

Question	#	Topic	Suggested Alternatives	Level of Support	Status	Notes/Current Language proposed
Q1	1 2	Number of NCSG Seats	No Change from Proposed Language Reduce NCSG to 3 seats from 6	Most support BC, IPC, ISPC	Waiting on board determination	... the GNSO Council shall consist of: ... (c) six representatives selected from the Commercial Stakeholder Group; (d) six representatives selected from the Non-Commercial Stakeholder Group
Q2	3 4 5 6	Name of House	Users and Services instead of Non-Contracting Party House Users House instead of Non-Contracting Party House Contracted Party to "Contracted Parties and Suppliers" No change to house names	BC, IPC, ISPC BC, IPC, ISPC BC, IPC, ISPC Most support	Waiting on board determination	Typically for voting purposes, the GNSO Council shall be organized into a bicameral house structure as described below: a. the Contracted Party House ... and b. the Non-Contracted Providers House....
	7 8	Name of Stakeholder Group	Name Should be "Non-Commercial Stakeholder Group" "Non-commercial SG" to the "Noncommercial and Individual SG"	Most support BC, IPC, ISPC	Waiting on board determination	...the GNSO Council shall consist of... (a) three representatives selected from the Registry Stakeholder Group; (b) three representatives selected from the Registrar Stakeholder Group; (c) six representatives selected from the Commercial Stakeholder Group; (d) six representatives selected from the Non-Commercial Stakeholder Group; This raises the question of whether individuals can be a member of the Commercial SG
	9	Name of Constituencies	References	Typo - All support		...three representatives selected by the ICANN Nominating Committee, one of which shall be non-voting, but otherwise entitled to participate on equal footing with members of the GNSO Council. One voting representative shall be assigned to each House subject to a selection procedure adopted by that House.
Q3	10 11 12 13 14 15	Assigning Non-Com Appointees to a House	We need to describe exactly how the Nomcom Appointees (NCAs) are to be assigned to a house. House Pick Non-Com selects for itself Appointees Pick Should this be in Bylaws? Should this be in GNSO Rules	All support some support some support some support some support some support		
Q4	16 17 18 19	Constituency Rights	Guaranteed Minimum 1 GNSO Seat Need clarification of rights/benefits of being a Constituency Should the Bylaws include conditions on the relationship between Constituencies and the Stakeholder groups in order to implement the Board's recommendations for increased participation and representation	Staff suggestion, no support from GNSO Staff Suggestion Staff Suggestion	Waiting on Board Determination	subject to the provision that each Board-recognized Constituency shall be allocated a minimum of one seat on the GNSO Council.
Q5	20 21 22 23 24 25	Geographic distribution SG council members	a Non Contracted Party SG to appoint up to 4 (increased from 3) out of 6 council members from one geographic regions a Non Contracted Party SG to appoint up to 3 out of 6 council members from one geographic regions Should these geographic diversity requirements be waived by Non-Contracting Party SG Should these geographic diversity requirements be waived by Contracting Party SG Consider having exceptions apply only to Contracting Party side	some support some support some support some support some support		For Stakeholder Groups with three seats on the GNSO Council, no two representatives shall be citizens of the same country or of countries located in the same Geographic Region except in cases where a Stakeholder Group can demonstrate that there are no eligible and available member representatives from three different regions. For Stakeholder Groups with six seats on the GNSO Council, no four representatives shall be citizens of the same country or of countries in the same Geographic Region except in cases where a Stakeholder Group can demonstrate that there are no eligible and available member representatives from four different regions.

	26		Should the geographic diversity requirement in the Com SG allow for an exception for "sectoral diversity"	some support	
	27		Allow more flexibility ... no eligible, qualified and available member representation....	some support	
Q6	28	Term Limits Exception	Special circumstance on term limits to support geographic diversity- should this require both house to give majority approval	some support	Except in a "special circumstance," such as to meet geographic diversity requirements, where no alternative representative is available to serve, no Council member may be selected to serve more than two consecutive terms. For these purposes, a person selected to fill a vacancy in a term shall not be deemed to have served that term. A former Council member must remain out of office for one full term prior to serving any subsequent term. A "special circumstance" is approved by majority vote [of the House where the Council member will sit].
	29		only approval of affected house required	some support	
Q7	30	Bylaws vs. Operating Rules	To what extent does the contractual nature of Policy Decisions require that rules be in the by-Laws?	unknown support	Procedures for handling GNSO Council member vacancies, resignations, and removals are prescribed in the applicable Stakeholder Group or Nominating Committee charter approved by the Board. Except as otherwise specified in the Transition Article XX, Section 5 (link TBD) or Annex A of these Bylaws (link TBD), all bicameral house voting thresholds required to pass a GNSO Council motion or other action are prescribed in the GNSO Council Operating Rules and Procedures
	31		To what extent can flexibility be obtained by moving some items to Rules & Procedures.	all support	
Q8	32	Locality of rules and Procedure	For items that can be moved to Rules and Procedures, which ones need to be part of Council Rules and Procedures		
	33		Policy and procedures that vary depending on the nature of the specific issues should generally be in Rules & Procedures	some support	
	34		policy & procedures that deal with critical elements of the GNSO Structure should be in the Bylaws	some support	
	35		policy & procedures that relate to other Bylaws provisions or existing contractual provisions should be in the Bylaws	some support	
	36		which ones can be House specific Rules and Procedures?	unknown support	
Q9	37	Board Seats 13/14	Switch order of which house elect 13/14		Staff Note- We did not envision specific rules or structural documents applicable to a House Each of the two GNSO Houses ... shall make a selection to fill one of two ICANN Board seats, as outlined below, by written ballot or by action at a meeting; any such selection must have affirmative votes comprising 60% of all the respective voting house members: a. the Contracted Party & Suppliers House shall select Seat 13; and b. the Users & Providers House shall select Seat 14
	38		No Change from Proposed language	some support	
	39		Seat 13 be assigned to the Non-Contracted Parties House and seat 14 be assigned to the Contracted Parties house	supported by BC, IPC ISP, ISPC, NCUC	
Q 10	40	Joining several SG/Const	Proposal to remove from Bylaws and include in SG Charters	Staff Suggestion	Article 3: "No individual or entity shall be excluded from participation in a Constituency merely because of participation in another Constituency". Both seats shall not be held by individuals who are employed by, an agent of, or receive any compensation from an ICANN-accredited registry or registrar nor shall both seats be held by individuals who are the elected or appointed representatives to one of the four GNSO Stakeholder Groups or any Constituency
	41	Qualifications to serve on the Board			
	42		Both seats shall not be held by individuals who are employed by, an agent of, or receive any compensation from an ICANN-accredited registry or registrar	unknown support	
	43		both seat should not be held by individuals who are the elected or appointed representatives to one of the four GNSO Stakeholder Groups or any Constituency	unknown support	
	44		No limitation on board seat, only 60% house vote required from the house that appoints seat	some support	

Waiting on board determination

	45		An individual may not serve simultaneously as a GNSO Councilor and an ICANN Board member	some support	
10a	46		Article 3: No individual or entity shall be excluded from participation in a Constituency merely because of participation in another Constituency".	not yet discussed	
Q 11	47	Registries SG include those wishing to become registries		Most do not support change, suggested by BC, IPC, ISPC uncertain of current support	Issue possibly resolved by statements in SG charter
Q 12	48	Registrars SG include resellers	No Change from Proposed Language	some support	
	49		Delete reference to resellers	some support	
Q 13	50	NCSG include "members of the at-large community"	No Change from Proposed Language	Most favor no change, supported by BC, IPC, ISPC	
	51		if so, should at large become "At Large"	question was asked, unknown support	
	52		if so should "non-commercial" be added before "members"	some support	
	53		Delete reference to "at large"	some support	
Q 14	54	Privacy Law	"applicable privacy law as it pertains to personally identifiable information"	some support	
	55		consistent with prevailing privacy laws	some support	
Q 15	56	Transitional Charter	(which may itself of necessity be a transitional Charter)	some support	
	57		(which may be a Board approved transitional charter)?	some support	
Q16	58	Bylaws to Include Specific Date for Transition	No Change from Proposed Language	Staff suggestion	
	59		Bylaws to state- date to be announced by Board	some support	
	60		Bylaws to state- date to be announced by Board, but not later than (date)	some support	
Q17	61	Priviledges of Non Voting Members	Should be defined in Bylaws	all support	
	62		Describe other benefits such as ability to make and second motions	some support	
	63		Ability to serve as Chair?	some support	

The following Stakeholder Groups are hereby recognized as representative of a specific group of Constituencies, approved by the Board, and subject to the provisions of the Transition Article XX, Section 5 of these Bylaws (link TBD): Registry Stakeholder Group representing all gTLD registries under contract to ICANN and including as observers organisations who wish to become Registries;

The following Stakeholder Groups are hereby recognized as representative of a specific group of Constituencies, approved by the Board, and subject to the provisions of the Transition Article XX, Section 5 of these Bylaws (link TBD): Stakeholder Group representing all registrars accredited by and under contract to ICANN and including as observers resellers

The following Stakeholder Groups are hereby recognized as representative of a specific group of Constituencies, approved by the Board, and subject to the provisions of the Transition Article XX, Section 5 of these Bylaws (link TBD): Non-Commercial & Individual Stakeholder Group representing the full range of non-commercial entities of the Internet and members of the at-large community;

Each Stakeholder Group identified in paragraph 1 of this Section (link TBD) and each of its approved Constituencies shall maintain recognition with the ICANN Board. Recognition is granted by the Board based upon the extent to which, in fact, the entity represents the global interests of the stakeholder communities it purports to represent and operates to the maximum extent feasible in an open and transparent manner consistent with prevailing privacy laws and consistent with procedures designed to ensure fairness. Stakeholder Group and Constituency Charters will be reviewed periodically as prescribed by the Board.

Notwithstanding the adoption of these Bylaws Amendments, each GNSO Constituency described in paragraph 2 above shall continue operating substantially as before and no Constituency official, working group, or other activity shall be changed until further action of the Constituency, provided that each GNSO Constituency shall submit to the ICANN Secretary a new or revised Charter (which may itself of necessity be a transitional Charter) inclusive of its operating procedures, adopted according to the Constituency's processes and consistent with these Bylaws Amendments, no later than the ICANN meeting in October 2009.

Article XX, Section 5, Transition Article, Items 3 & 4 (and elsewhere in the document) Items 3 & 4 as well as elsewhere in the document, a specific month is given for GNSO restructure implementation. It was previously June 2009 and it has been proposed to change it to October 2009.

The three seats currently selected by the Nominating Committee shall be assigned as follows: one voting member to the Contracted Party & Suppliers House, one voting member to the Users & Providers House, and one non-voting member assigned to the GNSO Council at large.

Q 18	64	Thresholds for Chair/VC	GNSO Council Chair - elected by 60% of both houses, with rounds of voting if there are more than two candidates, and including a none of the above category	some support
	65		Vice Chair elected by each House, with the house rules clarifying how this is to be done	some support
	66		No Default if cant agree	some support
	67		Default if can't agree that the vice chairs will be Co Chairs, with a new election in 4 months later; if co-chairs don't agree, one is tie-breaker for a month and then alternates with other for next month	some support
	68		possibility of an appointed chair from outside the group	question posed, unknown support
	69		Thresholds for Chair to be included in Bylaws, VC in House rules	some support
Q 18a	70	Thesholds in Bylaws	Should all voting thresholds, and not just those related to PDP etc, be in the Bylaws?	some support
Q18b	71	Thresholds	Should we put the threshold issue on hold until information is provided from Staff regarding thresholds related to the PDP in Annex A? Should the thresholds include a catch-all threshold as originally recommended by the GNSO such as "All other issues: requires a simple majority of both houses."?	Some support
Q18c	72	GNSO Voting Thresholds		Most support
Q18d	73	Thresholds for PDP during transition period	No Change from Proposed Language	All support
	74		Include thresholds in Annex A instead of in Transitional Article	some support
Q19	75	What is Scope	Within ICANN's Mission and GNSO scope (ie gTLDs) needs definition	some support
	76		replace with within scope with 'determined by legal counsel in the issues report'	some support

In the absence of further action by the Board to modify or amend Annex A to these Bylaws and/or this Transition Article XX, Section 5, the newly seated GNSO Council will utilize the following voting thresholds for all policy development activity conducted commencing with the ICANN meeting in June 2009: a. Create an Issues Report: requires more than 25% vote of both houses or majority of one house; b. Initiate a PDP Within Scope: requires more than 33% vote of both houses or more than 66% vote of one house; c. Initiate a PDP Not Within Scope: requires a vote of more than 75% of one house and a majority of the other house ("Super Majority"); d. Approve a PDP Recommendation Without a Super Majority: requires a majority of both houses and further requires that one representative of at least 3 of the 4 Stakeholder Groups supports; e. Approve a PDP Recommendation With a Super Majority: requires greater than 75% majority in one house and majority in the other house.