

ICANN

**Moderator: Chantelle Doerksen
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10:00 am CT**

Chantelle Doerksen: Good morning, good afternoon and good evening welcome to the BC Members call on February 25, 2016.

On the call today we have Jay Chapman, Kevin Audritt, Jimson Olufuye, Cheryl Miller, Andrew Harris, Marilyn Cade, Andy Abrams, Lawrence Olawale-Roberts, Gabriela Szlak, Geoffrey Noakes, Chris Wilson, Alex Deacon, Steve DelBianco, Philip Corwin and Aparna Sridhar.

We have apologies from Marie Pattullo, Barbara Wanner, Laura Covington and Susan Kawaguchi. From staff we have myself Chantelle Doerksen.

I would like to remind all participants to please state your name before speaking for transcription purposes. Thank you ever so much and over to you Chris.

Chris Wilson: Thank you Chantelle. I appreciate that. And thank you everyone for being on the call. Sorry I could not make our last call a couple weeks ago I was unfortunately under the weather but I'm glad to be back here with you all today.

Real quick housekeeping Chantelle, I see that Steve and Phil were having trouble getting on. Are they on the call now?

Chantelle Doerksen: Hi Chris. This is Chantelle. I see Philip on. And I'm going to let the operator know to have a dial out to Gabi.

Chris Wilson: And Steve, is Steve connected now since he too was trying to reach get through the operator.

Chantelle Doerksen: Steve is not connected yet. I see Denise Michel joining.

Denise Michel: Hello.

Chantelle Doerksen: Hello.

Chris Wilson: Let's make sure everyone is connected to the phone and then we can kick it off. I know we've got a full plate. A lot has occurred in the last week or so certainly the last two weeks since we last met.

And of course we've got the important Marrakesh meeting coming up at the end of next week so I know we've got a lot to discuss.

Steve, are you available now to talk about the policy calendar? Steve can you hear us?

Steve DelBianco: I do now. Thank you.

Chris Wilson: Okay great. Steve, why don't you go ahead and kick it off on the policy calendar. Thank you.

Steve DelBianco: Hey, thanks Chris. Chantelle if you don't mind could you put the policy calendar PDF up?

Chantelle Doerksen: Hi Steve. Sure.

Steve DelBianco: Thank you. All right I emailed this out last night. I hope all of you had a chance to take a quick look at it. At the very top of here we have four recently filed comments.

I covered all of these on the BC members call we had two weeks ago. And there was only one intervening comment period and that was the one on RDAP and Thick Whois. And that was extended into March. So I will review the recently filed other than to thank the people named there for participating.

On the current list of ICANN public comments the first two are these coupled comments on the Whois replacement or Registration Data Access Protocol operational profile and Thick Whois deployment to registries that don't have Thick Whois that is to say legacy gTLDs.

And that's a long term project. And the current Thick Whois consensus policy that's being commented on doesn't even anticipate the big ones dot net and dot com until well after the first phase are brought in.

And at the same time we have a PDP underway on the next generation for registration directory services.

And in that group we have Beth Allegretti from Fox, Geoff Noakes from Symantec and then Susan Kawaguchi who may well be an officer in leadership on that working group.

So when we put together all of these moving parts we are trying to file a single combined comment and it was the first attachment on the policy calendar.

We had great initial work by Barbara Wanner and Cheryl Miller. And then we had edits from Andy and Aparna at Google and Susan Kawaguchi.

And we've circulated those a few times of course on 15 February I circulated what I thought (unintelligible) it's due on the 15th.

And so we bought ourselves an extra couple of weeks but let's not waste that time. To the extent we know no more about how these Whois projects are linked I think we should try to incorporate that into our comments. We have the time to get it right since it's not due - the couple is not due till the 18 March.

So I would ask quickly if there were anybody that other than our counselors of course, our counselors should pitch in.

What did we learn from staff's presentation last week on all the moving parts on Whois? And Susan, Phil, or anyone else who listened to the council presentation by staff could you pipe in on that? We don't have Susan.

Phil Corwin: Yes I'm sorry Steve. Could you repeat the question?

Steve DelBianco: Phil last Thursday at council I think staff gave a briefing on all the moving parts on Whois. And it should inform the comments we make on the combined RDAP and Thick Whois. Did you learn anything more about the timing and how these things are being combined?

Phil Corwin: I didn't learn anything new but frankly Steve that's an issue on which I've generally deferred to Susan because she's been so involved with it in so much detail for so long.

Steve DelBianco: Got it. Susan had already edited the comments that we have prepared. But in case she's learned something new last week I'm going to follow-up with Susan. She's on vacation this week.

Is there any other BC members' who listened then to the council call or have other comments on this combined Whois comments?

Okay seeing no hands. This one is in the queue. It is ready for me to hit send but let's be sure to take a hard look at it. This is a very important one and it's not due till the 18 March.

Let me turn to number three it's the privacy and proxy accreditation services. And this is a PDP recommendation which is now going to the Board of Directors for approval. The comments closed on the 16 March which is right after Marrakesh.

We last commented on this in July, Ellen did the drafting. And Susan volunteered to help Ellen to draft on this one.

And again this is a last minute item Ellen because the board has already received the PDP recommendations and usually the board will rubberstamp any recommendations.

But it's a great opportunity for us to highlight implementation details that we want the board and staff to pay attention to because implementation is usually not covered sufficiently in the PDP recommendations right?

So we aren't going to undo substantive policy recommendations given that they've already made their way through the PDP and council right?

I know we didn't get everything we wanted. But this is the time to put one more stitch in on implementation (unintelligible).

So Ellen would you and Susan -- she volunteered last week -- would you and Susan be able to take a look at that final set of recommendations and we can compare them to our prior comments in July the ones you helped to draft and I linked to them in the comment. And then all we want to do is to try to turn it into implementation requests from the BC.

Ellen Blackler: Okay. Yes I'll take a crack at doing that. And maybe send some thoughts about what those implementation topics would be.

Steve DelBianco: Perfect Ellen. And it could be a real rough email, Ellen will you be with us in Marrakesh?

Ellen Blackler: I will not. I'll be drafting back at my desk.

Steve DelBianco: Oh gosh. Well that's too bad because I'll bet you would enjoy Marrakesh as well. It's a beautiful place. Well thank you for that.

Ellen Blackler: (Unintelligible) as I would enjoy drafting these comments however.

Steve DelBianco: All right. Well, get us if you can your initial thoughts prior to next prior to Tuesday when the BC meets. It would be great for us to have the opportunity to discuss that. And if you can join us by phone for the BC meeting on Tuesday please do.

Ellen Blackler: Okay.

Steve DelBianco: Anyone else want to chime in and help? This is on privacy and proxy services for privacy and the fact that ICANN has agreed on our insistence that privacy and proxy providers be accredited by ICANN the same way that registrars are accredited.

And in this way have compliance become a responsibility of ICANN instead of them being able to claim they don't have any responsibility on privacy and proxy. And the other volunteers to help Ellen and Susan?

Okay seeing none we go to the next, one Number 4. ICANN has just published a draft framework principle for how to initiate, and operate, and conclude Cross Community Working Groups, we always abbreviate that as a CCWG.

And they're - we're seeing more and more Cross Community Working Groups. And those are working groups that differ from a say a GNSO PDP in the fact that they involve more than just the GNSO.

So whenever the GNSO and ccNSO work together on something, or the transition for ICANN accountability which involves six different chartering organizations those are Cross Community Working Groups.

In many respects these review teams required by the affirmation are cross community groups but they're not formally CCWG, they're really something of a different animal.

So those comments are not due until 2 April. We'll have plenty of time to discuss them. Mostly right now I'd look for volunteers with experience on these Cross Community Working Groups who could help to shed some light on a process issue.

And again this is not a substantive comment it's about the process of kicking off, informing and running a CCWG.

Folks on this group who are experienced on that Denise you experienced it I guess from the staff side. Angie let's see who else has been part of one?

Marilyn you've been part of a lot of Cross Community Working Groups. Any chance you could spend a little time reviewing the recommendations to see if staff is on the right track? All right we'll have to review getting volunteers when we meet in Marrakesh.

Number 5 only two more here, Number 5 is that our brethren over at Registry Stakeholder Group they've come up with a new charter.

And just like will be the case when the BC amends our charter we'll have to put out for public comments.

Now their draft charter was approved in November. And I guess I personally had expectations that there would be more explicit recognition of single registrant gTLDs also known as DotBrands and how that would affect either

subdivisions of the registry constituency or how it would affect the voting that they do.

Well it has but not in the way I expected. They've adjusted their weighted voting into tiers based on the number of registrations and fees paid to ICANN, you know, making it real that you - he who pays the piper calls the tune here.

So they've got a new draft. And there's no mention of DotBrands or single registrant gTLDs. So to the extent that the BC members have an interest in understanding the distinction between the way registries that are open and generic would run versus those that are closed this would be our opportunity to observe and perhaps even comment on what the registries are putting into their charter.

I look to the queue right now. Does anyone on here have a comment on that or have a level of interest enough to dive in? It's not a very long document. And they didn't make significant changes other than the areas I'm speaking to.

There was one other change that they're going to allow associations to join the registry constituency. And they created some special rules for how they get their weighted voting and what their fees are.

Phil Corwin you've put the word any draft in clarification. I'm not sure I understand that?

Phil Corwin: Steve I had put a comment above that I would on the privacy proxy comment I was part of that working group. And I'll be happy to review the draft that Ellen and Susan turned out initially and give some input there. That's all.

Steve DelBianco: Oh that's awesome. Phil, thank you very much.

Phil Corwin: You're welcome.

Steve DelBianco: Thank you. Okay any other any interest from BC members who have concerns on the registry side with their new charter?

Marilyn, go ahead. You have a question? Marilyn we can't hear you. Marilyn since we can't hear you why don't you just type it into the chat and I'll read it out okay?

Okay. The sixth one on here was final recommendations on geographical regions reviewed.

And this is more process and structure at ICANN. It's not a policy topic. It's a process and structure issue.

And they've recommended no surprise here that ICANN should increase its geographic diversity efforts.

The comments close at the end of April. On the last call we did two weeks ago Andrew, Jimson, and Cheryl Miller all suggested they'd volunteer on that.

And then Susan Kawaguchi added the suggestion that while it's not technically geographic diversity that we should throw into this mix a demand that ICANN add gender diversity along with its initiatives to looking into geographical diversity.

So it's too early for me to be bothering you for a draft since it's not due for well over a month. But I would like you to start thinking about working that team together. And this is Andy, Jimson, Cheryl Miller and Susan.

Okay. Marilyn asks in the chat is there any indication of the brand that have not commented or perhaps they have?

And the answer Marilyn is there weren't any comments posted. And the brands were part of the registry constituency that approved their draft charter.

So unless there are BC members who happen also to run DotBrands and can share some intel here I don't know the answer to that. Anyone from Fox, Google, Amazon shed any light on that?

Andy Abrams is putting something in the chat. I'll wait.

Chris Wilson: So Steve this is Chris. You know, I can talk - Cecilia is not on today's call but I can certainly reach out to her and see to what extent we've engaged in that regard for Fox.

Steve DelBianco: And Andy's pretty much saying the same thing Chris. Thank you. So Marilyn is right. If those of us that have that were within companies and NetChoice members included we should reach out because if there are certain things that the brands felt they wanted but didn't get or got outvoted and if they make sense from the BC's perspective key point Marilyn if those things that you wanted to make sense to a BCs perspective the BC is more than happy to raise them as a comment on the charter. It's a great opportunity to achieve some synergies.

So Chris I'll look to you at Fox, Andy and Aparna if you can, Andrew Harris or Amazon I mean just three of the very, very largest bidders for DotBrands.

And it would be great to understand how we want to pursue that or even those of you who want to do a DotBrand in the future right looking to you Steve Coates and others on the call.

Great, thank you Andrew. Appreciate that. Okay that's it for the current queue of comments. I don't have to press anybody to get something into me in the next and the next 24 hours because we - we're sort of in the run up to Marrakesh and things usually get quiet on the public comment filing right before then.

The next channel in the policy calendar is council. You'll note that I have dropped the discussion of our reconsideration request on URS. We've been over that many, many times. And on the last call we discussed in detail that our reconsideration request was denied.

So the previous council meeting was February 18. That was last week. And I've attached a link to their agenda, the resolutions and the transcript.

There's going to be a special council meeting Monday the 29th of Feb. And I think it's dedicated exclusively to the final CCWG proposal which I can cover a little bit later.

And then in Marrakesh the council will meet all weekend and is just putting agendas together for that and for the meeting on Wednesday, March 9.

So I would turn to Phil to see if there's anything else you want to add about council. And then after Cheryl covers the CSG I could do a deep dive on the Cross Community Working Group for Accountability. Phil?

Phil Corwin: Yes, thanks Steve. And I assume you can hear me okay. Yes the major...

Steve DelBianco: Yes.

Phil Corwin: ...thing we did on the last at the last council meeting we passed a motion to establish the working group on the review of all rights protection mechanisms and all generic top level domains.

What's left to do in Marrakesh on that is the charter. And as BC members who bothered to read the email I sent yesterday are aware the council established a subgroup.

What we're dealing with is the BC position on how that working group should proceed was that it should address the new TLD RPMs first. And that's a project that's going to take a year, year and a half. Let's be realistic and assess their effectiveness, make - decide if they should be changed in any way.

And then to proceed after that on the much more substantial task of reviewing the UDRP which has never been reviewed in it's almost 20 years of operation. And that's a much more daunting task to get your arms around and it's going to take longer.

There - the BC position when we commented on the preliminary issue report on all of this back last fall was that - and this was a decision we made during our meeting in Dublin was that our position was that the PDP should proceed in two parts with the new TLD RPMs going first and the UDRP second. And that is the position that got the strongest support in the public comments.

Now the NCSG was the only commenting entity to say no, no you should start with the UDRP and then go on to new RPMs.

I don't believe that makes any sense. For one thing this working group is going to coordinate with the one that's working on issues for subsequent rounds of new TLDs which is dealing with all the other new TLD issues other than RPMs.

And, you know, they're going to be, you know, to take the NCSG approach would delay this working group's part of that second round for years. So it makes no sense.

But NCSG requested and council set up a subgroup to discuss how to handle this. The subgroup had one - Susan and I are both on that subgroup. We had one call Monday. We have a second call this afternoon at 4:00 PM.

Amir from the NCSG prepared some draft language which Mary Wong circulated late yesterday and I circulated to the BC.

It's not the best drafted language. But essentially it would throw to the PDP working group the decision on how to prioritize their work.

It basically - the way it's written it seems to say that they should go with RPMs first unless they decide to go with UDRP first but it guarantees that rather than proceeding to get the work the first thing they'd have to do is debate their prioritization.

And I'm fine with presenting a cleaned up version of that language for council consideration in Marrakesh.

But my position which I believe is a BC position unless instructed otherwise would be to vote no on adding that to the charter because I think it's one starting with the UDRP makes no sense for multiple reasons.

And two, I think it's abrogating the council's responsibility to set priorities in accord with the public comments.

And it's setting the - it would be setting the working group up to start its work with what could be a divisive debate on how to proceed. So that's the situation on that.

So far as the special meeting Monday that meeting is to begin council discussion of the final CCWG accountability proposal which was just finalized on Wednesday because of the delay that took place.

And Steve, you know, we were both on that 1:00 AM call the other night that finish that up.

We're not going to take - we've already agreed we'll take no votes on the Monday call. It's simply to familiarize ourselves with the final form of all the 12 recommendations.

I believe were inviting quite a number of people involved with the working group to interact with us at that meeting.

And then we're going to re-shuffle the Saturday schedule at least in Marrakesh to devote a significant part of it to really starting to decide positions on those recommendations because we have to finish up our work and take votes on each of the 12 recommendations no later than Wednesday, March 9. So that's basically the situation in council right now.

Steve DelBianco: Phil thanks very much. And of course I'll be on that Monday call to help to field questions from council on the understanding there wouldn't be a vote.

The only other item I had is...

Phil Corwin: Steve could I just ask not - on the phone or in the chat room if anyone at further comments on that PDP RPM PDP working group charter because that's a 4 o'clock call today?

And I believe I'll be acting, you know, in consistent with the BC's position. And I just stated how I intend to proceed but if anyone has comments on that I'd appreciate feedback before 4:00 PM.

Steve DelBianco: Hey Phil, it's Steve. You're right about reflecting the BCs priority that the other RPMs prior to UDRP. You're solid on those grounds.

And the BC has a really principled position on wanting to be sure that RPM contractors are all contracted properly from ICANN and certified.

Denise I believe replied earlier to your query about the order of this and changing the charter. And I think you applied already to Denise on list so any other members?

Chris Wilson is agreeing, Gabi is asking if we know other groups within the working group would vote if a charter amendment came up Phil?

Phil Corwin: Yes, you know, my sense I'm not 100% sure. But my sense is that the NCSG is quite isolated in its position.

Steve DelBianco: Yes. Well that doesn't bother them. They're quite isolated but quite vocal on a lot of things since they clash more with the CSG than with the contract party. It's really...

Phil Corwin: Well and as you know Steve the bigger problem is that there is no NCSG position. There are the positions of the six - the individual positions of the six separate representatives of the NCSG and council each of whom is free to vote their own conscience without binding guidance from those they represent.

So it's hard to work a deal when you're dealing with people who, you know, really speak only for themselves in the end.

Steve DelBianco: And they tend to take a lot of influence from the policy committee of the NCSG. And if you go to the NCSG's Web site you'll see who the policy committee members are.

And Phil I share your frustration on this Cross Community Working Group for Accountability. The NCSG member is Robin Gross but she's not one of the councilors.

And the six councilors of NCSG are the ones who well could potentially hold the fate of the CCWG proposal when council goes to approve some of the key recommendations in Marrakesh.

And of the six NCSG councilors only one is actually even paying attention to the CCWG and that's Ed Morris.

Phil Corwin: Yes. And, you know, I have a good relationship with Ed and respect his views. But Ed is very unhappy with how things came out on the GAC issue.

And it - I'm not sure where the council is going to come out particularly on Recommendation 11 if all six NCSGs reps wind up opposing it the controlling vote is going to be one of the NonCom appointee.

Steve DelBianco: That's right Phil. In Julf Helsingius is the NonCom appointee. And we've had talks with them at the intersessional but most people view him as being more philosophically aligned with the noncommercial group.

I mean the frustration of the noncommercial group is that they have a long memory. This whole UDRP issue that you brought up doing the UDRP first is something they've wanted for over a decade and complained about.

And those who have wanted it came out of the woodwork in the last three weeks to insist on a charter change. You and I talked with Kathy Kleiman at January 25 if you recall, and that's where that came from.

Well when I turned to the accountability we have the same issue that for over a year of two of the NCSG members felt that we could put together an empowered community to hold ICANN accountable and it would be all AC and SOs oh but except the GAC.

A patently irrational view is that governments aren't stakeholders of any stature, zero stature. They don't represent Internet registrants and users or even citizens.

And CCWG roundly rejected that over a year ago and said if we put together an empowered community whether it's designator or member that governments as an AC and SO just like every other AC and SO they have a role. And the BC has supported that.

But alone amongst the group the NCSG felt we could just say no and the government should be excluded from that.

I think the consequences would be disastrous in places like the United Nations and ITU but nonetheless they've persisted on that.

So despite the fact that the latest final draft significantly trims the ability of governments to influence decisions in the community they can't block, they can't be the deciding factor at all, they can't even vote if we're deciding whether to bring an IRP challenge to the board's implementation of GAC advice, that's what's known as the carve out.

These were all designed to address concerns raised by the NCSG and a few others. And despite addressing those concerns the NCSG continues to say governments shouldn't be allowed to participate in the empowered community.

That's how difficult it is to negotiate with the NCSG because you address their concerns incrementally and there's no appreciation for that because they're still worried about some - a battle they fundamentally lost over a year ago, and they want to relitigate that battle.

And I mean I can say it on this this call because it's just the BC but it'll have to be much more gentle when we have that conversation in front of the whole council next Monday.

So I guess I've jumped the gun a bit into the CCWG topic because I spent so damn much of my time on it.

But we did come up with an approved report that has gone out to all of the chartering organizations. I gave you a brief summary of the BC has gotten most of the things we asked for.

We now have a requirement that rationale come with GAC advice. We require the GAC to forever use the current strong consensus method of the absence of any objections for any advice they give to ICANN that would invite the special obligation of trying to find a mutual solution.

The BC supported the 2/3 board vote to reject that advice but we cut that to just 60%. So now it's just one extra vote over a majority for the board to reject GAC advice. And that was a concession to the GAC.

And we've given ourselves the ability to challenge the boards' implementation of GAC advice in an IRP and if we're not happy with that we can still spill the board one at a time or altogether provided that we have no more than one AC and SO objecting.

So I'm happy to take questions from BC members. I've been trying to keep you informed along the way but I'm happy to take questions on the CCWG final proposal.

And then we'll have to turn it over to Cheryl to talk about the CSG Board topic agenda that'll be coming up in Marrakesh.

I see Denise in the queue. Go ahead Denise.

Denise Michel: Thanks. And thanks for all of your respectful work on this. It's great to see that it looks like we're moving to closure.

Could you and I apologize if I missed this but could you sort of talk specifically about what has to happen in Marrakesh in order for I guess the community role in, you know, track one the first phase come to closure?

Steve DelBianco: All right Denise each of the six charting organizations for the Cross Community Working Group will have the opportunity to indicate support or opposition to each of the 12 recommendations. And if they were to indicate opposition they would have to explain why.

This whole last month has been spent addressing concerns that were raised when the charting organizations were asked at the end of November on that last draft on the third draft.

So what we've tried to do in this final supplemental was to reconcile all of those differences. And we did right? But these things have a way of coming unglued sometimes if people want to relitigate something they wanted and didn't get.

Denise Michel: Sure.

Steve DelBianco: And they have the leverage of saying that if we don't change the report we're not going to support it.

Now changing the report right now would mean going back to all six chartering orgs and the board by the way, going through another round of a couple of weeks' worth of revisions and that really tests the patience of a lot of people and I think there's a lot of resistance to reopening it right now.

So we are probably going to see up and down votes on all 12 recommendations from all six chartering organizations. The GAC will neither

support nor oppose -- since they can't do a resolution unless it's in the absence of any objection. The GAC is not at all happy about being locked into strong consensus advice, but I don't think they'll be able to object.

I really believe the only potential problem would be in council -- as Phil described. The six NCSG councilors, if they all vote against, say, two of the recommendations -- mainly focusing on beating up on the GAC -- then we have got to get the NomCom voting rep -- the rest of the CSG -- to support the recommendations or it will fail in Council.

If it fails in Council, is that fatal? It's near fatal -- it's near fatal. If it fails in GNSO -- because GNSO is most of what this Accountability is about; it's about the gTLD space.

Denise Michel: Right. So I just have a follow-up question.

Steve DelBianco: (Unintelligible).

Denise Michel: Do we...

Steve DelBianco: So real quick on this. The Board has assured us they have no further concerns because, again, as an easy that I described and that Phil talked about, that was to give -- what I felt -- was a relatively meaningless concession to get the Board to promise to support, to stamp this if the chartering orgs approve it -- and the Board is not going to bring up any more crap if we don't change the report.

Go ahead Denise.

Denise Michel: Thanks. So is it common for the BC or CSG to reach out to the NomCom reps in advance of the Council Meeting -- some discussion to explain the rationale -- and ask for their support for a position? I think that's one question.

And a second question, and then I'll go on mute, is will we be discussing Track 2 in their (unintelligible) how to collaborate on moving forward with that effort? And I guess a sub-question there is do you feel we have an appropriately strong commitment from the Board to act on elements that come out of future Track 2 work? Thanks.

Steve DelBianco: Yes, on the first question, I'm not sure how traditionally we've worked with the NomCom rep; it's really been a personality match. But it's appropriate, and in this case it's certainly called for.

Phil, I would defer to you for your take on what (Unintelligible) is like in Council and whether we can work with them.

Phil Corwin: Yes, Steve, I think he's fairly new to Council, isn't he? Isn't he someone who just came in in October?

Steve DelBianco: That's right; he's European.

Phil Corwin: Yes, so, you know, I've only observed him in one physical meeting -- which is in Dublin. Seems like a nice guy; not very high profile. I don't - in the time I've been on Council, I don't know of any coordinated outreach by the BC or the CSG collectively to the NCSG.

One of the purposes of the meeting in L.A. was to try to establish, you know, better lines of communication so the kind of debacle we had over, you know, the chair vote in Dublin would not recur.

But I think, you know, let's see how that call goes on Monday, and then I think, you know, we can think about either BC outreach or CSG outreach to him if it appears that we're facing a united NCSG block on anything where he's going to be the swing vote.

Steve DelBianco: All right, so in preparation for that though, Phil, I will reach out to him because I met him at the intercessional.

Phil Corwin: Sure.

Steve DelBianco: And invite -- if he'd like to have any discussion to ask questions -- I'd be happy to take them between now and Monday. And I'll send that note to him and try to be a resource -- which is the same thing I tried to do at the Los Angeles intercessional.

All right, another question from Denise was Work Stream 2. And Denise, I would believe that in Marrakech -- if it looked like we were solid in approving the final report -- then there would be plenty of time and attention turned to Work Stream 2 -- like the human rights framework of interpretation, accountability of the SOs and ACs -- and it would begin to form, I guess, the core of how deep is the Board's commitment to executing. They will be able to give lip service to that.

We'll never really know about the Board's commitment level until we confront them with challenging language and bylaws changes. And then, suddenly, Jones Day and the Legal Department become resistant, and they've done it to us -- how many times Phil -- six or seven times in the last six months.

And at the last minute, a note will come over under a Board member's email address, but it's clear that Legal worked on it and Legal has to end up sending it.

Now look, we have not backed down in all cases; on human rights for Work Stream 2 that we got a commitment from the Board they didn't want to make.

But I don't think we'll know the level of commitment from the Board until we confront them with difficult accountability measures. And that won't happen in Marrakech, right; that will happen after Work Stream 2 has done its work over the next several months.

Are there any other questions? I don't see any other hands, and so I will turn it over to Cheryl Miller. This is under Channel 3 for CSG.

And Cheryl, among other things, I put into the policy calendar with a notation about trying to come up with topics for the CSG Meeting with the Board of Directors. And in there, I noted an item that Denise and Michele first raised on our call two weeks ago, and then followed up with some details over the email list in the past two weeks.

Over to you Cheryl.

Cheryl Miller: Great, thank you so much Steve. And I also saw there was a little bit of conversation within the Chat as well with respect to the breakfast. So I'm just going to highlight a few of the points, and then it would be great to have a good in-depth discussion on some of the topics that we'll raise with the Board hopefully in that meeting.

So we are making great progress on all CSG meetings. We've got another call this Monday to kind of finalize and firm up last minute details.

I think someone raised in the Chat the Cross-Constituency Breakfast, and that's going to be taking place on March 8. I believe we've got a 7:30 am start for that.

Following that, we have a morning session with David Conrad as a guest speaker. And I think it's been decided at this point, there are three major themes we may like to pursue with him. One being major tech changes with the IANA Transition, the second being major SFR challenges, and the third being the recent IT security breaches within ICANN.

Finally, with respect to the actual topics with the Board, those are obviously being under discussion, so they're up for consideration.

And Denise had - Denise Michel had raised the issue of registry service evaluation process and whether or not we can have an outside review of the implementation and consequences of RSEP. I think this is actually a great topic to pick; it's noted in the comments in Steve's -- the policy chat -- that the review has been quite long overdue.

And so I don't know if Denise or others might like to talk on that, and then others have really other specific topics, if we could bring those up and get a good dialogue going on that, I think that would be a great use of the time.

So Denise, did you want to chime in on that?

Denise Michel: Yes, I have just a couple of points. I'm happy to raise the RSEP issue. I don't see it as something we need to have an extensive discussion with, but rather to

flag it for the Board, emphasize the importance and the escalating challenge to the community and the system of keeping up with our staff, and ask for a quick data gathering and analysis of the program (sic).

And then separate from that is jumping back to the meeting with David Conrad the CTO. I'd like to add SFR data gathering analysis and publication to the list of items we discuss with him. Yes, broad curview over a number of things that ICANN relates to BC priorities.

And he's starting some new initiatives in this area, so I think BC members and CSG members actually would be really interested in hearing his plan.

Cheryl Miller: Thank you Denise; happy to raise that. Did anyone else want to raise anything on this topic, or are there any thoughts on other topics for the Board? \

I know we've also been firming up the agenda for the BC meetings as well and some of the topics that have come up over there -- GNSO Review, election reform, et cetera. And so these were topics that also came up at the intercessional that we had. I don't know if any of these might be appropriate, but.

Chris Wilson: Cheryl, this is Chris. Let me just jump in real quick.

Cheryl Miller: Yes.

Chris Wilson: On our last CSG ExCom call, ISP folks did tell us they want to bring up GNSO reform and Work Stream 2 accountability issues, or I guess more looking more at the future of Work Stream 2 -- with the Board. So those will be the ISP's focus in their 30 minutes with the Board, so for folks to know that those two items will be covered.

Either we don't know yet what the IPC will be discussing; I think they're having their own call today to finalize that. And I may know more on Monday when we chat with them. But obviously, the goal here is to try to avoid duplication if we can.

So I think it's important to flag the RSEP issue, but I think we ideally have at least one more topic for our roundtable -- 30 minutes -- that we can bring up. So I look, you know, to the members to think about that very soon so we can finalize this in the coming days.

And also, real quick, with regard to David Conrad, he will be participating in the open CSG meeting. We have him for maybe 15 to 20 minutes total I think. But - so we are time crunched slightly. But Denise will certainly add that to that to the - I think we had mentioned SSR to him, but we'll be more specific as to exactly what we want him to discuss, and I think that shouldn't be a problem.

Cheryl Miller: Great, thank you Chris. Was there anything anyone else wanted to raise under this?

Denise Michel: Yes, this is Denise. Cheryl, is there a drop-dead date by which you need discussions of issues to raise at - is it the CSG meeting or the breakfast we're talking about, or both?

Cheryl Miller: These are topics for the breakout with the Board. Obviously, as soon as possible would be great. Our next call is going to be on Monday, so if we could make that the deadline that would be useful just so that, you know, we can make sure that the area that we want to focus on are definitely included.

Chris Wilson: Cheryl, this is Chris. Denise, I would agree. But I would say, we're happy to receive topics for the CSG session with Markus and Bruce on the Sunday Morning Breakfast. We have some topics we've already collaborated with the rest of the CSG on -- namely the PDP working group on (Next Gen RDS).

I know the IPC was interested in raising the PPSAI final report. I think we'll probably spend a little time discussing Accountability and the Transition, but also just sort of possibly GNSO reform as a topic that the ISP folks want to talk about. But if there are other specific issues that we think the BC should raise as well, then I'm open to that too.

But I think, again, timeline, ideally we finalize this by early next week and before everyone ships off to Marrakech.

Denise Michel: Thanks.

Cheryl Miller: Okay, great. If no one has anything else right now, I think next up is Jimson and a discussion on finances.

Jimson Olufuye: Thank you Cheryl, and thank you Steve and Chris for that input.

The three items - can everyone hear me?

Cheryl Miller: Yes, we can hear you.

Jimson Olufuye: Okay, great. So, there are three things that I want to talk about; the general council updates, the Memberclicks Update and also on the policy assistance budget request that has been approved that we have started work in consultation with the consultant.

On the general council, you can see the two proposals for the first area. The last time we talked about this, we said we'll investigate how the IPC has EIN to find out how they got it. So Chris and I talked with Lori at the NCPH Intersessional. They got their EIN prior to 9-11 -- before the Patriot Act. So it's much more difficult right now to get it through. She was very clear to us that we need to really get a professional to handle this.

So, that gets us back to clause number two, talking about the need for indemnity. So we're thinking maybe (unintelligible), but (unintelligible) -- not too far. Based on the requirements, (unintelligible)...(unintelligible).

This is where we are and I really want this to succeed with this process. Whatever we need to do, there are people who (unintelligible) where we do from banking, transactions, and so on and so forth.

But I'm not a lawyer, so I'm counting on your wisdom to get this moving forward. So this is before us, if we have some comments, or that we can go ahead now or something that's equal we have to do because we need to incorporate this for the BC charter -- to be (unintelligible) charter that is currently under work -- so that we can also foresee.

So any input or questions in this respect please?

Chris Wilson: Jimson, this is Chris. Perhaps I can chime in real quick on this because what's your - I mean Jimson's ultimate point is, I think, we came to the conclusion that we do need a legal council to file our applicable legal forms and handle and perform the EIN.

Knowing that, we're going to need an indemnification clause. The goal here I think would be to limit/narrow the clause as much as possible. What you see

before you are some edits I initially made, perhaps narrowing it to make Jimson the GC and perhaps making him an agent of the BC rather than an officer of the BC.

I think for legal purposes, he needs to be an officer, so we'll have to go revisit some of these edits. But the goal is to tighten this clause as much as we can, and get acceptance from Council, and then finalize this by the Marrakech meeting ideally.

I plan on having this on the agenda for our meeting -- at least our open meeting in Marrakech on Tuesday the 8th.

So I'd like to welcome folks to take a look, think more about this, but I think it's something we will need in order for us to facilitate payment processings, et cetera, et cetera, and I don't think - I think the risk of problems as well. And I think we'll have to proceed accordingly.

But I just wanted to clarify for folks what they're looking at on the screen.

Jimson Olufuye: Okay, thank you very much Chris.

Yes, so for next on the member list, member list is an application. So mine is a Web site and (unintelligible) information and processes like invoices. So (unintelligible) on this.

So we're currently working the process. ExCom has approved that we (unintelligible) the Web site, that we are currently using with another company to members list so that we won't have to duplicating efforts. And then we can have a group platform for operations.

Major benefits here that we'll have (unintelligible) report, and as mentioned, ICANN is on the writing because of this project.

The last point I have is on the policy request, Steve was also on the call, and Chris was also on the call. Usually I will defer to them, but we have the call with Dan O'Neill, the consultant, to deliver this project to us to put in 100 hours a month for policy assistance -- dedicated policy assistance for BC -- to have policy research, documentation, publication, and assistance directive of vice-chair policy and Chris, the Chair.

So we questioned that he meet with us in Marrakech, so that all members can hear from him and then we answer more questions we may have.

So that is from me for now. If there are any questions, I will take.

Chris Wilson: Thank you Jimson. Let's go ahead and turn -- just a few more minutes in the hour -- turn to any other business. I've got one item listed there just making folks aware of the meetings we've got -- BC meetings we have scheduled in Marrakech. And there was a couple of other items that were mentioned in the Chat we'll add as well.

Just wanted folks to know, we'll have three BC meetings, the first occurring on Monday the 7th for an hour to sort of set the table for us that week. And then, obviously, the big open meeting on March 8. We will be finalizing an agenda for that meeting shortly, and then we'll be able to send it out to folks next week for review to have it on the calendar.

And then finally, we'll have a closed BC meeting on Wednesday the 9th for a couple of hours, and we can discuss some of these other issues during that meeting as well.

So hopefully, we'll finalize the agendas here in the coming days for folks. So we'll send around a timeframes and everything as well so that people that are not there in person can -- that are planning on participating remotely can do so.

And that actually raises a question maybe for folks that are on, you know, in the Chat Room or on the Adobe Connect right now that aren't going to be there in Marrakech in person, it would be nice to know if you plan on -- intending at least -- to participate remote, if you could raise your hand so we get a sense of that dynamic at all.

Anyone on here -- on the call -- intending to participate in one of the BC meetings in Marrakech remotely? I see John.

Cheryl Miller: Chris, this is Cheryl. I just wanted to add as well, I know that they're setting up -- at ICANN -- offices in D.C. and possibly L.A. -- I'm not sure -- participation in the meeting. So you can go to ICANN's offices and also watch. I think ISOC -DC is coordinating something on that.

Chris Wilson: That's good, thank you Cheryl. That's good to know. Maybe we can - if we learn of that information, we'll send it out to folks that at least for those in the D.C. area and elsewhere so that to do that.

Okay, good. Well I see a few; Steve Coates, Kevin. Great, thank you all for letting us know just to give us a sense of who might be on.

Okay, that's it for Marrakech. If there are any other quick questions, I'm happy to take them. Otherwise - Steve, you have your hand raised still? You have a question? Okay, thank you.

All right, let's move quickly then. In the Chat Room, Denise mentioned -- and this is actually a follow-up to Phil Corwin's email from I guess it was last week with regard to the VeriSign contract extension -- and the question is whether, you know, the BC has something to say on that and perhaps we should have a further discussion.

I see - Phil, do you have a question?

Phil Corwin: No Chris. I thought, you know, if you wanted me to (unintelligible) what the situation is, I'd be glad too.

Chris Wilson: Okay, I see - Chantelle. Geoff Noakes, do you have a question? I don't see your hand.

Geoffrey Noakes: Yes, thank you. So somewhat new to ICANN or the Business Constituency and still feeling my way around.

In the email that - who sent this out - Steve DelBianco. He wrote that three members applied to join the working group on Next Generation -- RDF.

My first question is how will I be notified when this working group will convene? Do I need to do anything to register for that?

Steve DelBianco: This is Steve, Jeff. You do. So I will email you, and the other members have done so. You just simply go to the Wiki, and join the working group, and indicate that you are affiliated -- not officially representing but affiliated with the BC. I'll send you that link and you should be on now and you have to take an active step to do that. Thank you.

Geoffrey Noakes: Second thing. In that same email from Steve DelBianco, in the Word document, there was a paragraph about the RDAP profile. And it said the development of policy and specifications for authenticated access should begin as soon as possible.

So my question is when and in what forum will that happen and what do I need to do to be a part of that?

Steve DelBianco: Yes, good question and it hasn't begun yet. If we are successful at mapping that out in the path ahead for RDAP, then there would be a working group drafting a charter, resolutions in council to approve the charter, so it would show up in the policy calendar and you would have plenty of time to help us draft the charter and the resolution. And you would have plenty of time to enroll at that point in that working group.

Thank you for volunteering Jeff.

Geoffrey Noakes: Thank you. Consider me volunteered.

Chris Wilson: Thanks Geoff, thanks Steve.

So we've got just a couple of minutes left. But Phil, if you could just quickly flag again the VeriSign contract issue for folks, and then we can maybe have a wholesome discussion either, you know, offline or via email, or certainly if you want to talk about it, put it on the agenda in our meeting in Marrakech, that would be fine too.

Phil Corwin: Sure. Yes, Chris, real quick. There's nothing official on this yet. VeriSign held its quarterly analyst call on February 11. And in the course of the call, it announced it had negotiated or it was negotiating an agreement with ICANN

that would establish a new ten-year root zone maintainer agreement in which ICANN would step into NTIA's shoes and replace it as the counterparty to the current root zone maintainer agreement.

And it would be linked to a ten-year extension of the Dot Com Registry Agreement so that on the day of the transition, I guess, the new root zone maintainer agreement would kick in and the termination date of the Dot Com Registry Agreement would change from its current date of November 31 2018 to a date ten years after the date of the transition.

There's no official announcement yet. The agreement would require approval of both the Board of Directors of VeriSign and the Board of ICANN. It would then require sequential approval by NTIA. It will certainly be subject to public comment.

For the ICANN part, I imagine it probably will as well for the NTIA. In fact, they probably put out a federal register notice.

Within the ICA, the immediate question was will the effect the price freeze on Dot Com pricing that was imposed by NTIA in 2012 as a condition of renewal. And it does not - that is in a separate agreement -- the Cooperative Agreement -- which is between VeriSign and NTIA. That, you know, rather unique Cooperative Agreement exists because the historical past of Dot Com, and that agreement between VeriSign and NTIA would keep its current termination renewal date in 2018.

So that's the situation. There's no official announcement by ICANN yet and there will be a public comment period when they announce.

So far as the rationale for synchronizing the root zone maintainer agreement and the Dot Com Registry Agreement, the explanation given by VeriSign CEO is in that article at the ICA Web site -- Internet Commerce Dot Org that Denise referenced.

So that's the situation. We have plenty of time to look at the actual agreement once ICANN puts it out for comment.

Chris Wilson: Great, thank you Phil and I certainly think it's worth - it will be worth looking at when that comes to fruition.

Real quick, I know (unintelligible) of business. I know there's some discussion in the Chat about having the new CEO -- who will be in Marrakech for at least part of that meeting -- to perhaps meet with the BC.

I think at a minimum what we can do is have him invited to the CSG Sunday Breakfast with Bruce and Markus and see if we can get him to stop by -- assuming he's going to be there at that time -- and work on that. And if we can't - if he can't make it there, we'll see if we can provide other windows for him to at least meet with - if he can't meet with the CSG, maybe we can try to meet with us.

But we'll pursue that. I'll mention it to the other CSG folks and we'll see what we can do on that. But I think it's a worthwhile effort so I will do that.

Any further thoughts/questions/concerns?

Denise Michel: Yes, this is Denise, just really quickly to kind of expand on my short note.

So I think, you know, making a good first impression with the incoming CEO, is, you know, worth the effort. I think an invitation from the BC is a good thing even if he says no. I would be concerned if the incoming CEO just met with SOAC leaders.

Staff seems to encourage a meeting with an individual from an SO or an AC or a constituency as a proxy for meeting with the larger community -- which is really, I think, an unfortunate precedent.

And I think it would be better if an incoming CEO wasn't sort of introduced to this paradigm, but rather had a broader interaction with the community. Although it wouldn't be bad if the CEO came to the CSG breakfast.

I think part of our larger discussion as a constituency is to elevate the importance and effectiveness of the BC, so I think -- at a minimum -- a BC invite to the new CEO to meet with this constituency -- either in Marrakech or perhaps through a phone call -- would be a good thing to do.

Chris Wilson: Yes, Denise, I take your point, I think it's absolutely correct and we will work on that. So thank you.

Any other further thoughts? Okay, it's four after the hour so thank you all for your time and we'll talk to you in Morocco. Thank you.

Denise Michel: Thank you.

Chantelle Doerksen: Thank you everyone. Operator, you may now stop the recording.

END