**DRAFT MOTION FOR APPROVAL OF THE FUNDAMENTAL BYLAW AMENDMENT TO TRANSFER RESPONSIBILITY FOR RECONSIDERATION REQUESTS TO A NEW BOARD COMMITTEE**

WHEREAS, on 1 October 2016 the revised ICANN Bylaws went into effect, creating a new Empowered Community mechanism by which ICANN’s Supporting Organizations and Advisory Committees can organize under California law to legally enforce the community powers described in the Bylaws (<https://www.icann.org/resources/pages/governance/bylaws-en>);

WHEREAS, one of these new community powers is the right to approve amendments to ICANN’s Fundamental Bylaws;

WHEREAS, on 23 May 2017 and as required under the ICANN Bylaws, the ICANN Secretary notified the Empowered Community that on 18 May 2017 the ICANN Board had approved an amendment to Section 4.2 of the ICANN Bylaws, which is one of ICANN’s Fundamental Bylaws (<https://www.icann.org/en/system/files/correspondence/jeffrey-to-eca-23may17-en.pdf>);

WHEREAS the Secretary’s Notice thereby triggered the Empowered Community Approval Action Process that is documented in Article 1, Annex D of the ICANN Bylaws (<https://www.icann.org/resources/pages/governance/bylaws-en/#annexD>);

WHEREAS, on 24 May 2017 and pursuant to Section 1.3(a) of Article 1, Annex D, the Empowered Community Administration requested that ICANN convene a Community Forum during which the five Decisional Participants that comprise the Empowered Community as well as interested participants can discuss the proposed Fundamental Bylaw amendment (<https://www.icann.org/en/system/files/correspondence/deerhake-to-jeffrey-24mar17-en.pdf>);

WHEREAS, the Community Forum was held on 27 June 2017 during the ICANN59 Public Meeting in Johannesburg, South Africa (<http://sched.co/B3ou>); and

WHEREAS, during the Approval Action Decision Period that follows immediately on the expiration of the Community Forum Period on 29 June 2017, each of the five Decisional Participants in the Empowered Community (including the GNSO) have twenty-one (21) days (ending at 06.59 UTC on 21 July 2017) to decide whether to support or object to the Fundamental Bylaw amendment, or abstain from the matter;

RESOLVED:

1. The GNSO Council votes to approve the amendment to Section 4.2 of the ICANN Bylaws, being an amendment to an ICANN Fundamental Bylaw, as detailed in the Board resolution of 18 May 2017 (<https://www.icann.org/resources/board-material/resolutions-2017-05-18-en#1.c>).
2. The GNSO Council directs the GNSO Secretariat to forward this resolution to the Empowered Community Administration before the expiration of the Approval Action Decision Period, as required under Section 1.4, Article 1, Annex D of the ICANN Bylaws.
3. The GNSO Council directs James Bladel, the GNSO’s interim representative to the Empowered Community Administration, to coordinate with the other four Decisional Participant representatives to ensure that the Empowered Community Administration observes and completes the appropriate process outlined in Section 1.4(b) and (c), Annex D.