2012-09-13-NoticeBDMtg

Directors and Liaisons,

Attached below please find the Notice of date and time for a Regular Meeting of the ICANN Board of Directors:

13 September 2012 – Regular Meeting of the ICANN Board of Directors - at 21:30 UTC – This Board meeting is estimated to last 1 hour.
Some other time zones:
13 September 2012 - 4:30 PM PDT Los Angeles
14 September 2012 – 6:30 AM CEST Brussels
13 September 2012 – 7:30 PM Washington, D.C.
14 September 2012 - 2:30 PM Sydney

http://www.timeanddate.com/worldclock/fixedtime.html?iso=20120913T2130&p1=137&ah=1&am=30

MATERIALS - SPECIAL NOTE – MATERIALS - SPECIAL NOTE – Following on the changes that were recently made to the Materials, they have been broken into two separate books – included in the Board Book (along with the notice) and call information) is a more concisely formatted set of board papers. The last part – titled "Additional Materials" is a separate board book, available on Board Vantage which includes additional materials and exhibits that are related to some of the papers where board members would like to explore additional information on many of the topics.

MATERIALS -- All Materials are available on Confidential and Business Proprietary **> , if you have trouble with access, please let us know and we will work with you to assure that you can use the BoardVantage Portal for this meeting.**

The materials are all available in three or five board books from BoardVantage, if you are unable to access, it can be mailed to you directly.
If you have any questions, or we can be of assistance to you, please let us know.

If call information is required, it will be distributed separately

If you have any questions, or we can be of assistance to you, please let us know.

John Jeffrey
General Counsel & Secretary, ICANN
John.Jeffrey@icann.org <John.Jeffrey@icann.org>
<mailto:John.Jeffrey@icann.org <mailto:John.Jeffrey@icann.org> >
+1.310.301.5834 direct

2012-09-13-AgendaTable

AGENDA – 13 September 2012 – 1.5 hours

Time, etc.	Agenda Item	Presenter	Expected Action	Potential Conflict of Interest
• **10 mins** • **Assembly, Roll Call & Consent Agenda**	**1. Consent Agenda**			
	1.a. Minutes of 28 August 2012 Regular Board Meeting	John Jeffrey	Approval	
	1.b. Security, Stability & Resiliency of the DNS Review Team Final Report	Denise Michel	Approval	
	1.c. Response to SSAC Letter of 1 July 2012	Steve Crocker	Approval	If conflict determined, can be moved to New gTLD Committee Agenda
• **65 mins** • **Approval, Discussion & Decision**	**2. Main Agenda**			
	2.a. Criteria for Determining Chair Compensation for Non-Standing Board Committees	Ramaraj	Approval	George Sadowsky
	2.b. Redelegation of .MO domain representing Macao	Kuo-Wei Wu	Approval	

AGENDA – 13 September 2012 – 1.5 hours

Time, etc.	Agenda Item	Presenter	Expected Action	Potential Conflict of Interest
	to the Bureau of Telecommunications Regulation (DSRT)			
	2.c. Update on NomCom Chair & Chair-Elect Selection	Bruce Tonkin	Information	
	2.d. Any Other Business	Steve Crocker		
• **15 mins.** • **Approval, Discussion & Decision**	3. Executive Session	Steve Crocker	Approval	

2012-09-13-DraftResolutions

1. Consent Agenda:

a. Approval of Board Meeting Minutes

Resolved (2012.09.13.xx), the Board approves the minutes of the 28 August 2012 ICANN Board Meeting.

b. Security, Stability & Resiliency of the DNS Review Team Final Report

Whereas, the Security, Stability & Resiliency of the DNS Review Team members volunteered their time over the last 19 months to develop their Final Report, as required by the Affirmation of Commitments; Whereas the SSR Review Team submitted their Final Report to the Board and it was posted for public comment for two months;

Resolved (2012.09.13.xx), the Board received the Final Report and thanks the members of the SSR Review Team for their time and commitment to improving the security, stability and resiliency of the DNS and ICANN's supporting activities, and for providing substantive Recommendations for the Board's consideration;

Resolved (2012.09.13.xx), the Board thanks the entities that provided public input on the Final Report, including the ALAC, GAC and Registry Stakeholder Group, and requests that the ASO, GNSO, ccNSO, RSSAC, and SSAC provide any input they have on the Report to the Board by 30 September 2012;

Resolved (2012.09.13.xx), the Board requests that the President and CEO instruct Staff to consider the public comments and community

input, assess the Recommendations, evaluate the potential implementation paths for each Recommendation, and provide the Board with guidance and advice on the Report, including, where appropriate, potential implementation plans and budgets, by the ICANN Toronto meeting.

Rationale for Resolution 2012.09.13.xx

The Affirmation of Commitments (AoC) between ICANN and the U.S. Department of Commerce commits ICANN to preserve the security, stability and resiliency of the DNS, and to organize a community review of its execution of this commitment no less frequently than every three years. The AoC further commits ICANN's Board to publish for public comment the report submitted by the review team, and to take action on the report within six months of its submission.

The Team's volunteer members were appointed by ICANN's CEO and the GAC Chair, per the AoC requirements, and reflected the broad Internet community's interests in Internet security, stability and resiliency matters. Over the past 19 months, the SSR Review Team conducted fact-finding, including meetings with ICANN's relevant Supporting Organizations and Advisory Committees, members of the broader Internet security community, and other interested parties, and issued a draft report for public comment before submitting its Final Report to the Board on 20 June 2012. The Report was posted for two months of public comment and the forum closed on 29 August 2012.

Most of the Team's Recommendations address matters relevant to, and/or of interest to ICANN's Supporting Organizations and Advisory Committees. The Board is requesting input from these groups to help inform the Board's action on the Report.

c. Response to SSAC Letter of 2 July 2012

Whereas, on July 2, 2012, the ICANN Board received a letter from Patrik Fältström, Chairman of the ICANN Security and Stability Advisory Committee, http://www.icann.org/en/news/correspondence/faltstrom-to-icann-board-02jul12-en, providing an update of the SSAC's views on the status of the new gTLD process.

Whereas, the Board seeks to respond to the recommendations set forth in the letter.

Resolved (2012.09.13.xx), the Board thanks SSAC for its advice of 2 July 2012.

Resolved (2012.09.13.xx), with respect to the individual recommendations:

- Recommendation (1), the Board requests the CEO direct staff to work with the root server operators via RSSAC to complete the documentation of the interactions between ICANN and the root server operators with respect to root zone scaling.

- Recommendation (2), the Board recommends the CEO to direct staff to work with NTIA and Verisign to explore publication of one or more statements regarding preparation for the proposed changes.

- Recommendation (3), the Board recommends the CEO to direct staff to publish current estimates of the expected growth rates of TLDs. The Board recognizes there is currently re-examination of the process for evaluating gTLD applications, particularly including whether to use multiple or a single batch, and with the completion of the application submission process there is now much more specific information on the number and other characteristics of applications to

process. Accordingly, the Board suggests the publication of the expected growth rates of TLDs be coordinated with the re-examination.

- Recommendation (4), the Board hereby formally asks RSSAC for its advice on this topic and an update on plans to satisfy this recommendation. The Board also asks the CEO whether there are other parties who should be consulted, and to ask such parties to participate.

- Recommendation (5), the Board hereby formally asks SSAC for its advice on how this study should be carried out and whom else should be consulted, and tasks staff with formulating and executing one or more studies, as needed.

Rationale for Resolution 2012.09.13.xx

As part of ICANN's commitment to Accountability & Transparency, ICANN is committed to reviewing advice provided by its Advisory Committees. The SSA concerns set out in the above-referenced letter identify areas where ICANN could perform additional work for the benefit of the ICANN community. Undertaking the work called for in the resolution will have an impact on ICANN and community resources. The outcomes of this work may ultimately resolution a positive impact on the Security, Stability & Resiliency of the DNS.

2. Main Agenda:

a. Criteria for Determining Chair Compensation for Non-Standing Board Committees

May be modified following the 11 September 2012 Compensation Committee meeting:

[Whereas, ICANN is a nonprofit California public benefit corporation that is exempt from Federal income tax under §501(a) of the Internal Revenue Code of 1986, as amended (the "Code") as an organization described in §501(c)(3) of the Code.

Whereas, ICANN may not pay directors more than Reasonable Compensation as determined under the standards set forth in §53.4958-4(b) of the regulations issued under §4958 of the Code (the "Regulations").

Whereas, ICANN has taken all steps necessary, and to the extent possible, to establish a presumption of reasonableness in the level of voting Board member compensation as approved on 8 December 2011, including additional retainers for voting directors that serve as chairs of Board committees.

Whereas, the Board previously approved the recommendation from the Independent Valuation Expert (as that term is defined in §53.4958-1(d)(4)(iii)(C) of the IRS Regulations), made in its Report or Reasoned Written Opinion, (as that term is defined in §53.4958-1(d)(4)(iii)(C) of the Regulations), that it is reasonable to "[i]ntroduce annual cash retainer of $35,000 for outside directors and maintain the $75,000 for Chairman of the Board" and "[a]n additional $5,000 annual retainer would be provided for committee chair (except the Chairman of the Board)." (Resolution 2011.12.08.11.)

Whereas, the Board agrees that there are certain non-standing committees of the Board for which it is reasonable to offer a voting director of the Board the additional $5,000.00 annual retainer for service as chair, as contemplated within the recommendation of the Independent Valuation Expert.

Resolved (2012.09.13.xx), the Board approves the following criteria to be applied to consideration of whether it is reasonable to offer a voting director an additional US $5,000 retainer for service as chair of a non-standing committee of the Board:

- At the time of establishment of the non-standing committee, the work of the committee is expected to last longer than six months; based upon the expected duration of the committee, consideration should be given to the propriety of offering a pro-rata or full retainer to reflect the expected length of service.

- At the time of establishment of the non-standing committee, the Chair is anticipated to devote an average of at least 10-15 hours per week over the duration of the committee.

- The committee is expected to experience periods of extremely heavy workload at times throughout the duration of the committee.

- These criteria shall be evaluated, and a recommendation made on the offering of a $5,000 additional retainer to the Chair, at the time of the establishment of the non-standing committee.

- The limitations on this additional retainer, as set forth in Resolutions 2011.12.08.16 and 2011.12.08.17, remain in force.

Resolved (2012.09.13.xx), the Board approves the offering of a US$5,000 additional retainer to George Sadowsky for his service as Chair of the CEO Search Process Management Work Committee.]

Rationale for Resolution 2012.09.13.xx

The history of the Board's consideration of voting Board member compensation is set forth in detail in the Rationale for Resolutions 2011.12.08.14 – 2011.12.08.16 and the Board incorporates that rationale in full by reference. In undertaking the 8 December 2011 resolution regarding the reasonableness of compensation to voting Board members, the Board followed a process calculated to pay an amount that is in its entirety Reasonable Compensation for such

service under the standards set forth in §53.4958-4(b) of the Treasury Regulations.

The Board sought a recommendation from an Independent Valuation Expert ("Expert") as to the reasonableness of, and if so, the amount of compensation. The Board approved Towers Watson (TW) to be engaged to serve as the Expert. TW is a leading global professional services company with expertise in compensation for non-profit organizations. TW was recommended by the National Association of Corporate Directors to serve as the Expert. The Expert Report, which was posted for public feedback, can be found with the Announcement at http://www.icann.org/en/announcements/announcement-3-04nov11-en.htm.

The Board has taken all steps necessary to ensure that consideration of voting Board member compensation for services provided was done in accordance with all appropriate laws, rules and regulations, including that any compensation be Reasonable Compensation under the standards set forth in §53.4958-4(b) of the Treasury Regulations.

The creation of criteria for consideration of offering additional compensation to Board members who devote substantial amounts of time in chairing non-standing committees assures that a predictable process will be used to consider compensation, and also assists Board members who may otherwise not be able to undertake the substantial time commitments required by these special projects.

The considerable amount of time expended by the CEO Search Process Management Work Committee has been previously acknowledged. George Sadowsky's service as chair of that committee exemplifies the application of the criteria defined by the Compensation Committee, as his service was for over six months, averaging in excess of 15 hours per week, and often requiring substantial attention as the Board was searching for a new CEO.

Compensating voting directors who serve as chairs of non-standing committees of the Board will have a nominal fiscal impact on ICANN, though the exact numbers of chairs eligible for the annual retainer cannot be predicted based upon the special nature of the non-standing committees. The specific amount required for compensating George Sadowsky, if he chooses to elect to receive the additional retainer, is within the budget currently allocated for Board member compensation.

This decision will have no impact on the security, stability or resiliency of the domain name system.

b. Redelegation of the .MO domain representing Macao to the Bureau of Telecommunications Regulation (DSRT)

Whereas, MO is the ISO 3166-1 two-letter country-code designated for Macao;

Whereas, ICANN has received a request for the redelegation of .MO to the Bureau of Telecommunications Regulation (DSRT);

Whereas, ICANN has reviewed the request, and has determined that the proposed redelegation would be in the interests of the local and global Internet communities.

It is hereby resolved (2012.09.13.xx), that the proposed redelegation of the .MO domain to the Bureau of Telecommunications Regulation (DSRT) is approved.

Rationale for Resolution 2012.09.13.xx

Why the Board is addressing the issue now?
Staff present delegation and redelegation requests for country-code domains to the Board for decision, once staff are satisfied the applicant has provided a sufficiently complete application that has a

reasonable prospect of a positive Board decision. In line with ICANN's commitments to perform timely processing of requests relating to the IANA function, and the DNS root zone in particular, the ICANN Board seeks to evaluate such requests at its next scheduled Special Meeting.

What is the proposal being considered?
The proposal is to approve a request to IANA to change or designate the sponsoring organisation (also known as the manager or trustee) of a country-code top-level domain. In line with established practice, the ICANN Board is involved in making the decision to proceed with such requests as one step of this multi-step process.
Which stakeholders or others were consulted?
In the course of evaluating a delegation application, ICANN staff consults with the applicant, the current operator (if applicable), and other directly connected parties. In line with ICANN's practice of keeping incomplete root zone change requests in confidence, ICANN has not performed open consultation on this matter.

What concerns or issues were raised by the community?
Any concerns or issues are raised within the public report that will be published in conjunction with this action. This report will be published on the IANA website at http://www.iana.org/ should the root zone change request has successfully completed final processing, usually 1-2 months after the Board's decision.

What significant materials did the Board review?
The Board is involved in assessing requests against a variety of public interest criteria. This criteria includes establishing the country-code is eligible (e.g. listed in the ISO 3166-1 standard); establishing the proposed manager is supported by the local Internet community; establishing the proposed operator is operationally and technically competent; establishing the proposed manager is based locally and bound under local law; establishing the proposed manager operates fairly and equitably; establishing that in cases there is a transfer of operations that an appropriate plan is in place to preserve ongoing

stability of the domain; and establishing that the action is compatible with any applicable local laws and regulations. During the staff compilation process, the applicant is asked to provide a variety of materials in support of these various aspects. Pertinent information from these supplied materials and other staff research is provided to the Board, and published in a public report at the end of implementing an approved request.

What factors the Board found to be significant?
The Board considers factors described in the public report, in relation to the basic principles of country-code domain delegation described earlier. Of particular note in this application, the Board considered that the application proposed redelegation of the top-level domain to a non-operational entity; the lack of significant community engagement in developing this application; and that the redelegation away from the existing sponsoring organisation was performed prior to contacting ICANN.
On balance, the Board found that while all of these elements are undesirable, both individually and as a whole, returning the request on this basis would leave known-bad information for the domain the IANA Root Zone Database which is counter to ICANN's stability goals.

Are there positive or negative community impacts?
The timely approval of country-code domain name managers that meet the various public interest criteria is positive toward ICANN's overall mission, and the local communities to which country-code top-level domains are designated to serve.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?
The administration of country-code delegations in the DNS root zone is part of the IANA functions, and the delegation action should not cause any significant variance on pre-planned expenditure. It is not the role of ICANN to assess the fiscal impact of the internal operations of country-code top-level domains within a country, other than ensuring the operator is based in country and has the

appropriate mechanisms to allow the local Internet community to properly oversee the domain's ongoing operation.

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

For country-code top-level domain delegations, ICANN seeks to approve only such requests where reasonable concerns have been satisfactorily addressed, and the proposed new manager has demonstrated a sufficient level of operational and technical competency where such concerns should be minimal.

2012-09-13-01a-8-28-Board-Minutes

A Special Meeting of the ICANN Board of Directors was held telephonically on 28 August 2012 at 21:00 UTC.

Chairman Steve Crocker promptly called the meeting to order.

In addition to the Chair the following Directors participated in all or part of the meeting: Akram Atallah (Interim CEO), Sébastien Bachollet, Cherine Chalaby, Bertrand de La Chapelle, Chris Disspain, Bill Graham, Erika Mann, Gonzalo Navarro, Ray Plzak, George Sadowsky, Mike Silber, Bruce Tonkin (Vice Chair), Judith Vazquez, and Kuo-Wei Wu.

The following Board Liaisons participated in all or part of the meeting: Thomas Narten (IETF Liaison); Thomas Roessler (TLG Liaison); and Suzanne Woolf (RSSAC Liaison).

Heather Dryden (GAC Liaison), Ram Mohan (SSAC Liaison) and R. Ramaraj sent apologies.

1. Consent Agenda:

The Chair introduced the Consent Agenda. The Board then took the following action:

a. Approval of Board Meeting Minutes

Resolved (2012.08.28.01), the Board approves the minutes of the 23 June 2012 ICANN Board Meeting.

b. Confirmation of Report on Written Consent Actions

Resolved (2012.08.28.02) the Board confirms the report on the Written Consent Actions of the August 2012.

c. Request for Delegation of مليسيا. ("Maleesya") domain representing Malaysia in Arabic

Whereas, مليسيا. ("Maleesya"), encoded as "xn--mgbx4cd0ab", is a string that has been deemed to appropriately represent Malaysia through the IDN Fast Track process.

Whereas, ICANN has received a request for delegation of مليسيا. to MYNIC Berhad.

Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.

It is hereby resolved (2012.08.28.03), that the proposed delegation of the مليسيا. domain to MYNIC Berhad is approved.

Rationale for Resolution 2012.08.28.03

Why the Board is addressing the issue now?

Staff present delegation and redelegation requests for country-code domains to the Board for decision, once staff are satisfied the applicant has provided a sufficiently complete application that has a reasonable prospect of a positive Board decision. In line with ICANN's commitments to perform timely processing of requests relating to the IANA function, and the DNS root zone in particular, the ICANN Board seeks to evaluate such requests at its next scheduled Special Meeting.

What is the proposal being considered?
The proposal is to approve a request to IANA to change or designate the sponsoring organisation (also known as the manager or trustee) of a country-code top-level domain. In line with established practice, the ICANN Board is involved in making the decision to proceed with such requests as one step of this multi-step process.

Which stakeholders or others were consulted?
In the course of evaluating a delegation application, ICANN staff consults with the applicant, the current operator (if applicable), and other directly connected parties. In line with ICANN's practice of keeping incomplete root zone change requests in confidence, ICANN has not performed open consultation on this matter.

What concerns or issues were raised by the community?
Any concerns or issues are raised within the public report that will be published in conjunction with this action. This report will be published on the IANA website at http://www.iana.org/ should the root zone change request has successfully completed final processing, usually 1-2 months after the Board's decision.

What significant materials did the Board review?
The Board is involved in assessing requests against a variety of public interest criteria. This criteria includes establishing the country-code is eligible (e.g. listed in the ISO 3166-1 standard); establishing the proposed manager is supported by the local Internet community; establishing the proposed operator is operationally and technically competent; establishing the proposed manager is based locally and

bound under local law; establishing the proposed manager operates fairly and equitably; establishing that in cases there is a transfer of operations that an appropriate plan is in place to preserve ongoing stability of the domain; and establishing that the action is compatible with any applicable local laws and regulations. During the staff compilation process, the applicant is asked to provide a variety of materials in support of these various aspects. Pertinent information from these supplied materials and other staff research is provided to the Board, and published in a public report at the end of implementing an approved request.

What factors the Board found to be significant?
The Board considers factors described in the public report, in relation to the basic principles of country-code domain delegation described earlier.

Are there positive or negative community impacts?
The timely approval of country-code domain name managers that meet the various public interest criteria is positive toward ICANN's overall mission, and the local communities to which country-code top-level domains are designated to serve.

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

The administration of country-code delegations in the DNS root zone is part of the IANA functions, and the delegation action should not cause any significant variance on pre-planned expenditure. It is not the role of ICANN to assess the fiscal impact of the internal operations of country-code top-level domains within a country, other than ensuring the operator is based in country and has the appropriate mechanisms to allow the local Internet community to properly oversee the domain's ongoing operation.

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

For country-code top-level domain delegations, ICANN seeks to approve only such requests where reasonable concerns have been satisfactorily addressed, and the proposed new manager has demonstrated a sufficient level of operational and technical competency where such concerns should be minimal.

d. Redelegation of .rw

Whereas, RW is the ISO 3166-1 two-letter country-code designated for Rwanda;

Whereas, ICANN has received a request for the redelegation of .RW to the Rwanda Information Communication and Technology Association;

Whereas, ICANN has reviewed the request, and has determined that the proposed redelegation would be in the interests of the local and global Internet communities.

It is hereby resolved (2012.08.28.04), that the proposed redelegation of the .RW domain to the Rwanda Information Communication and Technology Association is approved.

Rationale for Resolution 2012.08.28.04

Why the Board is addressing the issue now?
Staff present delegation and redelegation requests for country-code domains to the Board for decision, once staff are satisfied the applicant has provided a sufficiently complete application that has a reasonable prospect of a positive Board decision. In line with ICANN's commitments to perform timely processing of requests relating to the IANA function, and the DNS root zone in particular, the ICANN Board seeks to evaluate such requests at its next scheduled Special Meeting.

What is the proposal being considered?

The proposal is to approve a request to IANA to change or designate the sponsoring organisation (also known as the manager or trustee) of a country-code top-level domain. In line with established practice, the ICANN Board is involved in making the decision to proceed with such requests as one step of this multi-step process.

Which stakeholders or others were consulted?
In the course of evaluating a delegation application, ICANN staff consults with the applicant, the current operator (if applicable), and other directly connected parties. In line with ICANN's practice of keeping incomplete root zone change requests in confidence, ICANN has not performed open consultation on this matter.

What concerns or issues were raised by the community?
Any concerns or issues are raised within the public report that will be published in conjunction with this action. This report will be published on the IANA website at http://www.iana.org/ should the root zone change request has successfully completed final processing, usually 1-2 months after the Board's decision.

What significant materials did the Board review?
The Board is involved in assessing requests against a variety of public interest criteria. This criteria includes establishing the country-code is eligible (e.g. listed in the ISO 3166-1 standard); establishing the proposed manager is supported by the local Internet community; establishing the proposed operator is operationally and technically competent; establishing the proposed manager is based locally and bound under local law; establishing the proposed manager operates fairly and equitably; establishing that in cases there is a transfer of operations that an appropriate plan is in place to preserve ongoing stability of the domain; and establishing that the action is compatible with any applicable local laws and regulations. During the staff compilation process, the applicant is asked to provide a variety of materials in support of these various aspects. Pertinent information from these supplied materials and other staff research is provided to

the Board, and published in a public report at the end of implementing an approved request.

What factors the Board found to be significant?
The Board considers factors described in the public report, in relation to the basic principles of country-code domain delegation described earlier.

Are there positive or negative community impacts?
The timely approval of country-code domain name managers that meet the various public interest criteria is positive toward ICANN's overall mission, and the local communities to which country-code top-level domains are designated to serve.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?
The administration of country-code delegations in the DNS root zone is part of the IANA functions, and the delegation action should not cause any significant variance on pre-planned expenditure. It is not the role of ICANN to assess the fiscal impact of the internal operations of country-code top-level domains within a country, other than ensuring the operator is based in country and has the appropriate mechanisms to allow the local Internet community to properly oversee the domain's ongoing operation.

Are there any security, stability or resiliency issues relating to the DNS?
For country-code top-level domain delegations, ICANN seeks to approve only such requests where reasonable concerns have been satisfactorily addressed, and the proposed new manager has demonstrated a sufficient level of operational and technical competency where such concerns should be minimal.

e. Location of Africa 2013 Meeting

Whereas, ICANN intends to hold its second Meeting for 2013 in the Africa region as per its policy,

Whereas, the .za Domain Name Authority submitted a viable proposal to serve as host for the ICANN 2013 Africa Meeting.

Whereas, staff has completed a thorough review and analysis of the .za Domain Name Authority proposal and finds it acceptable.

Whereas, the Board Finance Committee has approved the budget for the ICANN 2013 Africa Meeting as proposed.

Whereas the Board Public Participation Committee is coordinating the review of the staff proposal and supports the proposition for the location of the ICANN 2013 Africa Meeting.

Resolved (2012.08.28.05), the Board accepts the proposal of the .za Domain Name Authority, and approves that the ICANN 2013 Africa Meeting shall be held in Durban, South Africa from 14-19 July 2013, with a budget not to exceed US$2.472M.

Rationale for Resolution 2012.08.28.05

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. This time exceptionally the 3rd meeting of FY2013 will be in fact organized during FY2014. Meeting Number 47, scheduled for 14-19 July 2013, is to occur in the Africa geographic region. A call for recommendations for the location of the meeting in Africa was posted on 25 April 2011. Various parties sent a proposal to ICANN.

The Staff performed a thorough analysis of all of the proposals and prepared a paper to identify those that met the Meeting Selection Criteria. Based on the proposals and analysis, the Staff has recommended that ICANN 47 be held in Durban, South Africa.

The Board reviewed Staff's recommendation for hosting the meeting in Durban, South Africa 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 assessment 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. But such impact would be faced regardless of the location of the meeting. There is no impact on the security or the stability of the DNS due to the hosting of the meeting.

Resolutions 2012.08.28.01, 2012.08.28.02, 2012.08.28.03, 2012.08.28.04, and 2012.08.28.05 were passed in a single vote. Thirteen directors voted in favor of the resolutions. Erika Mann, R. Ramaraj and Bruce Tonkin were unavailable to vote on the resolutions. The resolutions carried.

2. Main Agenda:

a. BGC Recommendation on Reconsideration Request 12-2

Bruce Tonkin did not participate in the deliberation of this item due to a declared conflict of interest.

The Chair received confirmation that this item was not included on the consent agenda due to the conflict of interest declared by Bruce Tonkin.

Bill Graham introduced the history of the reconsideration request submitted by the Intellectual Property Constituency, and noted that upon the Board Governance Committee's review, it appeared that one of the "Whereas" clauses in the resolution was less clear than it could have been.

The BGC therefore recommended a revision to clarity the opt-out nature of the amendment.

George Sadowsky inquired as to the nature of the conflict with applicable laws that .CAT claimed as part of its request for the amendment.

Bill Graham confirmed that ICANN's understanding is that the terms are not in contravention of national legislation, but the amendment reflects a Whois output that is seen as more preferable.

Bertrand de La Chapelle commented on the IPC's implicit request for ICANN to have actively solicited comment in a more proactive fashion than just organizing a public comment. Bertrand requested that this be kept in mind for future reconsideration processes, and in the PPC discussion on evolution of public comment.

The Chair noted that Bertrand raised an issue that may be appropriate for a broader review, though it should not be the basis for changing an existing process today.

Chris Disspain requested confirmation that the change to the "whereas" clause corrected the identified vagueness issues. The General Counsel and Secretary confirmed this to be the case.

Ray Plzak then moved and Erika Mann seconded the following resolution:

> Whereas, the Board Governance Committee has reviewed Reconsideration Request 12-2 submitted by the Intellectual Property Concerns Constituency concerning the Board's 6 May 2012 decision on Fundacio puntCAT's RSEP Request regarding the publication of Whois data for certain registrations within the .CAT Registry (http://www.icann.org/en/groups/board/documents/resolutions-06may12-en.htm#1.2).
>
> Whereas, the BGC recommends that Reconsideration Request 12-2 should be denied.

Whereas, Reconsideration Request 12-2 and the BGC's recommendation have been posted on the ICANN website at http://www.icann.org/en/groups/board/governance/reconsideration .

Resolved (2012.08.28.06), the Board adopts the recommendation of the BGC that Reconsideration Request 12-2 be denied, as the request did not identify any material information that the Board failed to take into consideration when taking its 6 May 2012 decision.

Resolved (2012.08.28.07), the Board directs the Secretary to amend the Whereas clause precedent to Resolution 2012.05.06.02 so as to remove the suggestion of a blanket prohibition of publication of Whois data for individual registrants, and to more accurately reflect the scope of the amendment to the .CAT Registry Agreement that was requested and approved.

Fourteen Directors voted in favor of Resolutions 2012.08.28.06 and 2012.08.28.07. Bruce Tonkin abstained from voting on the resolutions. Ramaraj was unavailable to vote on the resolutions. The resolutions carried.

Rationale for Resolutions 2012.08.28.06 – 2012.08.28.07

ICANN's Bylaws call for the Board Governance Committee to evaluate and make recommendations to the Board with respect to Reconsideration Requests. See Article IV, section 3 of the Bylaws. The Board has reviewed and thoroughly considered the BGC's recommendation with respect to Reconsideration Request 12-2 and finds the analysis sound.

The Board also agrees that it is essential to ICANN's accountability and transparency to assure that the wording within resolutions accurately reflects the scope of the decisions undertaken by the Board. Here, a "whereas" clause within Resolution 2012.05.06.02 was identified as overstating the bounds of the amendment requested and approved by the Board. It is therefore in accordance

with ICANN's commitment to accountability to direct a change to the "whereas" clause to better reflect the scope of the amendment sought and granted. The modification of the "whereas" clause does not have any impact on the actual scope of the Board's 6 May 2012 decision.

Having a Reconsideration process whereby the BGC reviews and makes a recommendation to the Board for approval positively affects the transparency and accountability of ICANN. It provides an avenue for the community to ensure that staff and the Board are acting in accordance with ICANN's policies, Bylaws and Articles of Incorporation. Adopting the BGC's recommendation has no financial impact on ICANN and will not negatively impact the systemic security, stability and resiliency of the domain name system.

3. Executive Session

The Board entered an executive session, in confidence. The General Counsel and Secretary remained in attendance, and all other staff was excused.

The Board conducted a confidential portion of the meeting during which it passed other resolutions (2012.08.28.C1 and 2012.08.28.C2) that shall remain confidential as an "action relating to personnel or employment matters", pursuant to Article III, section 5.2 of the ICANN Bylaws.

2012-09-13-01b Board Submission on SSR Review Team Final Report

ICANN BOARD SUBMISSION NO. 2012-09-13-01b

TITLE: **Security, Stability & Resiliency of the DNS Review Team Final Report**

PROPOSED ACTION: **For Board Information and Action**

EXECUTIVE SUMMARY:

The Security, Stability & Resiliency of the DNS Review Team (SSR RT), constituted under ICANN's Affirmation of Commitments (AoC) agreement with the U.S. Department of Commerce, submitted its Final Report to the ICANN Board on 20 June 2012. This document was immediately posted in a public comment forum, which ended 29 August 2012. It is Staff's view that the Report and its Recommendations are within the scope of the Team's AoC mandate,[1] and that the Recommendations' general goals are consistent with ICANN's SSR Framework, and SSR-related responsibilities and activities.

The Team found areas in which ICANN is working well, areas in which there is room for improvement, and other areas where key elements of SSR should be defined and implemented. A majority of the Team's 28 Recommendations could be implemented and are consistent with ICANN's plans (see Annex). Several Recommendations involve internal improvements that fall within Staff's purview and for these, implementation efforts are underway (see Annex). For the remaining Recommendations, community consultation and collaboration is needed, and/or Staff needs to explore the Recommendations further before advising the Board on action.

Staff recommends that the Board encourage Supporting Organization and Advisory Committee input on the Final Report, and instruct Staff to assess the Recommendations and input, and report to the Board with recommended action and potential implementation plans and resource needs.

BACKGROUND

[1] 9.2 Preserving security, stability and resiliency: ICANN has developed a plan to enhance the operational stability, reliability, resiliency, security, and global interoperability of the DNS, which will be regularly updated by ICANN to reflect emerging threats to the DNS. ICANN will organize a review of its execution of the above commitments no less frequently than every three years. The first such review shall commence one year from the effective date of this Affirmation. Particular attention will be paid to: security, stability and resiliency matters, both physical and network, relating to the secure and stable coordination of the Internet DNS; ensuring appropriate contingency planning; and maintaining clear processes. Each of the reviews conducted under this section will assess the extent to which ICANN has successfully implemented the security plan, the effectiveness of the plan to deal with actual and potential challenges and threats, and the extent to which the security plan is sufficiently robust to meet future challenges and threats to the security, stability and resiliency of the Internet DNS, consistent with ICANN's limited technical mission.

The SSR RT's findings state that ICANN is performing well in a number of areas: understanding and communicating how it operates within different levels of control and influence; adhering to its SSR remit and limited technical mission; improving the formulation of the SSR Framework; engaging in good SSR-related operational practices; and providing thought leadership on DNSSEC. The Team recommends additional action and improvements in six broad areas: (high level) SSR role and remit, strategy, transparency; terminology and relationships; monitoring, outreach and engagement; operations; best practices; and risk management and threat mitigation (see summary of Recommendations in Annex).

A two month-long public comment forum on the Report and Recommendations recently closed with three supportive submissions on record. The At-Large Advisory Committee, the Registry Stakeholder Group and Dynamic Network Services, Inc. all supported the Team's Recommendations, and the latter two offered implementation guidance on specific Recommendations. Since the Report was submitted right before ICANN's Prague meeting, the leadership of the SSR RT held a public workshop and met with the Governmental Advisory Committee in Prague to present the Report and Recommendations and encourage input to the Board. Again, the comments offered in these events (and in the GAC Communiqué) were supportive of the Recommendations. The Team also conducted outreach in advance of issuing a draft Report and after the draft Report was issued. Community comments on the draft Report were considered and largely incorporated in the Final Report.

The 28 Recommendations are briefly summarized in the Annex and notes on initial Staff work are included. Staff is in the process of developing for each Recommendation: an assessment of whether it is feasible; key consultations needed; initial implementation plans and resource estimates for the Board's consideration

STAFF RECOMMENDATION:

Staff recommends that:

- The Board thank the SSR Review Team;
- The Board thank the GAC, ALAC and Registry Stakeholder Group for their input and request that the GNSO, ASO, ccNSO, RSSAC and SSAC provide the Board with any input they may have by 30 September 2012; and
- The Board instruct Staff to assess the input and the Recommendations, evaluate the potential implementation paths for each Recommendation, and provide the Board with guidance and advice on the Report, including, where appropriate, potential implementation plans and budgets by the ICANN Toronto meeting.

PROPOSED RESOLUTION

Whereas, the Security, Stability & Resiliency of the DNS Review Team members volunteered their time over the last 19 months to develop their Final Report, as required by the Affirmation of Commitments;

Whereas the SSR Review Team submitted their Final Report to the Board and it was posted for public comment for two months;

Resolved, the Board received the Final Report and thanks the members of the SSR Review Team for their time and commitment to improving the security, stability and resiliency of the DNS and ICANN's supporting activities, and for providing substantive Recommendations for the Board's consideration;

Resolved, the Board thanks the entities that provided public input on the Final Report, including the ALAC, GAC and Registry Stakeholder Group, and requests that the ASO, GNSO, ccNSO, RSSAC, and SSAC provide any input they have on the Report to the Board by 30 September 2012;

Resolved, the Board requests that the President and CEO instruct Staff to consider the public comments and community input, assess the Recommendations, evaluate the potential implementation paths for each Recommendation, and provide the Board with guidance and advice on the Report, including, where appropriate, potential implementation plans and budgets, by the ICANN Toronto meeting.

RATIONALE

The Affirmation of Commitments (AoC) between ICANN and the U.S. Department of Commerce commits ICANN to preserve the security, stability and resiliency of the DNS, and to organize a community review of its execution of this commitment no less frequently than every three years. The AoC further commits ICANN's Board to publish for public comment the report submitted by the review team, and to take action on the report within six months of its submission.

The Team's volunteer members were appointed by ICANN's CEO and the GAC Chair, per the AoC requirements, and reflected the broad Internet community's interests in Internet security, stability and resiliency matters. Over the past 19 months, the SSR Review Team conducted fact-finding, including meetings with ICANN's relevant Supporting Organizations and Advisory Committees, members of the broader Internet security community, and other interested parties, and issued a draft report for public comment before submitting its Final Report to the Board on 20 June 2012. The Report was posted for two months of public comment and the forum closed on 29 August 2012.

Most of the Team's Recommendations address matters relevant to, and/or of interest to ICANN's Supporting Organizations and Advisory Committees. The Board is requesting input from these groups to help inform the Board's action on the Report.

ATTACHMENTS (posted on Board Vantage):

- Annex to this paper

Submitted by:	Denise Michel, with contributions from Patrick Jones and a cross-functional staff team	Date Noted:	29 August 2012
Position:	Advisor to the President & CEO	Email and Phone Number	denise.michel@icann.org

2012-09-13-01c Board Submission Response to SSAC Letter of 2 July 2012

ICANN BOARD SUBMISSION NO. 2012-09-13-01c

TITLE: Letter from SSAC re Status of the New gTLD Process

PROPOSED ACTION: For Board Information and Action

EXECUTIVE SUMMARY:

On 2 July 2012, the Board received a letter from Patrik Fältström, Chairman of the ICANN Security and Stability Advisory Committee providing an update of the SSAC's views on the status of the new gTLD process. See Annex A to the Board Paper or . The SSAC deliberated over the topic of security and stability associated with the new gTLD process. Specifically, they reviewed the letter from the Chair of the GAC to the Chair of the ICANN Board dated 17 June 2012.

The key points of the 2 July 2012 letter to the ICANN Board, as summarized by Ram Mohan, the SSAC Liaison to the Board are:

1. SSAC is quite concerned that ICANN has taken no visible steps towards the 5 recommendations made regarding Root Scaling in SAC 046, which it believes are an oversight and should be corrected quickly.

2. SSAC does not now believe that there are security and stability problems with the combination of the rollout of IPv6 + DNSSEC + new gTLDs.

3. SSAC wants ICANN to ensure that the root zone publication system is audited and monitored to confirm that the root zone resources can support an increase in the number of gTLDs with no degradation in service levels.

In response to the SSAC letter the Chair recommends that the ICANN Board undertake the following resolution:

PROPOSED RESOLUTION:

Whereas, on July 2, 2012, the ICANN Board received a letter from Patrik Fältström, Chairman of the ICANN Security and Stability Advisory Committee, http://www.icann.org/en/news/correspondence/faltstrom-to-icann-board-02jul12-en, providing an update of the SSAC's views on the status of the new gTLD process.

Whereas, the Board seeks to respond to the recommendations set forth in the letter.

Resolved (2012.09.13.xx), the Board thanks SSAC for its advice of 2 July 2012.

Resolved (2012.09.13.xx), with respect to the individual recommendations:

- Recommendation (1), the Board requests the CEO direct staff to work with the root server operators via RSSAC to complete the documentation of the interactions between ICANN and the root server operators with respect to root zone scaling.

- Recommendation (2), the Board recommends the CEO to direct staff to work with NTIA and Verisign to explore publication of one or more statements regarding preparation for the proposed changes.

- Recommendation (3), the Board recommends the CEO to direct staff to publish current estimates of the expected growth rates of TLDs. The Board recognizes there is currently re-examination of the process for evaluating gTLD applications, particularly including whether to use multiple or a single batch, and with the completion of the application submission process there is now much more specific information on the number and other characteristics of applications to process. Accordingly, the Board suggests the publication of the expected growth rates of TLDs be coordinated with the re-examination.

- Recommendation (4), the Board hereby formally asks RSSAC for its advice on this topic and an update on plans to satisfy this recommendation. The Board also asks the CEO whether there are other parties who should be consulted, and to ask such parties to participate.

- Recommendation (5), the Board hereby formally asks SSAC for its advice on how this study should be carried out and whom else should be consulted, and tasks staff with formulating and executing one or more studies, as needed.

PROPOSED RATIONALE:

As part of ICANN's commitment to Accountability & Transparency, ICANN is committed to reviewing advice provided by its Advisory Committees. The SSA concerns set out in the above-referenced letter identify areas where ICANN could perform additional work for the benefit of the ICANN community. Undertaking the work called for in the resolution will have an impact on ICANN and community resources. The outcomes of this work may ultimately resolution a positive impact on the Security, Stability & Resiliency of the DNS.

2012-09-13-02a Board Submission Compensation-to-Non-Standing-Committee-Chairs

ICANN BOARD SUBMISSION NO. 2012-09-13-02a

TITLE: **Criteria for Determining Chair Compensation for Non-standing Board Committees**

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

EXECUTIVE SUMMARY:

In December 2011, the Board approved offering compensation to all of its voting directors for their services to ICANN. (http://www.icann.org/en/groups/board/documents/resolutions-08dec11-en.htm#3) Following the recommendation of the Independent Valuation Expert, the Board included an additional retainer of US $5,000.00 for those directors serving as Chairs of Board Committees. (Resolution 2011.12.08.16.) That additional retainer has, to date, only been offered to those voting directors serving as the chair of one of the standing committees of the Board (currently, Audit, Board Global Relationships, Board Governance, Compensation, Finance, IANA, New gTLD Program, Public Participation, Risk and Structural Improvements.)

The Compensation Committee discussed the suggestion that the Chair of the CEO Search Process Management Work Committee (the "CEO Search Committee") be offered the additional Chair retainer, in light of the substantial, extensive and time-consuming work performed. The Compensation Committee identified some overall criteria for consideration of when it may be appropriate to compensate a voting director for his or her service when chairing a non-standing Board committee, including the anticipated length of time the group is expected to operate, the amount of time per week the chair is anticipated to devote, and whether the group may be expected to face some periods of extremely heavy workload. These criteria should, in the future, be considered at the time of any non-standing committee is established.

The Compensation Committee then applied these criteria to the service provided by George Sadowsky as the Chair of the CEO Search Committee, and determined that it would be reasonable to offer George the additional US $5,000 retainer for his service.

COMPENSATION COMMITTEE RECOMMENDATION:

The Compensation Committee recommends that the Board approve the institution of criteria for when it may be appropriate to offer a voting director an additional $5,000.00 annual retainer for service as chair of a non-standing committee of the Board. The amount of compensation is reasonable as recommended by the Independent Valuation Expert.

The Compensation Committee also recommends that the Board approve offering George Sadowsky an additional annual retainer of $5,000.00 for his service as Chair of the CEO Search Process Management Work Committee.

PROPOSED RESOLUTION:

Whereas, ICANN is a nonprofit California public benefit corporation that is exempt from Federal income tax under §501(a) of the Internal Revenue Code of 1986, as amended (the "Code") as an organization described in §501(c)(3) of the Code.

Whereas, ICANN may not pay directors more than Reasonable Compensation as determined under the standards set forth in §53.4958-4(b) of the regulations issued under §4958 of the Code (the "Regulations").

Whereas, ICANN has taken all steps necessary, and to the extent possible, to establish a presumption of reasonableness in the level of voting Board member compensation as approved on 8 December 2011, including additional retainers for voting directors that serve as chairs of Board committees.

Whereas, the Board previously approved the recommendation from the Independent Valuation Expert (as that term is defined in §53.4958-1(d)(4)(iii)(C) of the IRS Regulations), made in its Report or Reasoned Written Opinion, (as that term is defined in §53.4958-1(d)(4)(iii)(C) of the Regulations), that it is reasonable to "[i]ntroduce annual cash retainer of $35,000 for outside directors and maintain the $75,000 for Chairman of the Board" and "[a]n additional $5,000 annual retainer would be provided for committee chair (except the Chairman of the Board)." (Resolution 2011.12.08.11.)

Whereas, the Board agrees that there are certain non-standing committees of the Board for which it is reasonable to offer a voting director of the Board the additional $5,000.00 annual retainer for service as chair, as contemplated within the recommendation of the Independent Valuation Expert.

Resolved (2012.07.xx.xx), the Board approves the following criteria to be applied to consideration of whether it is reasonable to offer a voting director an additional US $5,000 retainer for service as chair of a non-standing committee of the Board:

- At the time of establishment of the non-standing committee, the work of the committee is expected to last longer than six months; based upon the expected duration of the committee, consideration should be given to the propriety of offering a pro-rata or full retainer to reflect the expected length of service.

- At the time of establishment of the non-standing committee, the Chair is anticipated to devote an average of at least 10-15 hours per week over the duration of the committee.

- The committee is expected to experience periods of extremely heavy workload at times throughout the duration of the committee.

These criteria shall be evaluated, and a recommendation made on the offering of a $5,000 additional retainer to the Chair, at the time of the establishment of the non-standing committee. The limitations on this additional retainer, as set forth in Resolutions 2011.12.08.16 and 2011.12.08.17, remain in force.

Resolved (2012.07.xx.xx), the Board approves the offering of a US$5,000 additional retainer to George Sadowsky for his service as Chair of the CEO Search Process Management Work Committee.

PROPOSED RATIONALE:

The history of the Board's consideration of voting Board member compensation is set forth in detail in the Rationale for Resolutions 2011.12.08.14 – 2011.12.08.16 and the Board incorporates that rationale in full by reference. In undertaking the 8 December 2011 resolution regarding the reasonableness of compensation to voting Board

members, the Board followed a process calculated to pay an amount that is in its entirety Reasonable Compensation for such service under the standards set forth in §53.4958-4(b) of the Treasury Regulations.

The Board sought a recommendation from an Independent Valuation Expert ("Expert") as to the reasonableness of, and if so, the amount of compensation. The Board approved Towers Watson (TW) to be engaged to serve as the Expert. TW is a leading global professional services company with expertise in compensation for non-profit organizations. TW was recommended by the National Association of Corporate Directors to serve as the Expert. The Expert Report, which was posted for public feedback, can be found with the Announcement at http://www.icann.org/en/announcements/announcement-3-04nov11-en.htm.

The Board has taken all steps necessary to ensure that consideration of voting Board member compensation for services provided was done in accordance with all appropriate laws, rules and regulations, including that any compensation be Reasonable Compensation under the standards set forth in §53.4958-4(b) of the Treasury Regulations.

The creation of criteria for consideration of offering additional compensation to Board members who devote substantial amounts of time in chairing non-standing committees assures that a predictable process will be used to consider compensation, and also assists Board members who may otherwise not be able to undertake the substantial time commitments required by these special projects.

The considerable amount of time expended by the CEO Search Process Management Work Committee has been previously acknowledged. George Sadowsky's service as chair of that committee exemplifies the application of the criteria defined by the Compensation Committee, as his service was for over six months, averaging in excess of 15 hours per week, and often requiring substantial attention as the Board was searching for a new CEO.

Compensating voting directors who serve as chairs of non-standing committees of the Board will have a nominal fiscal impact on ICANN, though the exact numbers of chairs eligible for the annual retainer cannot be predicted based upon the special nature of the

non-standing committees. The specific amount required for compensating George Sadowsky, if he chooses to elect to receive the additional retainer, is within the budget currently allocated for Board member compensation.

This decision will have no impact on the security, stability or resiliency of the domain name system.

Submitted by:	Amy A. Stathos
Position:	Deputy General Counsel
Date Noted:	20 July 2012
Email:	Amy.stathos@icann.org

2012-09-13-02b Board Submission-561404-mo

ICANN BOARD SUBMISSION NO. 2012-09-13-02b

TITLE:	Redelegation of the .MO domain representing Macao to the Bureau of Telecommunications Regulation (DSRT)
PROPOSED ACTION:	For Board Review and Approval on Regular Agenda
IANA REFERENCE:	561404

EXECUTIVE SUMMARY

The ICANN Board is asked to consider and vote on the request to redelegate the domain .MO, comprised of the ISO 3166-1 code representing Macao, to the Bureau of Telecommunications Regulation (DSRT). Key points of the investigation on the redelegation request are:

Sensitive Delegation Materials

PROPOSED RESOLUTION

Whereas, MO is the ISO 3166-1 two-letter country-code designated for Macao;

Whereas, ICANN has received a request for the redelegation of .MO to the Bureau of Telecommunications Regulation (DSRT);

Whereas, ICANN has reviewed the request, and has determined that the proposed redelegation would be in the interests of the local and global Internet communities.

It is hereby resolved (___), that the proposed redelegation of the .MO domain to the Bureau of Telecommunications Regulation (DSRT) is approved.

PROPOSED RATIONALE

Why the Board is addressing the issue now?

Staff present delegation and redelegation requests for country-code domains to the Board for decision, once staff are satisfied the applicant has provided a sufficiently complete application that has a reasonable prospect of a positive Board decision. In line with ICANN's commitments to perform timely processing of requests relating to the IANA function, and the DNS root zone in particular, the ICANN Board seeks to evaluate such requests at its next scheduled Special Meeting.

What is the proposal being considered?

The proposal is to approve a request to IANA to change or designate the sponsoring organisation (also known as the manager or trustee) of a country-code top-level domain. In line with established practice, the ICANN Board is involved in making the decision to proceed with such requests as one step of this multi-step process.

Which stakeholders or others were consulted?

In the course of evaluating a delegation application, ICANN staff consults with the applicant, the current operator (if applicable), and other directly connected parties. In line with ICANN's practice of keeping incomplete root zone change requests in confidence, ICANN has not performed open consultation on this matter.

What concerns or issues were raised by the community?

Any concerns or issues are raised within the public report that will be published in conjunction with this action. This report will be published on the IANA website at http://www.iana.org/ should the root zone change request has successfully completed final processing, usually 1-2 months after the Board's decision.

What significant materials did the Board review?

The Board is involved in assessing requests against a variety of public interest criteria. This criteria includes establishing the country-code is eligible (e.g. listed in the ISO 3166-1 standard); establishing the proposed manager is supported by the local Internet community; establishing the proposed operator is operationally and technically competent; establishing the proposed manager is based locally and bound under local law; establishing the proposed manager operates fairly and equitably; establishing that in cases there is a transfer of operations that an appropriate plan is in place to preserve

ongoing stability of the domain; and establishing that the action is compatible with any applicable local laws and regulations. During the staff compilation process, the applicant is asked to provide a variety of materials in support of these various aspects. Pertinent information from these supplied materials and other staff research is provided to the Board, and published in a public report at the end of implementing an approved request.

What factors the Board found to be significant?

The Board considers factors described in the public report, in relation to the basic principles of country-code domain delegation described earlier.

Of particular note in this application, the Board considered that the application proposed redelegation of the top-level domain to a non-operational entity; the lack of significant community engagement in developing this application; and that the redelegation away from the existing sponsoring organisation was performed prior to contacting ICANN.

On balance, the Board found that while all of these elements are undesirable, both individually and as a whole, returning the request on this basis would leave known-bad information for the domain the IANA Root Zone Database which is counter to ICANN's stability goals.

Are there positive or negative community impacts?

The timely approval of country-code domain name managers that meet the various public interest criteria is positive toward ICANN's overall mission, and the local communities to which country-code top-level domains are designated to serve.

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

The administration of country-code delegations in the DNS root zone is part of the IANA functions, and the delegation action should not cause any significant variance on pre-planned expenditure. It is not the role of ICANN to assess the fiscal impact of the internal operations of country-code top-level domains within a country, other than ensuring the operator is based in country and has the appropriate mechanisms to allow the local Internet community to properly oversee the domain's ongoing operation.

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

For country-code top-level domain delegations, ICANN seeks to approve only such requests where reasonable concerns have been satisfactorily addressed, and the proposed new manager has demonstrated a sufficient level of operational and technical competency where such concerns should be minimal.

Submitted by: Kim Davies

Position: Manager, Root Zone Services

Date Noted:	4 September 2012
Email and Phone Number	kim.davies@icann.org Contact l f ti