or variants. Had substantial changes to the current IDN ccTLD Fast Track Process been considered, those would likely have required funding for additional resources*

*Are there any Security, Stability or Resiliency issues relating to the DNS?*

*The careful management of the IDN ccTLD Fast Track process is intended to ensure that strings do not cause DNS security and stability issues or introduce confusability issues for the Internet community. The 25 countries and territories that have cleared the Fast Track process to date have satisfied the criteria set forth in the Final Implementation Plan for the safe introduction of IDNs at the top-level of the DNS.*

## 9. Approval of VeriSign RSEP Request for Release of Numeric-Only Strings for .NAME

Whereas, VeriSign submitted a Request pursuant to ICANN's Registry Services Evaluation Policy to amend the .NAME Registry Agreement to allow the allocation of numeric-only and numbers-and-hyphens domain names in .NAME.

Whereas, .NAME is the only gTLD currently not allowed to allocate numeric-only and pure numbers-and-hyphens domain names.

Whereas, ICANN evaluated the proposed amendment to the .NAME Registry Agreement as a new registry service pursuant to the Registry Services Evaluation Policy, did not identify any security, stability or competition issues, and posted an amendment for public comment and Board consideration (see <http://icann.org/en/announcements/announcement-3-16sep10-en.htm>).

Whereas, the potential issues cited during the public comment period were adequately addressed in VeriSign's response to ICANN, which also described existing mechanisms to deal with the perceived problems.

Whereas, approving the proposal would augment the options available to registrants for registering names in .NAME.

Resolved (2011.03.18.34), that the amendment to allow allocation of numeric-only and numbers-and-hyphens domain names in .NAME is approved, and the President and General Counsel are authorized to take such actions as appropriate to implement the amendment.

*Rationale for Resolution 2011.03.18.34*

- *Why the Board is addressing the issue now?*

*On 25 August 2010 VeriSign submitted a request pursuant to ICANN's Registry Services Evaluation Policy (RSEP) to amend the .NAME Registry Agreement to allow the allocation of numeric-only and numbers-and-hyphens domain names in .NAME. ICANN advised VeriSign that an amendment to Appendices 6, Schedule of Reserved Names, and 11, Registration Restrictions, would be necessary to implement the new service. ICANN determined the amendment was a substantial change to the Registry Agreement; therefore, Board consideration was necessary.*

- *What are the proposals being considered?*

*The Board considered whether or not to approve the proposed amendment to allow the allocation of numeric-only and numbers-and-hyphens domain names in .NAME.*

- *What Stakeholders or others were consulted?*

*The proposed amendment was subject to public comment from 16 September 2010 through 16 October 2010; four comments were received, one of them was not related to the proposal, one did not address the merits of the proposal, one raised two potential issues, and one was supportive. ICANN asked VeriSign to address the issues raised in the public comment forum, which VeriSign did by submitting a response letter to ICANN.*

- *What concerns or issues were raised by community?*

*The following issues were raised by one commenter in the public comment forum: 1) whether the proposal might constitute a fundamental change to the TLD; and 2) whether the proposed expansion of the "Personal Name" definition could have an impact on the defensive registrations that would be required by a trademark owner.*

- *What significant materials did Board review?*

*While considering the proposed amendment, the Board reviewed the following materials: the request from VeriSign for a new registry service <http://www.icann.org/en/registries/rsep/verisign-name-request-25aug10-en.pdf>; the proposed amendment subject of the Board resolution <http://www.icann.org/en/tlds/agreements/name/proposed-name-amendment-15sep10-en.pdf>; public comments related to the amendment <http://forum.icann.org/lists/name-numbers-and-hyphens-domains/>; a letter from VeriSign addressing the issues raised in the public comments <http://www.icann.org/en/registries/rsep/steele-to-pritz-07jan11-en.pdf>; and a letter from VeriSign addressing a question from the Board <http://www.icann.org/en/registries/rsep/waldron-to-arias-28feb11-en.pdf>.*

- *What factors the Board Found to be Significant?*

1. ICANN conducted the threshold security, stability and competition review on the proposed service pursuant to the RSEP, and did not identify any significant issues. Numeric-only names have been allowed in 14 gTLDs and several ccTLDs for years without harm to the security or stability of the Internet. From a purely technical point of view, there is no difference on what TLD allows the numeric-only names, therefore there is no new issue created by this proposal. ICANN advised VeriSign that an amendment to Appendices 6, Schedule of Reserved Names, and 11, Registration Restrictions, would be necessary to implement the new service.

2. The proposed amendment was available for public comment from 16 September 2010 through 16 October 2010; four comments were received, one of them was not related to the proposal, one did not address the merits of the proposal, one raised two potential issues, and one was supportive. The comment period produced no clear consensus view on whether or not the amendment should be approved; each commenter provided input suggesting a different path, and some issues, described above, were noted.

3. One comment, from Steven Metalitz, suggested that the proposal might constitute a fundamental change to the TLD. ICANN posed this very question to VeriSign upon receiving the Request. Metalitz additionally noted that the proposed expansion of "Personal Name" definition could have an impact on the defensive registrations that would be required by a trademark owner.

4. To address Mr. Metalitz's remarks, VeriSign provided additional information to ICANN in a letter on 7 January 2011 stating that "The proposed change to permit pure number and number-hyphen domain names is not a fundamental change to the .name TLD, as the .name TLD will continue to be for individuals for their personal use.", further adding that, "Additionally, numbers in the context of .name are relevant at this time because of how people around the world now use the web and the Internet. In many places in the world, especially in developing countries, mobile has become the predominate form of communication and interface to the web. A phone number is how one is known. And, typing numbers on a phone interface is often easier than typing letters."

5. Further, VeriSign stated that "Challenges relating to the registration of pure number or number-hyphen .name domain names would be addressed under the Eligibility Requirements Dispute Resolution Policy." Lastly, VeriSign also mentioned two services it offers to the IP and brand protection community that would help mitigate the perceived issue. With regard to trademark protection, it is also worth noting that .NAME is directed to individuals for personal use, and not for business.

6. To address a Board member question, VeriSign provided additional information to ICANN in a letter on 28 February 2011 stating that "The .name Top Level Domain (TLD) was originally conceived to represent an individual's personal identity on the Internet. But more importantly, the purpose of the .name TLD was to make available domains for personal use," further adding that "[s]ince it [.NAME] was introduced, the way people identify themselves on-line has evolved from just one's personal name and/or nickname to also include their monikers or handles for their avatars, for blogging, and for use in different social media channels to represent themselves on-line. In developing regions of the world, with the rapid growth of mobile phones, where there's been lagging development of high-speed broadband landline infrastructure and PC penetration, the use of one's mobile number has become more important and prevalent for accessing the Internet. One's personal identify in these parts of the world has grown to include one's mobile number."

7. In that 28 February 2011 letter VeriSign further stated that "removing the pure number restriction would provide .name with parity with all other gTLDs now that ICANN has approved TelNic's similar RSEP in January 2011." By approving the proposal, .NAME would be in a better position to compete with the rest of the gTLDs in the market, which in turn, would provide more options to registrants.

- Are there Positive or Negative Community Impacts?

By approving the proposed amendment, the gTLD market will be more competitive by allowing .NAME to have a similar offering to the rest of the gTLDs, and more importantly, the registrants will have more options to choose for registration.

- Are there fiscal impacts/ramifications on ICANN (Strategic Plan, Operating Plan, Budget); the community; and/or the public?

There are no foreseen fiscal impacts/ramifications of approving this amendment on the Strategic Plan, the Operating Plan, Budget, the community, or the public.

- Are there any Security, Stability or Resiliency issues relating to the DNS?

The proposed service related to the amendment was subject to the preliminary security and stability review pursuant to the Registry Services Evaluation Policy. ICANN did not identify any security, stability or competition issues: <<http://www.icann.org/en/registries/rsep/arias-to-kane-09sep10-en.pdf>>

## 10. Appointment of Interim Ombudsman

Whereas, Frank Fowlie, the former Ombudsman for ICANN, departed ICANN on 31 January 2011, see <<http://www.icann.org/en/announcements/announcement-28oct10-en.htm>>, and a search has commenced to identify a successor Ombudsman to fulfill the role set out at Article V of the ICANN Bylaws.

Whereas, Herb Waye has served as the Adjunct Ombudsman for ICANN.

Whereas, the Board Compensation Committee recommends that Herb Waye be appointed as the interim Ombudsman while the search for candidates to fill the Ombudsman role continues.

Resolved (2011.03.18.35), Herb Waye is appointed as the interim Ombudsman for ICANN pursuant to Article V, Section 1.2 of the Bylaws, with a term effective 1 February 2011 and terminating on the date the Board appoints a new Ombudsman to the role.

*Rationale for Resolution 2011.03.18.35*

*As the Ombudsman role is an important part of ICANN's accountability mechanisms, there will be a negative public impact if the role is left vacant and no Ombudsman is available. Because Herb Waye has already served within the Office of the Ombudsman, the appointment as the interim Ombudsman will have the least impact to the public as the search continues to identify a successor.*

*There is a fiscal impact to ICANN in making this interim appointment in recognition of the salary and benefits to be provided to the interim Ombudsman. The impact is minimal as these items have already been included in the ICANN operating budget.*

#### 11. Engagement of Independent Auditor

Whereas, the ICANN Bylaws in Article XVI <<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. The Bylaws also state that the appointment of the fiscal auditors shall be the responsibility of the Board.

Whereas, the Board Audit Committee has discussed the engagement of the independent auditor for the fiscal year ending 30 June 2011, and has recommended that the Board engage Moss Adams LLP.

Whereas, the Board Audit Committee has recommended that the Board direct staff to execute a professional services agreement with Moss Adams, subject to review by the Chair of the Audit Committee.

Resolved (2011.03.18.36), the Board authorizes the Chief Executive Officer to engage Moss Adams LLP as the auditors for the financial statements for the fiscal year ending 30 June 2011.

#### 12. ALAC-Related Bylaws Amendments: Posting for Public Comment

Whereas, on 9 June 2009, the [Final Report of the ALAC Review Working Group on ALAC Improvements](#) (Final Report; 9 June 2009) was published, including a recommendation to amend the ICANN Bylaws to reflect the continuing purpose of the At-Large Advisory Committee (ALAC) within ICANN.

Whereas, on 26 June 2009, the [Board resolved](#) that all recommendations (except for the allocation of two voting Directors to At-Large) presented in the [Final Report](#) could be implemented, as recommended by the Structural Improvements Committee (SIC).

Whereas, on 5 August 2010, the [Board approved](#) the [ALAC/At-Large Improvements Implementation Project Plan](#) (7 June 2010), identifying the specific ICANN Bylaws paragraphs regarding the ALAC expected to require revision, given the [Final Report](#).

Whereas, ICANN staff, working with the ALAC, identified and recommended specific changes to the ICANN Bylaws section regarding the ALAC necessary to reflect the continuing purpose of the ALAC as described in the [Final Report](#).

Whereas, the SIC has considered the proposed Bylaws amendments and recommends that the Board direct the ICANN CEO to post for public comment the proposed Bylaws amendments.

RESOLVED (2011.03.18.37), the Board directs the ICANN CEO to post for public comment the draft Bylaws amendments necessary to reflect the continuing purpose of the ALAC within ICANN as described in the [Final Report](#).

*Rationale for Resolution 2011.03.18.37*

*These ICANN Bylaws amendments will clarify the continuing purpose of the At-Large Advisory Committee (ALAC). They were recommended by the [Final Report of the ALAC Review WG on ALAC Improvements](#) (9 June 2009), approved by the Board on 26 June 2009. And the affected Bylaws paragraphs were identified in the [ALAC/At-Large Improvements Implementation Project Plan](#) (7 June 2010), approved by the Board on 5 August 2010. With the [Project Plan](#) set for completion at the end of March 2011, the time is ripe for this clarification of the ALAC's purpose.*

*Staff consulted with the ALAC regarding the proposed amendments. The posting of the proposed amendments for public comment will have no fiscal impact, nor will it impact the security, stability, or resiliency of the Domain Name System (DNS).*

#### 13. Non-Commercial Stakeholder Group Charter: Posting for Public Comment

Whereas, [on July 30, 2009](#) the Board approved a Transitional Charter for the GNSO's Non Commercial Stakeholder Group (NCSG).

Whereas, Section 8.1 of the NCSG Transitional Charter provided that a final NCSG charter be established by no later than the Board Meeting during the 2011 ICANN Annual General Meeting.

Whereas, members of the NCSG have developed a permanent charter for the NCSG and consulted with the Board's Structural Improvements Committee and the ICANN staff regarding the proposed permanent Charter, and the SIC recommends that after final editing, the proposed Charter should be posted for public comment.

RESOLVED (2011.03.18.38), the Board directs the CEO to post the proposed NCSG Charter for a 30-day public comment forum. Upon close of the forum, a summary and analysis of the comments received should be provided to the Board for further Board review and action.

*Rationale for Resolution 2011.03.18.38*

*The posting of this proposed charter for public comment will help meet the Board's 2009 directive to have a permanent charter in place for the NCSG. The initiation of this public consultation will give the community an opportunity to review and comment on a fundamental organizational structure in the GNSO. There are no budget implications for initiating a public consultation and staff management time of this effort will be within normal operating parameters. The posting does not have any impact on the security, stability or resiliency of the DNS.*

**14. Proposed Process for Recognition of New Constituencies in GNSO: Extension of Public Comment**

Whereas, in June 2008, the ICANN Board of Directors endorsed a series of recommendations concerning how to improve the GNSO's structures and operations and those improvements included recommendations endorsed by the Board to clarify and promote the option to self-form new GNSO Constituencies.

Whereas, the Board directed ICANN Staff to develop and administer procedures that a prospective organizer could follow in submitting a petition to become approved as a new GNSO Constituency, and initial procedures were implemented.

Whereas, after some experience with those procedures, the Structural Improvements Committee identified opportunities for improvement to those procedures., and developed a proposed replacement "Process for Recognition of New GNSO Constituencies."

Whereas, the SIC's proposed new process significantly modifies the original procedures and is designed to accomplish the following goals:

1. Optimize the time and effort required to form, organize, and propose a new GNSO Constituency through prescribing a streamlined sequence of steps and associated evaluation objective, fair, and transparent criteria, and preserving opportunity for community input.
2. Delegate more authority to each GNSO Stakeholder Group in evaluating new Constituency proposals while maintaining the Board's oversight role.
3. Manage the entire process to a flexible, but specific and limited timeframe; and
4. Provide a partial set of criteria for use during the periodic review of the GNSO.

Whereas, the SIC authorized staff to open a Public Consultation Forum (PCF) on the Process for Recognition of New GNSO Constituencies to allow for community feedback. The PCF was opened on 2 February 2011 for an initial period of 30 days, within which two comments were received.

Whereas, the SIC recommends that the community would benefit from additional time to review, discuss and comment on the proposed new process, and that the PCF should be extended.

RESOLVED (2011.03.18.39), the Board directs the CEO to extend the PCF on the Proposed Process for Recognition of New GNSO Constituencies (<http://www.icann.org/en/public-comment/#newco-process-recognition>) for two additional weeks after conclusion of the ICANN Silicon Valley Public Meeting, closing 3 April 2011.

*Rationale for Resolution 2011.03.18.39*

*The promotion of new GNSO Constituencies was one of the fundamental recommendations of the GNSO Review effort and an important strategy to expand participation in GNSO policy development efforts. The extension of this public consultation forum (PCF) will give community members more opportunity to submit comments on a proposal designed to improve existing processes. No budget resources will be impacted by this extension of the consultation period and further management of the PCF is within normal operational parameters. The extension of the PCF does not have any impact on the security, stability or resiliency of the DNS.*