Separator Page

2011-10-28-NoticeBDMtg

Directors and Liaisons,

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

28 October 2011 – Regular Meeting of the ICANN Board of Directors -- at 10:30 UTC – This Board meeting is estimated to last 3.5 hours. This will be followed by an Organizational Meeting of the ICANN Board of Directors – estimated to last .5 hours.

Some other time zones:
28 October 2011 – 3:30 AM PDT Los Angeles
28 October 2011– 12:30 PM CEST Brussels
28 October 2011– 6:30 AM Washington, D.C.
28 October 2011 - 9:30 PM Sydney

http://www.timeanddate.com/worldclock/fixedtime.html?iso=20111028T1030&ah=3&am=30

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) are the following: 1) an expanded agenda and 2) 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. Please note there is a third book for the face-to-face meetings that includes general briefing materials for the ICANN public meetings.

MATERIALS -- All Materials are available on www.boardvantage.com <http://www.boardvantage.com/ <http://www.boardvantage.com/> > , 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 two 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
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2011-10-28-Agenda – Dakar Board Meeting – 28 October

Agenda – Dakar Board Meeting – 28 October

Consent Agenda –

1. Minutes of 11 October 2011 – Approval – General Counsel

2. Endorsement of Internationalized Domain Names Guidelines Revision – Approval – From Staff (Board Paper 2011-10-28-01)

3. Security and Stability Advisory Committee Membership Actions– Approval - From SSAC (Board Paper 2011-10-28-02)

   a. Security and Stability Advisory Committee Member Reappointments

   b. Appointment of Greg Aaron and Lyman Chapin to the Security & Stability Advisory Committee

4. ,Recommendations on Post Expiration Domain Name Recovery – Approval – From GNSO (Board Paper 2011-10-28-03)

5. At-Large Review Implementation Interim Report – Receipt – From SIC (Board Paper 2011-10-28-04)

6. Technical Relations Working Group Final Report – Approval for Posting – From SIC (Board Paper 2011-10-28-05)

7. DNS Security Framework Working Group – Membership & Charter – Approval - From BGC (Board Paper 2011-10-28-06)

8. Membership of Board-Government Advisory Committee Working Group – Approval – From BGC (Board Paper 2011-10-28-07)

9. Posting of Expert's Report on Board Compensation – Approval – From BGC (Board Paper 2011-10-28-08)

10. Thank You (Board Paper 2011-10-28-09)

    a. Community Volunteers

    b. Security & Stability Advisory Committee:

       i. Thank You from Security and Stability Advisory Committee to Patrick Vande Walle

       ii. Thank You from Security and Stability Advisory Committee to Harald Alvestrand

    c. Directors & Liaisons

Main Agenda

1. Joint Applicant Support (Board Paper 2011-10-28-10)

2. Budget request – new gTLD Communication Plan (Board Paper 2011-10-28-11)

3. Recommendations from Security and Stability Advisory Committee Report on Whois Terminology & Structure (SAC051) – Receipt – From SSAC (Board Paper 2011-10-28-12)

4. Updates –

    a. Ethics & Conflicts Review

    b. Accountability & Transparency Review Team Recommendations (Board Paper 2011-10-28-13)

5. Issues Arising from the Meeting

6. Other Business

Agenda – Dakar Organizational Meeting – 28 October

1. Election of Board Chairman

2. Election of Board Vice-Chairman

3. Appointment of Membership of Board Committees

4. Confirmation of Officers of ICANN

5. Other Business

2011-10-28-Board-Approved-Resolutions-v1

*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.

1. **Consent Agenda**

   Resolved, the following resolutions in this Consent Agenda are approved:

   ### Approval of Minutes of 11 October 2011 ICANN Board Meeting

   Resolved (2011.10.28.xx), the Board approves the minutes of the 11 October 2011 ICANN Board Meeting.

   ### Endorsement of IDN Guidelines Revision

   Whereas, the IDN Guidelines were initially adopted by the ICANN Board in 2003, and subsequently updated in 2005, 2006 and 2007 to reflect best practices and protocol updates through the IETF.

   Whereas, the current version was published prior to the IDNA2008 revision of the IDNA Protocol and is now over four years old.

   Whereas, an IDN Guidelines Revision Working Group, made up of experts from ccTLD and gTLD registries, met in Singapore to establish a plan for updating the IDN Guidelines.

   Whereas, Version 3.0 of the IDN Guidelines was published for public comment from 27 July to 26 August 2011.

   Whereas, a public comment summary and analysis was completed and published on 2 September 2011.

   Whereas, the IDN Guidelines Revision Working Group incorporated inputs received during the comment period and published a final update to Version 3.0 of the IDN Guidelines on 2 September 2011 for consideration by the ICANN Board.

   Resolved (2011.10.28.xx), the ICANN Board of Directors endorses the Version 3.0 of the IDN Guidelines and agrees that the CEO is authorized to implement the Guidelines by authorizing registration of IDNs on the basis of those Guidelines.

Rationale for Resolution 2011.10.28.xx

Under the Affirmation of Commitments signed by ICANN and the US Department of Commerce on 30 September 2009, the importance for global Internet users to be able to use the Internet in their local languages and character sets was recognized. ICANN has followed an open and transparent process in publishing a revised IDN Guidelines.

This update to the IDN Guidelines is necessary to bring the Guidelines into current practice with IDNA2008. This is also needed so that new IDN registries that are being launched through the IDN ccTLD Fast Track Process and current gTLD registries offering IDN registrations adopt the most current version of the Guidelines.

A Board paper detailing the process for updating Version 3.0 of the IDN Guidelines and comments received between 27 July and 26 August 2011 has been provided to the Board.

There are no anticipated fiscal impacts on ICANN from this decision. ICANN staff will continue to work with the Revision Working Group on future updates to the IDN Guidelines that may be necessary based on the outcomes of the IDN Variant Project and other developments to the IDNA Protocol.

Security & Stability Advisory Committee Membership Actions

Approval of SSAC Member Reappointments

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

Whereas, the Board, at Resolution 2010.08.05.07 approved Bylaws revisions that create three-year terms for SSAC members, require staggering of terms, and obligate the SSAC chair to recommend the reappointment of all current SSAC members to full or partial terms to implement the Bylaws revisions.

Whereas, the Board, at Resolution 2010.08.05.08 appointed SSAC members to terms of one, two, and three years beginning on 01 January 2011 and ending on 31 December 2011, 31 December 2012, and 31 December 2013.

Whereas, in July 2011 the SSAC Membership Committee initiated an annual review of SSAC members whose terms are ending 31 December 2011 and submitted to the SSAC its recommendations for reappointments.

Whereas, on 07 September 2011, the SSAC members voted to approve the reappointments.

Whereas, the SSAC recommends that the Board reappoint the following SSAC members to three-year terms: KC Claffy, Steve Crocker, Rodney Joffe, Mark Kosters, Russ Mundy, Mark Seiden, Bruce Tonkin, Stefano Trumpy and Paul Vixie.

Resolved (2010.10.28.xx) the Board accepts the recommendation of the SSAC and reappoints the following SSAC members to three-year terms beginning 01 January 2012 and ending 31 December 2014: KC Claffy, Steve Crocker, Rodney Joffe, Mark Kosters, Russ Mundy, Mark Seiden, Bruce Tonkin, Stefano Trumpy and Paul Vixie.

> *Rationale for Resolution 2011.10.28.xx*
>
> *The SSAC is a diverse group of individuals whose expertise in specific subject matters enables the SSAC to fulfil 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 above-mentioned individuals provide the SSAC with the expertise and experience required for the Committee to fulfil its charter and executive its mission.*

Approval of SSAC Member Appointments

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 Greg Aaron and Lyman Chapin to the SSAC for three-year terms.

It is resolved (20XX.xx.xx.xx) that the Board appoints Greg Aaron and Lyman Chapin to the SSAC for three-year terms beginning 01 January 2012 and ending 31 December 2014.

> *Rationale for Resolution 2011.10.28.xx*
>
> *The SSAC is a diverse group of individuals whose expertise in specific subject matters enables the SSAC to fulfil 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.   Greg brings expertise on abuse and impacts that currently are not covered completely in the SSAC membership. In addition, Greg contributed on the work party for SAC048: SSAC Comment on the Orphan Glue Records in the Draft Applicant Guidebook. See http://www.icann.org/en/committees/security/sac048.pdf. Lyman has been an Invited Guest to the SSAC for the last 5 years. In that capacity he has contributed to many SSAC reports, discussions, and work parties. In particular, Lyman was a key contributor to the SSAC's recommendations on root scaling. See http://www.icann.org/en/committees/security/sac046.pdf.*

Recommendations on Post Expiration Domain Name Recovery

Whereas on 7 May 2009, the GNSO Council launched a Policy Development Process (PDP) on Post-Expiration Domain Name Recovery (PEDNR) addressing five charter questions, set forth at

https://community.icann.org/display/gnsopednr/3.+WG+Charter;

Whereas the PDP followed the prescribed PDP steps as stated in the Bylaws, resulting in a Final Report delivered on 14 June 2011;

Whereas the PEDNR Working Group (WG) reached full consensus on the recommendations in relation to each of the five issues outlined in the Charter;

Whereas the GNSO Council reviewed, and discussed the recommendations of the PEDNR WG, and adopted the Recommendations on 21 July 2011 by a Supermajority and unanimous vote (see: http://gnso.icann.org/resolutions/ - 201107);

Whereas the GNSO Council vote met and exceeded the required voting threshold to impose new obligations on ICANN contracted parties.

Whereas after the GNSO Council vote, a 30-day public comment period was held on the approved recommendations, and the comments have been summarized and considered (http://www.icann.org/en/public-comment/pednr-board-recommendations-15aug11-en.htm).

Resolved (2011.10.28.xx) the Board adopts the GNSO Council Policy Recommendations on Post-Expiration Domain Name Recovery.

Resolved (2011.10.28.xx) the CEO is to develop and complete an implementation plan for these Recommendations and continue communication with the community on such work.

Resolved (2011.10.28.xx) the CEO is directed to undertake the promotion of best practices and development of educational materials as identified by the GNSO Council in Resolved Clauses B and C of the GNSO Resolution (see http://gnso.icann.org/resolutions/#201107).

Resolved (2011.10.28.xx) the CEO is directed to ensure that ICANN's Contractual Compliance Department provides updates to the GNSO Council on a regular basis in relation to the implementation and effectiveness of the proposed recommendations, either in the form of a report that details amongst others the number of complaints received in relation to renewal and/or post-expiration related matters or in the form of audits that assess if the policy has been implemented as intended.

Rationale for Resolution 2011.10.28.xx

Why the Board is addressing the issue now?
The Post-Expiration Domain Name Recovery (PEDNR) Policy Development Process (PDP) was initially raised by the At-Large Advisory Committee (ALAC) with the GNSO Council. The ALAC raised a number of questions in relation to the predictability and transparency of existing expiration and renewal policies and practices. In addition to those issues, the PEDNR WG also addressed questions like: do registrants have adequate opportunity to redeem their domain name registration following expiration and is there adequate notice that a domain name registration is about to expire. The PEDNR Final Report received unanimous consensus support from the PEDNR Working Group as well as the GNSO Council. Following the closing of the public comment period on 15 September 2011, the next step as outlined in Annex A of the ICANN Bylaws is consideration by the ICANN Board of the recommendations.

What is the proposal being considered?
The following recommendations are being considered:
Define "Registered Name Holder at Expiration" (RNHaE) as the entity or individual that was eligible to renew the domain name registration immediately prior to expiration. If the domain name registration was modified pursuant to a term of the Registration Agreement authorizing the modification of registration data for the purposes of facilitating renewal but not at the explicit request of the registrant, the RNHaE is the entity or individual identified as the registrant immediately prior to that modification.

For at least 8 consecutive days, at some point following expiration, the original DNS resolution path specified by the RNHaE, at the time of expiration, must be interrupted1 by the registrar, to the extent that the registry permits such interruptions, and the domain must be renewable by the RNHaE until the end of that period. This 8-day period may occur at any time following expiration. At any time during the 8-day period, the Registered Name Holder at Expiration may renew the domain with the Registrar, and the Registrar, within a commercially reasonable delay, will restore the domain name to resolve to its original DNS resolution path prior to expiration. Notwithstanding, the Registrar may delete the domain at any time during the Autorenew grace period.

If at any time after expiration when the Registered Name is still renewable by the RNHaE, the Registrar changes the DNS resolution path to effect a different landing website than the one used by the RNHaE prior to expiration, the page shown must explicitly say that the domain has expired and give instructions on how to recover the domain. Wording in the policy must make clear that "instructions" may be as simple as directing the RNHaE to a specific web site. The RNHaE cannot be prevented from renewing a domain name registration as a result of WHOIS changes made by the Registrar that were not at the RNHaE's request.

The registration agreement must include or point to any fee(s) charged for the post-expiration renewal of a domain name. If the Registrar operates a website for registration or renewal, it should state, both at the time of registration and in a clear place on its website, any fee(s) charged for the post-expiration renewal of a domain name or the recovery of a domain name during the

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[1] DNS interruption is defined as total Internet service interruption except for an informational web page (only one IP on which only port 80 is active).

Redemption Grace Period.

The registration agreement and Registrar web site (if one is used) must clearly indicate what methods will be used to deliver pre- and post-expiration notifications, or must point to the location where such information can be found. What destination address/number will be used must also be specified, if applicable.

Registrar must notify Registered Name Holder of impending expiration no less than two times. One such notice must be sent one month or 30 days prior to expiration (±4 days) and one must be sent one week prior to expiration (±3 days). If more that two alert notifications are sent, the timing of two of them must be comparable to the timings specified.

Unless the Registered Name is renewed or deleted by the Registrar, at least one notification to the RNHaE, which includes renewal instructions, must be sent after expiration.

Notifications of impending expiration must include method(s) that do not require explicit registrant action other than standard e-mail receipt in order to receive such notifications.

With the exception of sponsored2 gTLDs, all gTLD Registries shall offer the Redemption Grace Period (RGP). For currently existing unsponsored gTLDs that do not currently offer the RGP, a transition period shall be allowed. All new gTLDs must offer the RGP. As part of the implementation, ICANN Staff should consider the Technical Steering Group's Implementation Proposal (see

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[2] An unsponsored TLD operates under policies established by the global Internet community directly through the ICANN process, while a sponsored TLD is a specialized TLD that has a sponsor representing the narrower community that is most affected by the TLD. It should be noted that this distinction is no longer used in the new gTLD program.

http://www.icann.org/en/meetings/bucharest/redemption-topic.htm)

If a Registrar offers registrations in a gTLD that supports the RGP, the Registrar must allow the Registered Name Holder at Expiration to redeem the Registered Name after it has entered RGP.

A transfer of a domain name during the RGP should not be allowed. In the event that ICANN gives reasonable notice to Registrars that ICANN has published web content as described in recommendation #15 below:
Registrars, who have a web presence, must provide a link to the ICANN content on any website it may operate for domain name registration or renewal clearly displayed to its Registered Name Holders at least as clearly as its links to policies or notifications required to be displayed under ICANN Consensus Policies. Registrars may also host similar material adapted to their specific practices and processes.
Registrar must point to the ICANN material in a communication sent to the registrant immediately following initial registration as well as in the mandated annual WHOIS reminder.

The GNSO Council recommends the following best practices for promotion by ICANN and the Registrar Stakeholder Group:
If post-expiration notifications are normally sent to a point of contact using the domain in question, and delivery is known to have been interrupted by post-expiration actions, post-expiration notifications should be sent to some other contact point associated with the registrant if one exists.

The notification method explanation should include the registrar's email address from which notification messages are sent and a suggestion that registrants save this email address as a 'safe sender' to avoid notification emails being blocked by spam filter software. Registrars should advise registrants to provide a secondary email

point of contact that is not associated with the domain name itself so that in case of expiration, reminders can be delivered to this secondary email point of contact.

The GNSO Council recommends that ICANN, in consultation with Registrars, ALAC and other interested parties, develop educational materials about how to properly steward a domain name and how to prevent unintended loss. Such material may include registrant responsibilities, the gTLD domain life-cycle and guidelines for keeping domain name records current.

ICANN Contractual Compliance Department is requested to provide updates to the GNSO Council on a regular basis in relation to the implementation and effectiveness of the proposed recommendations, either in the form of a report that details amongst others the number of complaints received in relation to renewal and/or post-expiration related matters or in the form of audits that assess if the policy has been implemented as intended.

The GNSO Council shall convene a PEDNR Implementation Review Team to assist ICANN Staff in developing the implementation details for the new policy should it be approved by the ICANN Board. The Implementation Review Team will be tasked with evaluating the proposed implementation of the policy recommendations as approved by the Board and is expected to work with ICANN Staff to ensure that the resultant implementation meets the letter and intent of the approved policy. If the PEDNR Implementation Review Team identifies any potential modifications to the policy or new PEDNR policy recommendations, the PEDNR Implementation Review Team shall refer these to the GNSO Council for its consideration and follow-up, as appropriate. Following adoption by the ICANN Board of the recommendations, the GNSO Secretariat is authorized to issue a call for volunteers for a PEDNR Implementation Review Team to the members of the PEDNR Working Group.

Which stakeholders or others were consulted?
Public comment forums were held on the initiation of the policy development process, the Initial Report and the Proposed Final Report, in additional to regular updates to the GNSO Council as well as workshops to inform and solicit the input from the ICANN Community at ICANN meetings (see for example, the ICANN Meeting in Brussels and San Francisco). Constituency statements were submitted (see https://community.icann.org/display/gnsopednr/Constituency+Statements). All the comments received were reviewed and considered by the PEDNR Working Group (see section 7 of the PEDNR Final Report). In addition, as prescribed by the ICANN Bylaws, a public comment forum was held on the recommendations to be considered by the ICANN Board.

What concerns or issues were raised by the community?
A summary and analysis of comments received can be found here: http://www.icann.org/en/public-comment/report-comments-pednr-board-recommendations-23sep11-en.pdf. None of the comments submitted during this public comment period raised issues that were not already considered and addressed by the PEDNR Working Group.

What significant materials did the Board review?
The Board reviewed the GNSO Council Report to the Board, as well as the summary of public comments and Staff's response to those comments.

What factors the Board found to be significant?
The recommendations were developed following the GNSO Policy Development Process as outlined in Annex A of the ICANN Bylaws and have received the unanimous support from the GNSO Council. As outlined in the ICANN Bylaws, the Council's unanimous (supermajority) support for the motion obligates the Board to adopt the recommendation unless by a vote of more than 66%, the Board determines that the policy is not in the best interests of the ICANN

community or ICANN. In addition, improvements to expiration and renewal related practices have the potential to reduce the number of complaints, in addition to providing clarity and predictability to registrants as well as registrars.

Are there positive or negative community impacts?
The proposed recommendations are expected to require significant changes on the part of registrars and to a lesser extend registries, even though the proposed recommendations are considered to be in line with current registrar and registry practices. Such changes may include:
Updates to the registration agreement
Updates to information on the registrar web-site
Offer Redemption Grace Period
Ensure that notices are sent at certain times
Technical adjustments to ensure compliance with the requirements

However, it is anticipated that the benefits are expected to outweigh the costs of adjusting existing practices as these proposed recommendations are expected to bring predictability and transparency to expiration and renewal related practices for gTLD registrants. As stated by the PEDNR Working Group 'these recommendations represent the compromise that has been found between the different viewpoints that existed amongst the WG members and the WG is confident that these recommendations will provide additional guarantees to registrants; will improve registrant education and comprehension, and; are in line with current registrar practices and will have minimal impact on most registrars and other affected stakeholders'.

Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?
Apart from those changes required in process for registrars and registries as outlined above, no other fiscal impacts or ramifications on ICANN; the community; and/or the public are expected.

***Are there any security, stability or resiliency issues relating to the
DNS?***
*There are no security, stability, or resiliency issues related to the DNS
if the Board approves the proposed recommendations.*

At-Large Review Implementation Interim Report

Whereas, on 26 June 2009, the Board resolved to direct ICANN Staff to
assist the At-Large community in developing a proposed implementation
plan and timeline for the recommendations in the ALAC Review Final
Report (except for the recommendation to provide At-Large with voting
seats) and to submit these to the Structural Improvements Committee for
review and Board approval. (Resolution 2009.06.26.12).

Whereas, at its 19 June 2010 meeting, the SIC acknowledged receipt from
Staff and the At-Large community of an implementation plan, with
timeline, "ALAC/At-Large Improvements Implementation Project Plan",
dated 7 June 2010, and resolved to recommend it to the ICANN Board for
consideration.

Whereas, at its 25 June 2010 Meeting, the Board directed ICANN's CEO to
provide the Board with a summary of the "ALAC/At-Large Improvements
Implementation Project Plan" dated 7 June 2010, for consideration at the
next Board meeting, if practicable. (Resolution 2010.06.25.10).

Whereas, at its 5 August 2010 Meeting, the Board approved the ALAC/At-
Large Improvements Project Plan and directed ICANN's CEO to take action
according to the ALAC/At-Large Improvements Implementation Project Plan
and report back on the progress at the 2010 Annual General Meeting.
(Resolution 2010.08.05.12).

Whereas, on 10 December 2010, during the 2010 Annual General Meeting,
the Chair of the ALAC provided an update on the ALAC/At-Large
Improvements Implementation Project Plan in her Chair's Report, prepared
in collaboration with Staff.

Whereas, at its 23 October 2011 Meeting, the SIC acknowledged receipt from staff of the ALAC/At-Large Improvements Project Milestone Report, dated 9 October 2011, and resolved to transmit this report to the ICANN Board.

It is hereby **Resolved** (2011.10.28.xx), that the Board:

Acknowledges receipt of the ALAC/At-Large Improvements Project Milestone Report, dated 9 October 2011, which provides an update on the implementation of the recommendations in the ALAC Review Final Report; and

Recognizes the substantial amount of work done thus far by the ALAC and At-Large community toward implementing these recommendations.

> *Rationale for Resolution 2011.10.28.xx*
>
> *As the ALAC and the At-Large Community approach the conclusion of the implementation of recommendations arising out of the ALAC Review Working Group Final Report, receiving regular updates documenting the status of the work is helpful to the Board and the community as a whole. The Board notes that additional discussion is required to determine what further implementation work is necessary to declare the implementation of the recommendations complete. To that end, the full financial implication of the further recommendations are not yet fully identified, nor are the impacts on ICANN and the other portions of the ICANN community. However, there is no immediate financial or resource impact on ICANN from the receipt of this Report, nor is there any impact on the security, stability or resiliency of the DNS.*

Technical Relations Working Group Final Report

Whereas, on 18 March 2011, the Board received a final report from the independent reviewer for the TLG Review and resolved to establish a Board Technical Relations Working Group, BTRWG, to address the

recommendations of the TLG Review final report. (Resolutions 2011.03.18.28-31)

Whereas, on 21 April 2011, the Board resolved to adopt the membership of the BTRWG and the Charter for the BTRWG. (Resolutions 2011.04.21.05 and 2011.04.21.12).

Whereas, the BTRWG submitted its final report, "Final Report from the Board Technical Relations Working Group ", dated 22 August 2011, to the ICANN Board for consideration.

Whereas, on 25 August 2011, the Board acknowledged receipt of the Final Report and directed the SIC to analyse the report and propose a course of action. (Resolution 2011.08.25.06)

Whereas, the Structural Improvements Committee at its meeting 23 October 2011 found it advisable to have the Final Report posted for public comments to provide further basis for actions and recommended that the Board request such posting.

It is hereby **Resolved** (2011.10.28.xx) that the Board requests that ICANN Staff post the "Final Report from the Board Technical Relations Working Group", dated 22 August 2011, for public comments and provides a summary of comments received to the SIC.

> *Rationale for Resolution 2011.10.28.xx*
>
> *The proposed actions are intended to fulfil transparency requirement and to inform further work. The actions to be taken 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.*

DNS Security Framework Working Group

[To be inserted after the Board Governance Committee Meeting]

Membership of Board-Government Advisory Committee Working Group

Resolution Text Superceded

Rationale for Resolution 2011.10.28.xx

Implementing recommendations from both the Board-GAC Joint

Working Group and the Accountability and Transparency Review Team is important to enhancing the relationship between the Board and the GAC and the accountability and transparency of both. This working group provides a formal mechanism to oversee the implementation of the recommendations. This action will not impact the security, stability and resiliency of the Internet, and is not expected to have an impact on ICANN's fiscal resources.

Posting of Expert's Report on Board Compensation

[To be inserted after the Board Governance Committee Meeting]

Thank You to Community Leaders

Community Volunteers:

[To be inserted]

Security and Stability Advisory Committee:

Thank You to Patrick Vande Walle

Whereas, Patrick Vande Walle was appointed to the ICANN Security and Stability Advisory Committee on 26 June 2009.

Whereas, ICANN wishes to acknowledge and thank Patrick Vande Walle for his service to the community by his membership on the Security and Stability Advisory Committee.

Resolved (2011.xx.xx.xx), that Patrick Vande Walle has earned the deep appreciation of the Board for his service to ICANN by his membership on the Security and Stability Advisory Committee, and that the Board wishes Patrick Vande Walle well in all future endeavours.

Thank You to Harald Alvestrand

Whereas, Harald Alvestrand was appointed to the ICANN Security and Stability Advisory Committee on 26 June 2009.

Whereas, ICANN wishes to acknowledge and thank Harald Alvestrand for his service to the community by his membership on the Security and Stability Advisory Committee.

Resolved (2011.10.28.xx), that Harald Alvestrand has earned the deep appreciation of the Board for his service to ICANN by his membership on the Security and Stability Advisory Committee, and that the Board wishes Harald Alvestrand well in all future endeavours.

ICANN Board of Directors:

[To be inserted]

Main Agenda

2.   Joint Applicant Support

[To be inserted]

3. Budget Request – new gTLD Communication Plan

[To be inserted following Board Finance Committee meeting]

4. Recommendations from Security and Stability Advisory Committee Report on Whois Terminology & Structure (SAC051)

2011-10-11-Board-Minutes-finalbd

A Special Meeting of the ICANN Board of Directors was held on 17 September 2011 in Santa Monica, California.

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: Sébastien Bachollet, Rod Beckstrom (CEO and President), Bertrand de La Chapelle, Chris Disspain, Bill Graham, Katim Touray and Kuo-Wei Wu.

The following Board Liaisons participated in all or part of the meeting: Heather Dryden, GAC Liaison, Ram Mohan, SSAC Liaison; Thomas Narten, IETF Liaison; and Reinhard Scholl, TLG Liaison.

Thomas Roessler, incoming TLG Liaison, attended at the Board's invitation.

Cherine Chalaby, Erika Mann, Gonzalo Navarro, Ray Plzak, R. Ramaraj, Mike Silber and Bruce Tonkin sent apologies.

The following staff participation in all or part of the meeting: John Jeffrey, General Counsel and Secretary; Akram Atallah, Chief Operating Officer; Kurt Pritz, SVP, Stakeholder Relations; Xavier Calvez, Chief Financial Officer; Elise Gerich, VP, IANA; Jamie Hedlund, VP, Government Affairs, Americas; David Olive, VP, Policy Development; Barbara Clay, VP, Communications; Kim Davies, Manager, Root Zone Services; Christopher Mondini, Chief of Staff; Diane Schroeder, Director of Board Support; Samantha Eisner, Senior Counsel; and Amy Stathos Deputy General Counsel.

1. Consent Agenda

The Chair introduced the consent agenda. Bertrand de La Chapelle and Katim Touray requested that the .SX delegation item be moved off of the Consent Agenda.

The Board then took the following action:

Resolved, the following resolutions in this Consent Agenda are approved:

1.1. Approval of Minutes of 25 August 2011 ICANN Board Meeting

Resolved (2011.10.11.01), the Board approves the minutes of the 25 August 2011 ICANN Board Meeting.

1.2. Approval of Minutes of 17 September 2011 ICANN Board Meeting

Resolved (2011.10.11.02), the Board approves the minutes of the 17 September 2011 ICANN Board Meeting.

1.3. Approval of Delegation of .CW (Curacao), Transitional Arrangements for Netherlands Antilles (.AN)

Whereas, CW is the ISO 3166-1 two-letter country-code designated for Curaçao;

Whereas, ICANN has received a request for delegation of .CW to the University of the Netherlands Antilles;

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;

Resolved (2011.10.11.03), the proposed delegation of the .CW top-level domain to the University of the Netherlands Antilles is approved.

Whereas, the .AN top-level domain was delegated on the basis of its former listing as an ISO 3166-1 two-letter country code designated for the Netherlands Antilles;

Whereas, the ISO 3166-1 standard has removed the "AN" code, and the ISO 3166 Maintenance Agency recommends its use be discontinued;

Whereas, ICANN is not responsible for deciding what is or is not a country, and adheres to the ISO 3166-1 standard for guidance on when to add, modify and remove country-code top-level domains;

Whereas, the .AN top-level domain is still the primary domain used by parties in the countries and municipalities that comprised the former Netherlands Antilles;

Whereas, there is a transition plan to move registrations from the .AN domain to new domains .CW and .SX, with the University of the Netherlands Antilles continuing to act as manager of the .AN domain until transition is complete,

Resolved (2011.10.11.04), that the University of Netherlands Antilles be instructed to report their progress on decommissioning the .AN domain every six months to ICANN against a relevant set of metrics,

Resolved (2011.10.11.05), that the University of Netherlands Antilles work to complete the transition of the .AN domain to the .CW domain, the .SX domain, and any other relevant domain; so that it may be removed from the DNS root zone no later than 31 October 2014.

Resolved (2011.10.11.06), that the .AN domain be removed from the DNS root zone on 31 October 2014, if not requested earlier by the manager of the domain.

Rationale for Resolutions 2011.10.11.03 – 2011.10.11.06

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. The matter of the timeline for the transition from the .AN domain to its successor domains is being addressed in conjunction with the evaluation of the delegation of the .CW and .SX domains, in order to give clarity to the communities involved the timeline upon which the transition will occur. This will allow the communities to prepare and plan appropriately for the transition.

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.
The proposal also considers a plan proposed the retire the .AN domain from service, after an appropriate transition period that will allow for existing registrants to migrate their services to appropriate new domains.

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.

Resolutions 2011.10.11.01, 2011.10.11.02, 2011.10.11.03, 2011.10.11.04, 2011.10.11.05, and 2011.10.11.06 were approved in a single vote approving the consent agenda items. All Board members present unanimously approved these resolutions. Cherine Chalaby, Erika Mann, Gonzalo Navarro, Ray Plzak, R. Ramaraj, Mike Silber and Bruce Tonkin were not available to vote on the resolutions.

2. Approval of Delegation of .SX (Sint Maarten)

Kim Davies provided an update on the request for delegation of the .SX ccTLD after the dissolution of the Netherlands Antilles and the formation of the constituent country of Sint Maarten. Kim provided some background regarding the proposed location of the administrative and technical contacts for the .SX ccTLD and the proposed location of the principal operations.

Bertrand de la Chapelle commented on the ISO Country Code, "SX" and inquired about the openness of the registration policy that will be implemented. Bertrand noted his general concern addressed the evolution of ccTLDs to behave more like gTLDs without having the same commitments to ICANN.

Kim confirmed that ICANN does not assess the registrations policies for ccTLDs in reviewing delegation or redelegation requests, instead focusing on the qualifications of the applicant. It is a local decision regarding domain eligibility rules.

The Chair explained that the ISO allocates the two-letter country codes, and it has been long-standing policy, adopted prior to ICANN's existence, that the two-letter country codes would be used as the ccTLD strings. The Chair contended that Bertrand's concern is outside of ICANN's purview. Katim Touray explained that while he shares Bertrand's concern, Katim's issue suggested that input from the ccNSO and ccTLD community may be helpful on this point.

Kim provided some background on the early trend of ccTLDs being managed outside of country.

John Jeffrey and Jamie Hedlund then proposed that the Board instruct staff to gather more information to address the Board's concerns as raised during the discussion, and present that information back to the Board at an upcoming meeting.

The Chair agreed to this course of action.

Sébastien Bachollet raised a question of the information provided to the Board, and whether this could have been addressed prior to Board consideration.

Kim confirmed that the Board might have discretion in applying some of the elements of delegations depending on the local circumstances in country, which was why the Board was presented with this delegation request at this time.

The Chair requested that more consideration be given to properly structure the presentation of this information to the Board.

3. New gTLD communications plan

The Chair explained that the Finance Committee was expected to make a recommendation to the Board on the Communications Plan budget for consideration in Dakar, and that this was an opportunity for the Board to discuss messaging with Barbara Clay.

Barbara Clay provided an update to the Board on the global awareness-raising effort for new gTLDs, including successful events in the Middle East and Europe.

Barbara requested the Board's input on the proposed messages for the communications plan and other thoughts that the Board may have on the communications plan.

Bertrand de la Chapelle noted that the messaging areas are becoming very substantive and exhaustive, and suggested some reformulation to better streamline the message for external audiences. Bertrand suggested the use of three to four main topic areas/headlines to structure the presentation.

Kuo-Wei Wu agreed with Bertrand, and stressed the need for the communications to be more explanatory for the non-applicant audience as well as raising awareness for potential applicants.

Sébastien Bachollet raised the issue of communicating how ICANN will support needy applicants, and that it's important to focus communications on a message that ICANN is trying to open gTLDs to new applicants and business ideas. Sébastien stressed his opinion that the communications plan should not solely focus on raising awareness of the process.

Barbara confirmed that the question of needy applicants has been raised in every country she has visited, and offered to speak with Sébastien in greater detail on this point. Barbara then queried the Board regarding their thoughts on promoting the existence of the process, which is more of a stewardship role, as opposed to advocacy as described by Sébastien.

Chris Disspain noted that ICANN should be careful in promoting the existence of the process and the ability to apply, as opposed to encouraging people to apply. ICANN's job should be to let people know that they can apply if they wish to do so.

Bertrand de la Chapelle supported Chris' distinction, and added that the communication should be focused on the rationale for launching the program – that ICANN has a mandate to do this, and previous rounds show that new gTLDs can be added without harming the root It is not about encouragement to apply, but demonstrating a program is in place with necessary protections. ICANN also has to make people aware of the constraints and requirements to participate in the process.

Barbara thanked the Board for their comments regarding refinement of the plan and noted that she will be refining the messages accordingly. Barbara pointed out that messages change over time, so they may continue to evolve. As they do, Barbara will keep the Board updated.

4. Update on IGF

Jamie Hedlund provided an update to the Board on the recent IGF meeting. Jamie noted that it had the highest number of attendees for an IGF meeting, with many remote participants as well. ICANN and ISOC sponsored scribing for the event. Jamie explained that there was a lot of discussion at the meeting regarding various governmental recommendations on moving Internet governance within the U.N.

At the IGF, the ICANN CEO and President gave a keynote that was well received, and ICANN also hosted an open forum that was well attended. ICANN staff and Board members participated in a number of sessions.

The CEO and President stressed that it is important for ICANN to continue focusing on the expansion of the multi-stakeholder model.

5. Approval of CEO Search Committee Membership

Steve Crocker presented the BGC's recommendation for the CEO Search Committee membership, and opened the discussion on the committee composition and chair selection. The Chair also raised the suggestion that George Sadowsky be added to the committee.

Chris Disspain raised the possibility that the committee could select its own Chair, which would represent a deviation from the process that the BGC currently follows. Chris noted that there was suggestion that George should chair the committee.

Sébastien Bachollet noted George's success as the chair of the NomCom in recruiting candidates. Sébastien commented that ICANN has the ability to identify strong candidates on its own without reference to outside recruiting firms, as seen from the NomCom work. Sébastien also noted his concern that a

suggestion to having the Chair of the Board chair the search committee could empower the committee to take action without broader Board consultation.

The Chair confirmed that for whoever is selected as chair of the committee, the role will be oversight of the process and the committee will not be empowered to take decision alone.

George stated that he is willing to serve as chair of the committee if that was the consensus of the Board.

Chris agreed that he is in favor of adding George to the committee, and noted that he would support either the Chair or George serving as chair of the committee.

Sébastien suggested the possibility that the Chair and George could co-chair the committee to share the work.

The CEO provided his opinion that the Board Chair should not chair the search committee as a matter of best practice.

Chris suggested that the committee could undertake the work to appoint its chair and provide a recommendation in Dakar.

The CEO agreed with this suggestion, as there are additional committee members not on the call that may wish to be considered as the committee chair.

The Chair raised a concern that there is already substantial work to be done prior to Dakar, and this organizational work of deciding a chair should be done at this time to assure that the substantive work gets done.

Thomas Narten agreed with the Chair, and requested that the Board take a decision now. The longer the delay in taking basic decisions, the harder it is to get work done. The committee chair can always be changed if necessary.

The Chair noted that the committee will have a lot of work to do, and raised his concern of having sufficient staff support to keep the pace of work needed.

The CEO addressed the resourcing issue an noted his strong opinion that ICANN must hire a professional search firm not only for accountability and transparency reasons, but also to make sure that there are professionals available with the time to shepherd the process through.

Sébastien noted his disagreement with the need to hire a professional search term, as he believes that ICANN already has the knowledge, people and process to do the CEO search. In the event someone needs to be hired, it should not be one specific search term.

Chris noted his view that ICANN needs outside assistance in this process.

The Chair confirmed that this is a discussion that can take place as part of the committee work.

The CEO raised a concern that the Board should make clear that no member of the committee may be considered a candidate for the position of CEO during this search, and recommended that this be incorporated into the resolution. Inclusion as a resolution, and not in a whereas clause, would make this a binding commitment.

The Chair confirmed that in advance of conversation regarding the CEO search process, he received assurances that no member of the Board was seeking to be a candidate, and agreed with Rod's suggestion of inclusion in the resolution.

Chris Disspain requested, and the Board agreed, that the CEO candidacy limitation in the resolution be clarified to be for the current search underway, and not as a permanent limitation.

Kuo-Wei Wu inquired about how those members of the Board not on the committee would receive information about the committee's work.

The Chair confirmed that it is an obligation of the committee to keep the Board fully informed, and noted that there will be a high degree of interaction and providing information to the full Board for input.

The Board then took the following actions:

Whereas, 16 August 2011, Rod Beckstrom announced that he will continue to fulfill his term as ICANN's President and CEO, which will be completed on 1 July 2012.

Whereas, the ICANN Board discussed CEO Succession planning at the Board meeting on 17 September 2011.

Whereas, the ICANN Board directed the Board Governance Committee to recommend a slate of Board members to comprise a CEO Search Process Management Work Committee for the Board to consider at its next meeting.

Whereas all members of the current Board and liaisons, including incoming, have all stated without reservation that they are not a candidate for the position of CEO and will not accept it as offered.

Resolved (2011.10.11.07), no current or incoming member of the Board or liaisons may be considered as a candidate for the role of the CEO for the current CEO Selection process.

Whereas, the following are the proposed members of the group, based upon Board Governance Committee recommendation and as refined by the Board:

Steve Crocker

George Sadowsky

Bertrand de La Chapelle

Erika Mann

Chris Disspain

Cherine Chalaby

Ray Plzak

R. Ramaraj

Resolved (2011.10.11.08), the Board approves the recommended membership of the CEO Search Process Management Work Committee.

Resolved (2011.10.11.09), the George Sadowsky will be the Chair of the CEO Search Committee.

Resolutions 2011.10.11.07, 2011.10.11.08 and 2011.10.11.09 were each approved by separate voice votes. All voting members in attendance approved of the Resolutions. Cherine Chalaby, Erika Mann, Gonzalo Navarro, Ray Plzak, R. Ramaraj, Mike Silber and Bruce Tonkin were not available to vote on the resolutions.

Rationale for Resolutions 2011.10.11.07 – 2011.10.11.09

The ICANN Board has begun planning for and developing the CEO succession process, to assist in transition of the leadership. The establishment of a work committee will allow the Board to coordinate this process with regular reporting to the Board as a whole, as well as reviewing opportunities for community involvement in the process. Timely succession of the ICANN CEO will assist the organization in maintaining its work in overseeing the security and the stability of the DNS. The establishment of the work committee will not have a financial impact on ICANN, though resources are likely to be required at later points in the process.

6. Any Other Business

The Chair called for any other business items, and suggested that the Joint Applicant Support group (JAS), and planning for Dakar could be topics of interest.

Kuo-Wei Wu noted that the NRO will be having a meeting in Dakar and inquired about plans for the Board and the NRO to meet while there.

Thomas Narten suggested that a subgroup of interested Board members should be formed to have a meaningful interaction with the NRO/ASO.

The Chair agreed with Thomas' suggestion and recommended that Kuo and Thomas lead the creation of a subgroup.

Chris Disspain recommended Ray Plzak to join the group as well.

The Chair requested that staff coordinate the time in Dakar to allow this to happen.

Bertrand requested a timeline for the possible setting up a fund to help needy applicants, where others could contribute.

The Chair noted that even if additional funds were there, a process does not exit yet. We have to be careful to not rush to set a process that will be defective if it entices applicants to jump in and leave them in a weakened financial state for continuing operations.

Kurt Pritz noted that work is underway to identify consultants that could take the criteria created by the JAS and the process created by the JAS and add more operational details, or adjust to address risk issues. The work is underway to develop a process to release funds, and the Board will have some models for consideration.

The CEO addressed Bertrand's comment and stated that it's not feasible for ICANN to set up a method to receive money from others prior to a January application window opening. There's a lot of work to receive and administer funds, and to create the appropriate legal structure to do so.

Kurt clarified that for the US$2 million that is already committed by ICANN can be disbursed without waiting for the identification or formation of the appropriate legal structure. Addressing Steve's concern on creation of registries that are more at-risk because available funding is limited, Kurt noted that its likely that there will be registries at higher risk, and the funds will not cover sustaining operations. The JAS noted this as well and recommended a larger fund.

Katim Touray noted that it might be helpful to meet with the JAS Working Group ready with a list of questions, to allow for informed discussions and provide the Board clarification on some items. There are a lot of good ideas on the table, and it has to be decided how we are going to move forward given time frame and resources constrains.

Sébastien Bachollet supported Katim's suggestion and proposed that a small group be formed to create those questions.

The Chair asked staff for information about what the next steps are for dealing with the Board's US$2 million dollar commitment.

Kurt explained that there are three steps: 1. Developing the criteria, starting with JAS-based criteria; 2. Developing a process or procedure to apply for aid; and 3. Convening a panel to consider the applications. There is also the step of how to handle the money, which could likely be through a separate bank account.

The Chair asked for Kurt to provide a status report to the Board on this work as soon as possible. The Chair also proposed that the BGC be asked to form a small, balanced team of Board members to oversee some of this work.

George Sadowsky pointed to his dissent to the New gTLD vote. George cautioned that ICANN would have to work quickly to manage expectations on funding and assistance, and make sure that ICANN is able to meet the expectations that are developed. Chris Disspain agreed.

Thomas Narten agreed with the Chair's suggestion of the formation of a small group to work with staff on this item, as the full Board can't be involved in this work. Thomas urged for the group to be formed as soon as possible, and not to wait for the BGC to make a recommendation.

The Chair agreed with the urgency stated by Thomas, and asked the Board to identify, within 24 hours or so, the main composition of the JAS subgroup.

Chris agreed to discuss the matter with Bruce Tonkin (Chair of the BGC) the next day.

Chris raised suggestions of the timing for meeting with the JAS in Dakar to allow for better conversation.

Kurt noted that there was a public session on Monday with the JAS.

Sébastien urged that the Board use the Monday session as the opportunity to interact with the JAS.

The Chair then raised a new item, regarding the fact that a number of TLDs have now been in existence for 25 years, and raised the suggestion to have some sort of commemoration or recognition of that during the meeting in Dakar. The Chair welcomed Board suggestions on this idea.

The Chair called the meeting to a close.

2011-10-28-01-Board Submission-IDNGuidelines

ICANN BOARD SUBMISSION NO. 2011-10-28-01

TITLE: **IDN Guidelines Revision**

PROPOSED ACTION: **For Board Endorsement**

EXECUTIVE SUMMARY:

ICANN has completed the public comment process on Version 3.0 of the IDN Guidelines, which are the general standards for Internationalized Domain Name (IDN) registration policies and practices for TLD registries. The current version of the Guidelines, Version 2.2, was published in April 2007. This version is over four years old and predates the publication of the latest version of the IDNA Protocol (IDNA2008), which is the technical standard for the implementation of IDNs for TLD registries, registrars and software developers that make IDNs available.

The Annex to this submission provides the background for the revision work conducted to date, and a summary of the comments received at the conclusion of the comment period on 26 August 2011.

STAFF RECOMMENDATION:

Staff is requesting that the Board endorse Version 3.0 of the IDN Guidelines and agree that the CEO is authorized to implement the Guidelines by authorizing registration of IDNs on the basis of those Guidelines, based on the following:

1. ICANN conducted a public comment period on the document (from 27 July to 26 August 2011), along with outreach to the authors of IDNA2008. A summary and analysis of comments was published on 2 September 2011 (http://www.icann.org/en/public-comment/report-comments-idn-guidelines-revision-02sep11-en.pdf).

2. Two public comments were received during the comment period. One comment was incorporated (along with additional clarifications identified by the Revision Working Group) and an explanation of why the second comment was not incorporated was published in the summary and analysis of comments.

3. This updated version of the IDN Guidelines is necessary in order to reflect the changes between IDNA2003 and IDNA2008 that have occurred since the previous version of the IDN Guidelines was published in 2007. This update is also being provided in order to reflect current practices before the launch of the new gTLD application process in January 2012.

PROPOSED RESOLUTION:

Whereas, the IDN Guidelines were initially adopted by the ICANN Board in 2003, and subsequently updated in 2005, 2006 and 2007 to reflect best practices and protocol updates through the IETF.

Whereas, the current version was published prior to the IDNA2008 revision of the IDNA Protocol and is now over four years old.

Whereas, an IDN Guidelines Revision Working Group, made up of experts from ccTLD and gTLD registries, met in Singapore to establish a plan for updating the IDN Guidelines.

Whereas, Version 3.0 of the IDN Guidelines was published for public comment from 27 July to 26 August 2011.

Whereas, a public comment summary and analysis was completed and published on 2 September 2011.

Whereas, the IDN Guidelines Revision Working Group incorporated inputs received during the comment period and published a final update to Version 3.0 of the IDN Guidelines on 2 September 2011 for consideration by the ICANN Board.

Resolved (2011.__), the ICANN Board of Directors endorses the Version 3.0 of the IDN Guidelines and agrees that the CEO is authorized to implement the Guidelines by authorizing registration of IDNs on the basis of those Guidelines.

RATIONALE:

Under the Affirmation of Commitments signed by ICANN and the US Department of Commerce on 30 September 2009, the importance for global Internet users to be able to

use the Internet in their local languages and character sets was recognized. ICANN has followed an open and transparent process in publishing a revised IDN Guidelines.

This update to the IDN Guidelines is necessary to bring the Guidelines into current practice with IDNA2008. This is also needed so that new IDN registries that are being launched through the IDN ccTLD Fast Track Process and current gTLD registries offering IDN registrations adopt the most current version of the Guidelines.

A Board paper detailing the process for updating Version 3.0 of the IDN Guidelines and comments received between 27 July and 26 August 2011 has been provided to the Board.

There are no anticipated fiscal impacts on ICANN from this decision. ICANN staff will continue to work with the Revision Working Group on future updates to the IDN Guidelines that may be necessary based on the outcomes of the IDN Variant Project and other developments to the IDNA Protocol.

Submitted by:	Naela Sarras
	Patrick Jones
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2011-10-28-02-Board Submission-Cover Letter SSAC New-Departing-Reappointments

10 October 2011

To: ICANN Board
From: The SSAC Chair
Via: The SSAC Liaison to the ICANN Board

The purpose of this letter is to bring you up-to-date on proposed changes to the membership of the Security and Stability Advisory Committee (SSAC) and to provide an explanation for the attached requests for Board actions. These changes are the result of the annual membership evaluation process instituted by the SSAC and completed by the SSAC Membership Committee in September 2011.

The SSAC Membership Committee considers new member candidates and makes its recommendations to the SSAC. It also evaluates SSAC members whose terms are ending with the calendar year. The Membership Committee is comprised of the SSAC Chair, the SSAC Vice Chair, the SSAC Board Liaison, and other SSAC member volunteers. This year the Membership Committee evaluated the following members whose terms are ending 31 December 2011: Harald Alvestrand, KC Claffy, Steve Crocker, Rodney Joffe, Mark Kosters, Russ Mundy, Mark Seiden, Bruce Tonkin, Stefano Trumpy, Patrick Vande Walle, and Paul Vixie. The SSAC agreed to the Membership Committee's recommendation to reappoint all of the members listed above except Harald Alvestrand and Patrick Vande Walle, who decided not to seek reappointment at the end of their terms. Thus, the SSAC respectfully requests that the ICANN Board should reappoint the above-mentioned members to three-year terms and to join the Committee in extending its thanks to Harald and Patrick for their service to the SSAC and the Community.

In addition, the SSAC has agreed with the Membership Committee's recommendation to appoint two new members: Greg Aaron and Lyman Chapin. The SSAC notes that Greg brings expertise on abuse and impacts and contributed on the work party for SAC048: SSAC Comment on the Orphan Glue Records in the Draft Applicant Guidebook. Lyman has been active in the SSAC as an Invited Guest for the last five years and has contributed to several work parties, including the SSAC's recommendations on root scaling. Thus, the SSAC Membership Committee respectfully requests that the Board appoint Greg Aaron and Lyman Chapin to the SSAC. Attached are their bios and statements of interest for your reference.

The SSAC welcomes comments from the Board concerning these requests.

Patrik Fältström, SSAC Chair

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2011-10-28-02a-Board Submission SSAC Member Reappointments

TITLE: SSAC Member Reappointments

PROPOSED ACTION: For Board Consent Agenda

EXECUTIVE SUMMARY:

One of the recommendations arising out of the organizational review of the Security
and Stability Advisory Committee (SSAC) is for SSAC membership appointments to
be for a term of three years renewable by the Board at the recommendation of the
SSAC Chair indefinitely, and that the terms be staggered to allow for the terms of one-
third of the SSAC members to expire at the end of every year.   On 05 August 2010 the
ICANN Board approved Bylaws revisions that create three-year terms for SSAC
members and assigned initial one-, two-, and three-year terms to all SSAC members.
Each year the SSAC Membership Committee evaluates those members whose terms are
ending in the calendar year, in this case 31 December 2011. The Membership
Committee submitted its recommendations for member reappointments to the SSAC,
which approved the reappointments of the following SSAC members: KC Claffy, Steve
Crocker, Rodney Joffe, Mark Kosters, Russ Mundy, Mark Seiden, Bruce Tonkin,
Stefano Trumpy and Paul Vixie. Two members elected not to seek reappointment:
Harald Alvestrand and Patrick Vande Walle.

SSAC RECOMMENDATION:

The Committee recommends the Board reappoint the SSAC members as identified in
the proposed resolution.

PROPOSED RESOLUTIONS:

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

Whereas, the Board, at Resolution 2010.08.05.07 approved Bylaws revisions that create
three-year terms for SSAC members, require staggering of terms, and obligate the
SSAC chair to recommend the reappointment of all current SSAC members to full or
partial terms to implement the Bylaws revisions.

Whereas, the Board, at Resolution 2010.08.05.08 appointed SSAC members to terms of one, two, and three years beginning on 01 January 2011 and ending on 31 December 2011, 31 December 2012, and 31 December 2013.

Whereas, in July 2011 the SSAC Membership Committee initiated an annual review of SSAC members whose terms are ending 31 December 2011 and submitted to the SSAC its recommendations for reappointments.

Whereas, on 07 September 2011, the SSAC members voted to approve the reappointments.

Whereas, the SSAC recommends that the Board reappoint the following SSAC members to three-year terms: KC Claffy, Steve Crocker, Rodney Joffe, Mark Kosters, Russ Mundy, Mark Seiden, Bruce Tonkin, Stefano Trumpy and Paul Vixie.

Resolved (2010.XX.XX.XX) the Board accepts the recommendation of the SSAC and reappoints the following SSAC members to three-year terms beginning 01 January 2012 and ending 31 December 2014: KC Claffy, Steve Crocker, Rodney Joffe, Mark Kosters, Russ Mundy, Mark Seiden, Bruce Tonkin, Stefano Trumpy and Paul Vixie.

PROPOSED RATIONALE:

The SSAC is a diverse group of individuals whose expertise in specific subject matters enables the SSAC to fulfil 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 above-mentioned individuals provide the SSAC with the expertise and experience required for the Committee to fulfil its charter and executive its mission.

Submitted by:	Ram Mohan
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Date Noted:	10 October 2011
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2011-10-28-02b-ICANN Board Submission for SSAC Appointments Greg Aaron and Lyman Chapin

ICANN BOARD SUBMISSION NO. 2011-10-28-02d

TITLE: **Appointment of Greg Aaron and Lyman Chapin to the Security & Stability Advisory Committee**

PROPOSED ACTION: For Consent Agenda

EXECUTIVE SUMMARY:

The Chair of the Security and Stability Advisory Committee respectfully requests the appointment of Greg Aaron and Lyman Chapin as new Committee members to three-year terms.

COMMITTEE RECOMMENDATION:

The Committee desires the appointment of Greg Aaron and Lyman Chapin to the Security and Stability Advisory Committee (SSAC).

PROPOSED RESOLUTION:

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 Greg Aaron and Lyman Chapin to the SSAC for three-year terms.

It is resolved (20XX.xx.xx.xx) that the Board appoints Greg Aaron and Lyman Chapin to the SSAC for three-year terms beginning 01 January 2012 and ending 31 December 2014.

PROPOSED RATIONALE:

The SSAC is a diverse group of individuals whose expertise in specific subject matters enables the SSAC to fulfil 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.   Greg brings expertise on abuse and impacts that currently are not covered completely in the SSAC membership. In addition, Greg contributed on the work party for SAC048: SSAC Comment on the Orphan Glue Records in the Draft Applicant Guidebook. See http://www.icann.org/en/committees/security/sac048.pdf. Lyman has been an Invited Guest to the SSAC for the last 5 years. In that capacity he has contributed to many SSAC reports, discussions, and work parties. In particular, Lyman was a key contributor to the SSAC's recommendations on root scaling. See http://www.icann.org/en/committees/security/sac046.pdf.

Submitted by: Ram Mohan, SSAC Liaison to the Board

Position: Liaison to the ICANN Board from the Security &
                       Stability Advisory Committee

Date Noted: 10 October 2011

Email: rmohan@afilias.info

2011-10-28-03-Board Submission-PEDNR PDP

ICANN BOARD SUBMISSION NO. 2011-10-28-03

TO:	**ICANN Board of Directors**
TITLE:	**GNSO Council Recommendations PEDNR**
PROPOSED ACTION:	**Board Action to Approve**

EXECUTIVE SUMMARY:

On 21 July 2011, the GNSO Council unanimously approved the recommendations and Final Report of the Post-Expiration Domain Name Recovery (PEDNR) Policy Development Process (PDP) Working Group. The recommendations include, amongst others, the following[1]:

1. Provide a minimum of 8 days after expiration for renewal by the registrant

2. An expired website must explicitly say that registration has expired and instructions on how to recover the registration

3. The registration agreement must include information on the fees charged for the post-expiration renewal of a domain name

4. Clear indication of methods used to deliver pre- and post-expiration notifications must be provided

5. At least three notices are required, two of which need to be sent prior to expiration at set time intervals and one after expiration

6. Notifications must not solely be done by methods which require explicit action by the Registrant

7. All gTLDs and registrars must offer the Redemption Grace Period (RGP), with the exception of sponsored gTLDs

8. The transfer of a domain name during the RGP should not be allowed

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[1] Please note that a detailed description of each of these recommendations can be found in section A of the Annex (GNSO Council Report to the ICANN Board) as well as the PEDNR Final Report.

9. ICANN should develop educational materials on how to properly steward a domain name and prevent unintended loss

In addition, the GNSO Council recommends the promotion by ICANN and the Registrar Stakeholder Group of best practice recommendations such as: post-expiration notifications should be sent to some other contact point than to the email address associated with the expired registration; provide notice of where notification emails will be sent from, and; encourage registrants to provide a secondary email point of contact.

Furthermore, the GNSO Council recommends that ICANN, in consultation with Registrars, ALAC and other interested parties, develops educational materials about how to properly steward a domain name and how to prevent unintended loss.

ICANN's Contractual Compliance Department is requested to provide updates to the GNSO Council on a regular basis in relation to the implementation and effectiveness of the proposed recommendations, either in the form of a report that details amongst others the number of complaints received in relation to renewal and/or post-expiration related matters or in the form of audits that assess if the policy has been implemented as intended.

Under the ICANN Bylaws, the Council's unanimous (supermajority) support for the motion obligates the Board to adopt the recommendation unless by a vote of more than 66%, the Board determines that the policy is not in the best interests of the ICANN community or ICANN.

The policy recommendations, if approved by the Board, will impose new obligations on certain contracted parties. The GNSO Council's unanimous vote in favor of these items exceeds the voting threshold required at Article X, Section 3.9.f of the ICANN Bylaws regarding the formation of consensus policies.

STAFF RECOMMENDATION:

Staff recommends that the Board adopts the GNSO Policy Recommendations as a Post-Expiration Domain Name Recovery Consensus Policy. The proposed recommendations are expected to require significant changes on the part of registrars and to a lesser extend registries, even though the proposed recommendations are considered to be in line with current registrar and registry practices. Such changes may include:

- Updates to the registration agreement
- Updates to information on the registrar web-site
- Offer Redemption Grace Period
- Ensure that notices are sent at certain times
- Technical adjustments to ensure compliance with the requirements

However, it is anticipated that the benefits will outweigh the costs of adjusting existing practices as these proposed recommendations are expected to bring predictability and transparency to expiration and renewal related practices for gTLD registrants.

Staff also recommends that the Board, in line with the GNSO recommendation of promoting best practices and developing educational materials, direct the CEO to have staff work on these issues as outlined in Resolved Clauses B and C of the GNSO Resolution (see http://gnso.icann.org/resolutions/#201107).

PROPOSED RESOLUTION:

WHEREAS on 7 May 2009, the GNSO Council launched a Policy Development Process (PDP) on Post-Expiration Domain Name Recovery (PEDNR) addressing five charter questions, set forth at https://community.icann.org/display/gnsopednr/3.+WG+Charter;

WHEREAS the PDP followed the prescribed PDP steps as stated in the Bylaws, resulting in a Final Report delivered on 14 June 2011;

WHEREAS the PEDNR Working Group (WG) reached full consensus on the recommendations in relation to each of the five issues outlined in the Charter;

WHEREAS the GNSO Council reviewed, and discussed the recommendations of the PEDNR WG, and adopted the Recommendations on 21 July 2011 by a Supermajority and unanimous vote (see: http://gnso.icann.org/resolutions/#201107);

WHEREAS the GNSO Council vote met and exceeded the required voting threshold to impose new obligations on ICANN contracted parties.

WHEREAS after the GNSO Council vote, a 30-day public comment period was held on the approved recommendations, and the comments have been summarized and considered (http://www.icann.org/en/public-comment/pednr-board-recommendations-15aug11-en.htm).

RESOLVED (2011.xx.xx.__) the Board adopts the GNSO Council Policy Recommendations on Post-Expiration Domain Name Recovery.

RESOLVED (2011.xx.xx__) the CEO is to develop and complete an implementation plan for these Recommendations and continue communication with the community on such work.

RESOLVED (2011.xx.xx.__) the CEO is directed to undertake the promotion of best practices and development of educational materials as identified by the GNSO Council in Resolved Clauses B and C of the GNSO Resolution (see http://gnso.icann.org/resolutions/#201107).

RESOLVED (2011.xx.xx.__) the CEO is directed to ensure that ICANN's Contractual Compliance Department provides updates to the GNSO Council on a regular basis in relation to the implementation and effectiveness of the proposed recommendations, either in the form of a report that details amongst others the number of complaints received in relation to renewal and/or post-expiration related matters or in the form of audits that assess if the policy has been implemented as intended.

RATIONALE FOR RESOLUTION:

Why the Board is addressing the issue now?
The Post-Expiration Domain Name Recovery (PEDNR) Policy Development Process (PDP) was initially raised by the At-Large Advisory Committee (ALAC) with the GNSO Council. The ALAC raised a number of questions in relation to the predictability and transparency of existing expiration and renewal policies and practices. In addition to those issues, the PEDNR WG also addressed questions like: do

registrants have adequate opportunity to redeem their domain name registration following expiration and is there adequate notice that a domain name registration is about to expire. The PEDNR Final Report received unanimous consensus support from the PEDNR Working Group as well as the GNSO Council. Following the closing of the public comment period on 15 September 2011, the next step as outlined in Annex A of the ICANN Bylaws is consideration by the ICANN Board of the recommendations.

What is the proposal being considered?

The following recommendations are being considered:

1. Define "Registered Name Holder at Expiration" (RNHaE) as the entity or individual that was eligible to renew the domain name registration immediately prior to expiration. If the domain name registration was modified pursuant to a term of the Registration Agreement authorizing the modification of registration data for the purposes of facilitating renewal but not at the explicit request of the registrant, the RNHaE is the entity or individual identified as the registrant immediately prior to that modification.

2. For at least 8 consecutive days, at some point following expiration, the original DNS resolution path specified by the RNHaE, at the time of expiration, must be interrupted[2] by the registrar, to the extent that the registry permits such interruptions, and the domain must be renewable by the RNHaE until the end of that period. This 8-day period may occur at any time following expiration. At any time during the 8-day period, the Registered Name Holder at Expiration may renew the domain with the Registrar, and the Registrar, within a commercially reasonable delay, will restore the domain name to resolve to its original DNS resolution path prior to expiration. Notwithstanding, the Registrar may delete the domain at any time during the Autorenew grace period.

3. If at any time after expiration when the Registered Name is still renewable by the RNHaE, the Registrar changes the DNS resolution path to effect a different landing website than the one used by the RNHaE prior to expiration, the page shown must explicitly say that the domain has expired and give instructions on how to recover

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[2] DNS interruption is defined as total Internet service interruption except for an informational web page (only one IP on which only port 80 is active).

the domain. Wording in the policy must make clear that "instructions" may be as simple as directing the RNHaE to a specific web site.

4. The RNHaE cannot be prevented from renewing a domain name registration as a result of WHOIS changes made by the Registrar that were not at the RNHaE's request.

5. The registration agreement must include or point to any fee(s) charged for the post-expiration renewal of a domain name. If the Registrar operates a website for registration or renewal, it should state, both at the time of registration and in a clear place on its website, any fee(s) charged for the post-expiration renewal of a domain name or the recovery of a domain name during the Redemption Grace Period.

6. The registration agreement and Registrar web site (if one is used) must clearly indicate what methods will be used to deliver pre- and post-expiration notifications, or must point to the location where such information can be found. What destination address/number will be used must also be specified, if applicable.

7. Registrar must notify Registered Name Holder of impending expiration no less than two times. One such notice must be sent one month or 30 days prior to expiration (±4 days) and one must be sent one week prior to expiration (±3 days). If more that two alert notifications are sent, the timing of two of them must be comparable to the timings specified.

8. Unless the Registered Name is renewed or deleted by the Registrar, at least one notification to the RNHaE, which includes renewal instructions, must be sent after expiration.

9. Notifications of impending expiration must include method(s) that do not require explicit registrant action other than standard e-mail receipt in order to receive such notifications.

10. With the exception of sponsored[3] gTLDs, all gTLD Registries shall offer the Redemption Grace Period (RGP). For currently existing unsponsored gTLDs that do not currently offer the RGP, a transition period shall be allowed. All new gTLDs must offer the RGP. As part of the implementation, ICANN Staff should consider

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[3] An unsponsored TLD operates under policies established by the global Internet community directly through the ICANN process, while a sponsored TLD is a specialized TLD that has a sponsor representing the narrower community that is most affected by the TLD. It should be noted that this distinction is no longer used in the new gTLD program.

the Technical Steering Group's Implementation Proposal (see
http://www.icann.org/en/meetings/bucharest/redemption-topic.htm)

11. If a Registrar offers registrations in a gTLD that supports the RGP, the Registrar must allow the Registered Name Holder at Expiration to redeem the Registered Name after it has entered RGP.

12. A transfer of a domain name during the RGP should not be allowed.

13. In the event that ICANN gives reasonable notice to Registrars that ICANN has published web content as described in recommendation #15 below:

   - Registrars, who have a web presence, must provide a link to the ICANN content on any website it may operate for domain name registration or renewal clearly displayed to its Registered Name Holders at least as clearly as its links to policies or notifications required to be displayed under ICANN Consensus Policies.

   - Registrars may also host similar material adapted to their specific practices and processes.

   - Registrar must point to the ICANN material in a communication sent to the registrant immediately following initial registration as well as in the mandated annual WHOIS reminder.

14. The GNSO Council recommends the following best practices for promotion by ICANN and the Registrar Stakeholder Group:

   ▪ If post-expiration notifications are normally sent to a point of contact using the domain in question, and delivery is known to have been interrupted by post-expiration actions, post-expiration notifications should be sent to some other contact point associated with the registrant if one exists.

   ▪ The notification method explanation should include the registrar's email address from which notification messages are sent and a suggestion that registrants save this email address as a 'safe sender' to avoid notification emails being blocked by spam filter software.

   ▪ Registrars should advise registrants to provide a secondary email point of contact that is not associated with the domain name itself so that in case of expiration, reminders can be delivered to this secondary email point of contact.

15. The GNSO Council recommends that ICANN, in consultation with Registrars, ALAC and other interested parties, develop educational materials about how to

properly steward a domain name and how to prevent unintended loss. Such material may include registrant responsibilities, the gTLD domain life-cycle and guidelines for keeping domain name records current.

16. ICANN Contractual Compliance Department is requested to provide updates to the GNSO Council on a regular basis in relation to the implementation and effectiveness of the proposed recommendations, either in the form of a report that details amongst others the number of complaints received in relation to renewal and/or post-expiration related matters or in the form of audits that assess if the policy has been implemented as intended.

17. The GNSO Council shall convene a PEDNR Implementation Review Team to assist ICANN Staff in developing the implementation details for the new policy should it be approved by the ICANN Board. The Implementation Review Team will be tasked with evaluating the proposed implementation of the policy recommendations as approved by the Board and is expected to work with ICANN Staff to ensure that the resultant implementation meets the letter and intent of the approved policy. If the PEDNR Implementation Review Team identifies any potential modifications to the policy or new PEDNR policy recommendations, the PEDNR Implementation Review Team shall refer these to the GNSO Council for its consideration and follow-up, as appropriate. Following adoption by the ICANN Board of the recommendations, the GNSO Secretariat is authorized to issue a call for volunteers for a PEDNR Implementation Review Team to the members of the PEDNR Working Group.

Which stakeholders or others were consulted?

Public comment forums were held on the initiation of the policy development process, the Initial Report and the Proposed Final Report, in additional to regular updates to the GNSO Council as well as workshops to inform and solicit the input from the ICANN Community at ICANN meetings (see for example, the ICANN Meeting in Brussels and San Francisco). Constituency statements were submitted (see https://community.icann.org/display/gnsopednr/Constituency+Statements). All the comments received were reviewed and considered by the PEDNR Working Group (see section 7 of the PEDNR Final Report).

In addition, as prescribed by the ICANN Bylaws, a public comment forum was held on the recommendations to be considered by the ICANN Board.

What concerns or issues were raised by the community?
A summary and analysis of comments received can be found here: http://www.icann.org/en/public-comment/report-comments-pednr-board-recommendations-23sep11-en.pdf. None of the comments submitted during this public comment period raised issues that were not already considered and addressed by the PEDNR Working Group.

What significant materials did the Board review?
The Board reviewed the GNSO Council Report to the Board, as well as the summary of public comments and Staff's response to those comments.

What factors the Board found to be significant?
The recommendations were developed following the GNSO Policy Development Process as outlined in Annex A of the ICANN Bylaws and have received the unanimous support from the GNSO Council. As outlined in the ICANN Bylaws, the Council's unanimous (supermajority) support for the motion obligates the Board to adopt the recommendation unless by a vote of more than 66%, the Board determines that the policy is not in the best interests of the ICANN community or ICANN. In addition, improvements to expiration and renewal related practices have the potential to reduce the number of complaints, in addition to providing clarity and predictability to registrants as well as registrars.

Are there positive or negative community impacts?
The proposed recommendations are expected to require significant changes on the part of registrars and to a lesser extend registries, even though the proposed recommendations are considered to be in line with current registrar and registry practices. Such changes may include:
- Updates to the registration agreement
- Updates to information on the registrar web-site
- Offer Redemption Grace Period

- Ensure that notices are sent at certain times
- Technical adjustments to ensure compliance with the requirements

However, it is anticipated that the benefits are expected to outweigh the costs of adjusting existing practices as these proposed recommendations are expected to bring predictability and transparency to expiration and renewal related practices for gTLD registrants. As stated by the PEDNR Working Group 'these recommendations represent the compromise that has been found between the different viewpoints that existed amongst the WG members and the WG is confident that these recommendations will provide additional guarantees to registrants; will improve registrant education and comprehension, and; are in line with current registrar practices and will have minimal impact on most registrars and other affected stakeholders'.

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

Apart from those changes required in process for registrars and registries as outlined above, no other fiscal impacts or ramifications on ICANN; the community; and/or the public are expected.

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

There are no security, stability, or resiliency issues related to the DNS if the Board approves the proposed recommendations.

Submitted by:	David Olive; Marika Konings
Position:	Vice President Policy Support; Senior Policy Director
Date Noted:	10 October 2011
Email and Phone Number	David.Olive@icann.org; Marika.konings@icann.org

2011-10-28-04-Board Submission ALAC-Improvements

ICANN BOARD SUBMISSION NO. 2011-10-28-04

TITLE: **October 2011 – ALAC/At-Large Improvements Project Milestone Report**

PROPOSED ACTION: **For Consent Agenda**

EXECUTIVE SUMMARY:

The Board is being asked to receive a further status report on the implementation of the recommendations arising out of the ALAC Review Working Group. This ALAC/At-Large Improvements Project Milestone Report is dated 9 October 2011 and was produced by the ALAC and At-Large community, with the assistance of Staff. This recommendation will be considered by the SIC at its 23 October 2011 meeting.

SIC RECOMMENDATION [PENDING SIC CONSIDERATION]:

The ICANN Structural Improvements Committee (SIC) recommends that the ICANN Board review and that the Board acknowledge receipt of the ALAC/At-Large Improvements Project Milestone Report, dated 9 October 2011. In addition, the SIC recommends that the Board acknowledge the substantial work completed thus far in the ALAC/At-Large Improvements Project.

PROPOSED RESOLUTION:

Whereas, on 26 June 2009, the Board resolved to direct ICANN Staff to assist the At-Large community in developing a proposed implementation plan and timeline for the recommendations in the ALAC Review Final Report (except for the recommendation to provide At-Large with voting seats) and to submit these to the Structural Improvements Committee for review and Board approval. (Resolution 2009.06.26.12).

Whereas, at its 19 June 2010 meeting, the SIC acknowledged receipt from Staff and the At-Large community of an implementation plan, with timeline, "ALAC/At-Large Improvements Implementation Project Plan", dated 7 June 2010, and resolved to recommend it to the ICANN Board for consideration.

Whereas, at its 25 June 2010 Meeting, the Board directed ICANN's CEO to provide the Board with a summary of the "ALAC/At-Large Improvements Implementation Project Plan" dated 7 June 2010, for consideration at the next Board meeting, if practicable. (Resolution 2010.06.25.10).

Whereas, at its 5 August 2010 Meeting, the Board approved the ALAC/At-Large Improvements Project Plan and directed ICANN's CEO to take action according to the ALAC/At-Large Improvements Implementation Project Plan and report back on the progress at the 2010 Annual General Meeting. (Resolution 2010.08.05.12).

Whereas, on 10 December 2010, during the 2010 Annual General Meeting, the Chair of the ALAC provided an update on the ALAC/At-Large Improvements Implementation Project Plan in her Chair's Report, prepared in collaboration with Staff.

Whereas, at its 23 October 2011 Meeting, the SIC acknowledged receipt from staff of the ALAC/At-Large Improvements Project Milestone Report, dated 9 October 2011, and resolved to transmit this report to the ICANN Board.

It is hereby RESOLVED (2011.10.28.xx), that the Board:

- Acknowledges receipt of the ALAC/At-Large Improvements Project Milestone Report, dated 9 October 2011, which provides an update on the implementation of the recommendations in the ALAC Review Final Report; and

- Recognizes the substantial amount of work done thus far by the ALAC and At-Large community toward implementing these recommendations.

PROPOSED RATIONALE:

As the ALAC and the At-Large Community approach the conclusion of the implementation of recommendations arising out of the ALAC Review Working Group Final Report, receiving regular updates documenting the status of the work is helpful to the Board and the community as a whole. The Board notes that additional discussion is required to determine what further implementation work is necessary to declare the implementation of the recommendations complete. To that end, the full financial implication of the further recommendations are not yet fully identified, nor are the

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impacts on ICANN and the other portions of the ICANN community. However, there is no immediate financial or resource impact on ICANN from the receipt of this Report, nor is there any impact on the security, stability or resiliency of the DNS.

Submitted by:	David Olive; Heidi Ullrich
Position:	VP, Policy Development; Director for At-Large
Date Noted:	11 October 2011
Email and Phone Number:	Policy-Staff@icann.org; Contact

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2011-10-28-05-Board Submission Posting BTRWG Final Report

TITLE: **Posting of BTRWG Final Report**

PROPOSED ACTION: **For Board Approval**

EXECUTIVE SUMMARY:

The Board received the Final Report from the independent reviewer for the TLG Review on 18 March 2011 and resolved to establish a Board Technical Relations Working Group, BTRWG. Upon receipt of the BTRWG Final Report, dated 22 August 2011, the Board on 25 August 2011 directed the SIC to analyse the report and and propose a course of action. The SIC proposes that a first step be to post the report for public comments.

SIC RECOMMENDATION:

At its meeting on 23 October 2011, the SIC found it advisable, as a first step, to have the BTRWG Final Report posted for public comments, in order to fulfil transparency requirements and to receive community advice on further steps to take. Accordingly, the SIC recommends the Board to request posting of the report for public comments.

PROPOSED RESOLUTION:

Whereas, on 18 March 2011, the Board received a final report from the independent reviewer for the TLG Review and resolved to establish a Board Technical Relations Working Group, BTRWG, to address the recommendations of the TLG Review final report. (Resolutions 2011.03.18.28-31)

Whereas, on 21 April 2011, the Board resolved to adopt the membership of the BTRWG and the Charter for the BTRWG. (Resolutions 2011.04.21.05 and 2011.04.21.12).

Whereas, the BTRWG submitted its final report, "Final Report from the Board Technical Relations Working Group ", dated 22 August 2011, to the ICANN Board for consideration.

Whereas, on 25 August 2011, the Board acknowledged receipt of the Final Report and directed the SIC to analyse the report and propose a course of action. (Resolution 2011.08.25.06)

Whereas, the Structural Improvements Committee at its meeting 23 October 2011 found it advisable to have the Final Report posted for public comments to provide further basis for actions and recommended that the Board request such posting.

It is hereby RESOLVED (2011.10.28.xx) that the Board requests that ICANN Staff post the "Final Report from the Board Technical Relations Working Group", dated 22 August 2011, for public comments and provides a summary of comments received to the SIC.

RATIONALE:

The proposed actions are intended to fulfil transparency requirement and to inform further work. The actions to be taken 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.

Submitted by:	Olof Nordling
Position:	Director, Services Relations
Date Noted:	12 October 2011
Email and Phone Number	olof.nordling@icann.org +Contact

2011-10-28-06-Board Submission DNS Security Framework WG

ICANN BOARD SUBMISSION NO. 2011-10-28-06

TITLE: **DNS Security Framework Working Group**

Materials to follow Board Governance Committee Meeting

2011-10-28-07-Board Submission Membership of BoardGAC Wk GP

ICANN BOARD SUBMISSION NO. 2011-10-28-07

TITLE: **Membership of Board-Government Advisory Committee Working Group**

Materials to follow Board Governance Committee Meeting

2011-10-28-08-Board Submission Board Compensation

ICANN BOARD SUBMISSION NO. 2011-10-28-08

TITLE: **Posting of Expert's Report on Board Compensation**

Materials to follow Board Governance Committee Meeting

2011-10-28-09bi-Board Submission for SSAC Departing Member Patrick Vande Walle

ICANN BOARD SUBMISSION NO. 2011-10-28-02b

TITLE: **Thank You from Security and Stability Advisory
                                              Committee to Patrick Vande Walle**

PROPOSED ACTION: **For Consent Agenda**

EXECUTIVE SUMMARY:

On 26 June 2009 the ICANN Board approved the appointment of Patrick Vande Walle to the

Security and Stability Advisory Committee (SSAC). On 05 August 2010 the ICANN Board re-

appointed Patrick Vande Walle to an initial term of one year beginning 01 January 2011 and

ending on 31 December 2011. In July 2011 the SSAC Membership Committee initiated its

annual review of members whose terms are due to expire on 31 December 2011. Following the

completion of the annual review Patrick Vande Walle decided not to seek reappointment upon

the completion of his term.

COMMITTEE RECOMMENDATION:

The Committee wishes to formally thank Patrick Vande Walle for his work while a member of

the SSAC.

PROPOSED RESOLUTION:

Whereas, Patrick Vande Walle was appointed to the ICANN Security and Stability Advisory

Committee on 26 June 2009.

Whereas, ICANN wishes to acknowledge and thank Patrick Vande Walle for his service to the

community by his membership on the Security and Stability Advisory Committee.

Resolved (2011.xx.xx.xx), that Patrick Vande Walle has earned the deep appreciation of the

Board for his service to ICANN by his membership on the Security and Stability Advisory

Committee, and that the Board wishes Patrick Vande Walle well in all future endeavours.

PROPOSED RATIONALE:

It is the practice of the SSAC to seek Board recognition of the service of Committee members

upon their departure.

Submitted by:	Ram Mohan
Position:	Liaison to the ICANN Board from the Security and Stability Advisory Committee
Date Noted:	10 October 2011
Email:	rmohan@afilias.info

2011-10-28-09bii-Board Submission for SSAC Departing Member Harald Alvestrand

ICANN BOARD SUBMISSION NO. 2011-10-28-02b

TITLE: **Thank You from Security and Stability Advisory Committee to Harald Alvestrand**

PROPOSED ACTION: For Consent Agenda

EXECUTIVE SUMMARY:

On 26 June 2009 the ICANN Board approved the appointment of Harald Alvestrand to the Security and Stability Advisory Committee (SSAC). On 05 August 2010 the ICANN Board re-appointed Harald Alvestrand to an initial term of one year beginning 01 January 2011 and ending on 31 December 2011. In July 2011 the SSAC Membership Committee initiated its annual review of members whose terms are due to expire on 31 December 2011. Following the completion of the annual review Harald Alvestrand has decided not to seek reappointment upon the completion of his term.

COMMITTEE RECOMMENDATION:

The Committee wishes to formally thank Harald Avestrand for his work while a member of the SSAC.

PROPOSED RESOLUTION:

Whereas, Harald Alvestrand was appointed to the ICANN Security and Stability Advisory Committee on 26 June 2009.

Whereas, ICANN wishes to acknowledge and thank Harald Alvestrand for his service to the community by his membership on the Security and Stability Advisory Committee.

Resolved (2011.xx.xx.xx), that Harald Alvestrand has earned the deep appreciation of the Board for his service to ICANN by his membership on the Security and Stability Advisory Committee, and that the Board wishes Harald Alvestrand well in all future endeavours.

PROPOSED RATIONALE:

It is the practice of the SSAC to seek Board recognition of the service of Committee members upon their departure.

Submitted by:	Ram Mohan
Position:	Liaison to the ICANN Board from the Security and Stability Advisory Committee
Date Noted:	10 October 2011
Email:	rmohan@afilias.info

2011-10-28-10-Board Submission Joint Applicant Support

ICANN BOARD SUBMISSION NO. 2011-10-28-10

TITLE: **Joint Applicant Support**

Materials to follow - Please note the Final Report of the JAS Working Group is in the Annex.

2011-10-28-11-Board Submission new gTLD Communication Plan

ICANN BOARD SUBMISSION NO. 2011-10-28-11

TITLE: **Posting of Expert's Report on Board Compensation**

Materials to follow Board Finance Committee Meeting

2011-10-28-12-Board Cover Letter SAC051 Recommendations 17 October 2011

17 October 2011

To: ICANN Board
From: SSAC Chair
Via: SSAC Liaison to the ICANN Board

As we previously notified to the Board, in September 2011 the SSAC published a report *SAC051: SSAC Report on WHOIS Terminology and Structure.* The report contains the following recommendations:

(1) The ICANN community should adopt the terminology outlined in SAC051 in current and future documents and discussions on WHOIS.
(2) The ICANN community should evaluate and adopt a replacement domain name registration data (DNRD) access protocol that supports the query and display of Internationalized DNRD as well as addressing the relevant recommendations in SAC 003, SAC 027 and SAC 033.
(3) The ICANN community should develop a uniform and standard framework for accessing DNRD that would provide mechanisms to define and implement a range of verification methods, credential services, and access control capabilities.

SSAC recommends that the ICANN Board direct staff to produce, in consultation with the community, a roadmap for the coordination of the technical and policy discussions necessary to implement the recommendations outlined in SAC 051: SSAC Report on Domain Name WHOIS Terminology and Structure. In addition, the SSAC recommends that the ICANN Board direct staff to forward SAC 051: SSAC Report on Domain Name WHOIS Terminology and Structure to ICANN's advisory committees and supporting organizations for their advice, if any, with regards to implementing the SSAC recommendations.

The SSAC welcomes comments from the Board concerning this request.

Patrik Fältström
Chair, ICANN Security and Stability Advisory Committee

2011-10-28-12-Board Submission on SAC051 WHOIS

ICANN BOARD SUBMISSION NO. 2011-10-28-12

TITLE: SSAC Advisory of Domain Name WHOIS
                               Terminology and Structure

PROPOSED ACTION: For Board Agenda

EXECUTIVE SUMMARY:

From the technical community's perspective, the deficiencies of the WHOIS service have been known for some time, and several attempts at solutions have been proposed in the IETF. Simultaneously, the ICANN community has been studying the WHOIS service continuously for almost a decade.

The SSAC believes that some fundamental issues need to be addressed. First, the terminology used to describe the protocol is often confused with the service. As a result, we propose a taxonomy that disambiguates terminology. Domain name registration data representation must be consistent across various directory services. In addition, there is an urgent need to accomodate the query and display of internationalised domain name registration data. Lastly, the SSAC believes that access to registration data needs a framework that can support security services requirements as they emerge from a policy development process. (This is a re-assertion from comments made in SAC027 and SAC033.)

Based on these observations, the SSAC recommends that the ICANN Board direct staff to produce, in consultation with the community, a roadmap for the coordination of the technical and policy discussions necessary to implement the recommendations outlined in SAC 051: SSAC Report on Domain Name WHOIS Terminology and Structure. In addition, the SSAC recommends that the ICANN Board direct staff to forward SAC 051: SSAC Report on Domain Name WHOIS Terminology and Structure to ICANN's advisory committees and supporting organizations for their advice, if any, with regards to implementing the SSAC recommendations.

SAC051 RECOMMENDATIONS:

Recommendation 1: The ICANN community adopt the terminology outlined in SAC051 in current and future documents and discussions on WHOIS.

Recommendation 2: The ICANN community should evaluate and adopt a replacement domain name registration data access protocol that supports the query and display of Internationalized DNRD as well as addressing the relevant recommendations in SAC 003, SAC 027 and SAC 033.

Recommendation 3: The ICANN community should develop a uniform and standard framework for accessing DNRD that would provide mechanisms to define and implement a range of verification methods, credential services, and access control capabilities

PROPOSED RESOLUTION:

Whereas, WHOIS service has been an important information service for the Internet community, and is part of all ICANN TLD contracts.
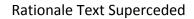
Whereas, the shortcomings of the WHOIS protocol have been known for some time.

Whereas, on 20 September 2011, ICANN's Security and Stability Advisory Committee (SSAC) published a report "SSAC Report on Domain Name WHOIS Terminology and Structure" (SAC 051), including specific recommendations aimed at clarity of terminology and structure with regard to discussions regarding WHOIS.

RESOLVED (20XX.XX.XX.XX), the Board hereby acknowledges the receipt of SAC 051, and thanks SSAC and other contributors for their efforts in the creation of the report.

Resolution Text Superceded

PROPOSED RATIONALE:

Rationale Text Superceded

Submitted by:	Ram Mohan
Position:	SSAC Liaison to the ICANN Board
Date Noted:	10/12/2011
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2011-10-28-13-Board Submission ATRT Implementation October 2011

ICANN BOARD SUBMISSION NO. 2011-10-28-13

TITLE: **Accountability & Transparency Review Team (ATRT) Report Implementation**

PROPOSED ACTION: **For Board Information**

EXECUTIVE SUMMARY:

Progress continues on implementation of the Accountability and Transparency Review Team's (ATRT) 27 recommendations, with accomplishments in numerous areas and several implementation plans nearing completion. The Board will discuss key implementation issues with the community at a public forum on Monday in Dakar.

IMPLEMENTATION STATUS:

The one-page status report on ATRT implementation activities that was distributed at the Board workshop is available on Board Vantage, for your reference, along with the detailed summary table and ATRT implementation plans. Previously, the Board: accepted the ATRT report and assigned ATRT recommendations to Board Committees and the Board-GAC Joint Working Group for detailed work; approved the ATRT implementation budget for FY2012; directed Staff to move forward with proposed implementation plans; and asked Staff to work with the committees to develop proposed metrics and benchmarks as implementation work progresses.

Progress continues on the "Board Governance, Performance & Composition" recommendations in the third quarter of 2011 under direction of the Board Governance Committee. Posting of extensive Board meeting information has been incorporated into standard operating procedures: agendas, Board briefing materials, expanded Board minutes, rationale statements for Board resolutions, resolutions, and preliminary reports are being posted, and the resolutions and minutes are posted in six U.N. languages. To address Board composition, the last Nominating Committee took steps to comply with some ATRT recommendations, including consulting with Supporting Organizations and Advisory Committees, and holding public consultations on skill set requirements and process improvements at ICANN meetings. The NomCom also provided updated

operating procedures for BGC consideration, and the BGC is actively working on setting up guidelines for the NomCom. To respond to Recommendation 5, recommending compensation to ICANN Directors, a public comment period was held on "Potential Revisions to the ICANN Conflicts of Interest Policy and ICANN Bylaws," and the Board approved further research.

Staff also is working on implementation of the ATRT recommendations on "Review Mechanism(s) for Board Decisions" under the direction of the BGC. Initial improvements to the Reconsideration Request web page were completed, including the addition of status indicators for all Requests, and information on Board action arising out of the committee recommendations, as well as a graphical timeline to better explain the timing of the Reconsideration process.

Implementation work for ATRT recommendations relating to "Governmental Advisory Committee's Role, Effectiveness and Interaction with Board" is under way following Board acceptance of the final Board-GAC Joint Working Group (JWG) report. In its 17 September 2011 meeting, the Board directed the BGC to recommend the composition of a working group to lead the Board's coordination with the GAC on implementation of both the JWG report and GAC-related ATRT recommendations. The Board further directed the CEO to provide staff support as necessary to complete implementation of the recommendations. In parallel, Staff created a proposed method of tracking GAC advice for the working group's consideration. Finally, at the beginning of this fiscal year, ICANN allocated additional funds, staff resources and interpretation services to support the work of the GAC.

Work is nearing completion on implementation of the ATRT "Public Input & Public Policy Processes" recommendations under guidance of the Board's Public Participation Committee. The Public Comment webpages were redesigned, with improved navigation menus, streamlined Announcement and Public Comment Box formats, new standardized data fields were added across all solicitations (e.g., Originating Organization, Purpose, Current Status, Next Steps), and opening and closing dates and times were clarified. To support these improvements, Staff also created internal document templates and guidelines to facilitate publication and ensure presentation consistency in these pages. A process to collect, publish and maintain an annual list of

"Upcoming Public Comments" with input from the Supporting Organizations, Advisory Committees, and ICANN Staff was developed, and the "2011 Upcoming Public Comments" was published. At this writing, public comments are being solicited for "phase two" improvements – Stratification, Prioritization, Comment/Reply Cycles, and Technical Forum Improvements. Translated versions of the ICANN Bylaws were publicly posted, and an ICANN Language Services Policy is under internal review (guidelines for translations, interpretation, and related services).

BACKGROUND:

The ATRT Report (PDF online) submitted to the Board on 31 December 2010 contained 27 recommendations, eight of which are marked "high priority," and a majority of which have proposed implementation deadlines ranging from "immediately" to October 2011. The recommendations are focused on improving ICANN in four areas: the Board (and Nominating Committee – NomCom – processes); the Governmental Advisory Committee (GAC); public input and policy development; and review mechanisms for Board decisions. Board action on the ATRT report concluded the first community review required by the Affirmation of Commitments.

Specific action taken by the Board on the ATRT Final Report at its 2011 meetings is summarized below:

At its January 2011 meeting, the Board:

- Encouraged public to comment on the ATRT recommendations;

- Requested that all Supporting Organisations and Advisory Committees, and the Nominating Committee, to provide the Board with initial input on the Report;

- Asked the Governmental Advisory Committee and the Nominating Committee to work with the Board to consider actions on recommendations related to their organizations; and

- Requested that ICANN Staff provide the Board with a proposal for Board action on each recommendation and, where practicable, proposed, initial work plans and budgets for the recommendations, along with a status report on efforts related to all recommendations, taking into account all input received.

At its March 2011 meeting, the Board:

- Acknowledged receipt of initial implementation plans and asked for updated implementation plans for Board consideration;

- Requested 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;

- Requested that the Governmental Advisory Committee and the Nominating Committee work with the Board on implementation of recommendations involving their organizations; and

- Asked ICANN Staff to 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.

At its April 2011 meeting, the Board:

- Tasked designated Board Committees, and the Board-GAC Joint Working Group, to address the specified ATRT recommendations; and

- Asked the Board Finance Committee to consider the FY2012 ATRT implementation funding as detailed by staff and to report back to the Board at its next meeting.

At its June 2011 meeting, the Board:

- Directed the CEO to proceed with the completion of an appropriate review of Board compensation to advance Board consideration of ATRT Recommendation 5;

- Formally accepted all remaining ATRT Recommendations;

- Directed the CEO to move forward with proposed implementation plans as guided by the relevant committees;

- Noted the incorporation of the ATRT implementation budget within the FY2012 Operating Plan and Budget; and

- Directed the CEO to report on the status of ATRT Recommendation implementation and provide the Board with final proposed metrics to quantify and track activities called for in the ATRT Final Report, and benchmarks that enable ICANN to compare its accountability and transparency-related efforts to international entities' best practices.

STAFF RECOMMENDATION:

Staff recommends that Board members attend the ICANN Accountability & Transparency Forum on Monday, 1300 – 1430.

ATTACHMENTS (posted on Board Vantage):

- One-page status report on ATRT implementation activities provided to the Board in September 2011
- Detailed summary table and ATRT implementation plans.

Submitted by:	Denise Michel	Date Noted:	12 October 2011
Position:	Advisor to the President & CEO	Email and Phone Number	denise.michel@icann.org Contact