



October 17, 2014

Via Electronic Mail

comments-bwg-nomcom-21aug14@icann.org

**Re: Google Public Comment on Board Working Group Report on Nominating Committee**

Google welcomes the opportunity to comment on the report prepared by the ICANN Board Working Group on the Nominating Committee (Board Working Group). Google confines its comments to two of the Board Working Group's recommendations: its proposal to align NomCom representation with the stakeholder groups within the Generic Names Supporting Organization (GNSO) and its proposal that Nominating Committee (NomCom) members vote by delegation. Google opposes both of these changes for the reasons set forth below.

**Allocating only four seats to GNSO members will undermine the diversity of the NomCom.**

The Board Working Group proposes to shrink the number of NomCom representatives appointed by the GNSO to four representatives -- one from each stakeholder group. But the Commercial Stakeholder Group encompasses a vast majority of divergent interests. Indeed, within the Business Constituency alone, Internet companies, broadband network operators, content companies, and others are placed within the same group, even though their interests within ICANN may often diverge. Further consolidation of Commercial Stakeholder Group representation will make it even more difficult for a wide range of interests to have a seat at the table when ICANN's Board is selected. This change is particularly concerning in light of the concomitant proposal to increase government representation on the NomCom, which also dilutes private-sector representation in selection process.

**Voting by delegation will limit NomCom members' independence, discourage collegiality, and create inefficiencies in the selection process.**

The Board Working Group also proposes to require that all members of the NomCom from the GNSO vote in one block. This proposal is fundamentally flawed. First, it will diminish the independence of NomCom members who were selected precisely because their constituencies judged them to act in the best interests of their specific constituency and the broader ICANN community. Second, it will discourage collegiality by encouraging members

to work in silos, rather than reaching across supporting organizations and advisory committees to understand the concerns of all members within the ICANN community and taking advantage of the varied expertise of all of the NomCom members. Third, it will create inefficiencies in the process by adding a new, unnecessary layer of consultation and consensus-building to the process.

For the reasons stated above, ICANN should reject the Board Working Group's recommendation to consolidate GNSO representation in the NomCom and its recommendation to institute voting by delegation.

Sincerely,



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Google Inc.