

ICANN

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

Coordinator: Recordings have started.

Chantelle Doerksen: Good morning, good afternoon and good evening. Welcome to the BC Members call on Thursday, October 6, 2016. On the call today we have Claudia Selli, Chris Wilson, Barbara Wanner, Steve DelBianco, Jimson Olufuye, Marie Pattullo, Isabel Rutherford, Angie Graves, Andy Abrams, Denise Michel, Cecilia Smith, Kevin Audritt, Jay Sudowski, Susan Kawaguchi, Philip Corwin and Beth Allegretti.

We have apologies from Lawrence Olawale-Roberts, Marilyn Cade, Cheryl Miller, Tim Chen and Hibah Hussain. From Staff we have myself, Chantelle Doerksen.

I'd 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.

Christopher Wilson: Thank you Chantelle and thanks everyone for taking the time to be on today's call. This is I guess our first BC call post-IANA transition and look

forward to the discussion of what we – BC can do now in sort of the new ICANN if you will.

So talking about that maybe I can turn to Steve real fast and you go ahead and dive into the policy calendar.

Steve DelBianco: Thanks Chris. It's Steve DelBianco. The policy calendar was distributed yesterday. This will be a very brief report or at least on my part. There have been no new public comments submitted to ICANN since our last call, so I'll skip directly to the current public comment page and there is only two there and only one of which is relevant to us.

It is a study of Latin America and Caribbean DNS marketplace. This was a third party study group that was done at the request of ICANN as part of its strategic plan, and what ICANN came up with is a report that we would need to digest and decide whether we want to comment on it.

And I do hope that we would have some of our Latin American members or those with subsidiaries and business interests there to be able to review the report and come up with a few observations on the part of BC.

While I'm waiting for one of you to volunteer on that let me note that the way this was announced - when they first posted the public comment on Monday morning it said quote the intention was to develop recommendations on how to advance the industry unquote.

So advance the industry strikes me as ICANN's previous CEO had a vision of – well almost like a trade association for the Registrars and Registries and that is how ICANN had a – had an entire promote the industry mantra.

And Chris Wilson and I attended a call later that same day with our new CEO who sees things a little bit differently. And during that call when I pointed out the phrase, you know, advancing the industry within two hours he changed the public comment page so that instead it says, To advance the industry and bring it closer to the opportunities available.

So that's a small and subtle change but I hope it's indicative of a slight adjusting of the course of ICANN under Goran's leadership. All right, so do we have a volunteer to analyze this Latin America DNS report and help the Business Constituency to draft a comment or two?

Comments are due on this on November the 1st so we do have some time and this is a relatively light lift. It'd be an easy thing to read and I can assist at looking at previous comments the BC has made on marketplace development.

And this probably dovetails with the work that Angie Graves is doing for the BC in that, you know, the DNS marketplace health index. All right, not seeing any volunteers at this point.

Oh you can. Isabel. Wonderful. Thank you very much for volunteering. I will send you a follow-up email with some previous comments on this.

Christopher Wilson: And Steve this is Chris. I – yes and Andrew Mack's on – not on the call today but I – he might be someone we – you and Isabel might want to reach out to just to get his 10 cents as well in this considering his background.

Steve DelBianco: That's a great idea. We'll do that. We're going to voluntold Andrew Mack to join you Isabel. That would be great. All right, thank you. Chris I have under here a special project which is of note to the BC before we turn to Channel 2 for the GNSO Council.

And I've reported this on three or four previous calls and this was ICANN's effort to retain a - consultants who could assist with research and writing projects in the BC.

They retained the consultants Pam Covington and her first assignment was to pick up on something that Denise Michel and I know you're on the line – Denise Michel came up with, which was to research and report on the disposition of public comments that the BC has filed over the last two years.

So Pam has dived into that but we don't yet have a complete enough work product to share with the BC. Denise I wanted to see if you wanted to add anything about expectations for when we'd be able to share this with the BC, as well as to go back to Pam with suggestions as to how she should improve and complete her work. Denise?

Denise Michel: Thanks Steve. No I don't really have anything to share at this point. Pam has given us drafts we've commented on. She's incorporated that and working through all the comments the BC has posted over the last year.

So we'll get a better indication from her next week when she'll have the first draft for our review and we'll share as appropriate with the BC. Thanks.

Steve DelBianco: Thanks Denise. Appreciate that. Channel 2 is the GNSO Council so Phil and Susan as our Councilors I'll turn things over to you. What I have here so far was your previous Council meeting 29th of September last week.

I've indicated here the resolutions you approved, one of which was given by Phil, the transcript and the agenda. And since the new GNSO Council meeting for next week is not yet posted for agenda and motions, all we've done here is

reflect and describe two motions that Phil Corwin noted and are likely to be on the agenda next week. So Phil and Susan over to you.

Philip Corwin: Yes Steve let me start. Phil here for the record. And yes as you noted one of those resolutions was the Council's views on the budgeting for Workstream 2.

I worked – there were some initial dissent within Council on various aspects of that primarily relating to what would happen to the budget if the jurisdiction group got into looking at alternatives for ICANN itself, the organization, for jurisdiction outside the U.S.

The final resolution which passed unanimously does not say that that's – that the jurisdiction group should be prohibited from looking into that, but does note the Council's view that revisiting that issue at this time would be extremely destabilizing and would likely require legal funding way beyond what's been budgeted.

So that's where it stands. I participated in the most recent call of that jurisdiction subgroup earlier this week, and there's no strong push going on for revisiting U.S. jurisdiction for ICANN so I think that issue's going to be pretty dormant for now thankfully.

Looking forward to our next meeting, which is very soon on October 13 well Chris where you've got the drafting team. You're more expert on that than I am.

We are working now continuing that on the issue of responding to the surprise letter from Steve Crocker that arrived in August asking whether a subsequent round of gTLDs could be launched prior to full completion of the Subsequent Procedures Working Group's work.

The – I'm now on a subgroup that's working on a full response to the Board and we have a draft from Staff back yesterday that we need to weigh in on, but the GNSO did survey and ask for input from its separate members.

It got responses from the BC, also not within the Council but ALAC chimed in, the IPC, the Registries and I – the – I believe the ISPs. The sum total of the response so far is that – and let me – I've got it right here.

Yes the BC position of course was that we want the Subsequent Procedures Working Group, RPM Review Working Group and the CCTRT required by the Affirmation of Commitments all complete before there's a next round.

The IPC chimed in similarly but noting that some IPC members were of the view that the second phase of the rights protection review -- that's the one dealing with the UDRP -- should be completed before a next round.

I think personally that goes too far but – and that isn't their official position. They're just noting that's the position of some IPC members. The ISP Constituency emphasized that efforts to address technical aspects should be completed before a new application round.

The only group indicating a – an earlier start was not that surprisingly the Registry Stakeholder Group saying that, only work required to address significant deficiencies in policy or implementation need to occur prior to a next round.

I'm not quite sure how we would know where the deficiencies are before we complete the reviews. And the Registrars did not chime in so the draft letter

prepared by Staff that we're going to be working on in a subgroup basically tells the Board that we have no consensus.

I think from the BC perspective we should be a bit concerned that if the Council has no consensus the Board might think there's an opening to push for an earlier start to a round, and we're going to have to I think continue to watch this and weigh in perhaps in the public forum in Hyderabad and otherwise.

There's continuing work on the RDS. I'll let Susan address that if she has anything to say. And yes on the October 13 agenda we're going to be starting a discussion of a uniform framework of principles and recommendations for CCWGs.

And – well I guess we're more along with that and then there's a placeholder motion to approve recommendations on GNSO bylaws and procedures. We don't have – expect to have that language until a day or two before the Council meeting, so there's an understanding that that issue is not going to be resolved until the Council meeting in Hyderabad.

And I'll stop there and step aside and let Susan weigh in on some of these issues.

Susan Kawaguchi: Thanks Phil. The only other issue that you didn't cover I think was the WHOIS Conflicts of Law Working Group and the motion that was submitted by Stephanie Perrin for this past meeting.

That was – that motion was withdrawn. There was a lot of discussion basically about the drafting of it. It was sort of a combined motion rejecting the recommendation of the working group.

And this was not a – this is the implementation group so this was not a PDP and so what she was – what – her aim was to reject the current recommendation and initiate the PDP process and request an issue report.

But it couldn't be done in the way that motion was drafted so it was very easy for it to be withdrawn. I mean, there was discussion. Steve one of the things that you were – you pointed out to me in the last call was to make sure that we understood why it did not pertain to policy or comply with ICANN policy.

She never could articulate that clearly to me or on the call in my opinion, and it was more of her personal opinion so that has been put off. There's a small working group within the GNSO Council that's going to look at this again and maybe propose two different motions so we'll see.

It – I don't think that motion has been filed so I have a feeling it's Hyderabad when we'll look at that again. And that's all I have.

Steve DelBianco: Great. Any questions for Susan or Phil? I can follow-up on the first item under Channel 2 below what Phil mentioned. It's the first attachment on the policy calendar today and it's a description of this GNSO bylaws drafting team.

I chair that drafting team. It is nine appointed members from GNSO stakeholder groups and constituencies. It's – and are – and also from the Nominating Committee and its job is to respond to a Council motion on how do we modify the GNSO's policy procedures, and perhaps even the GNSO section of ICANN bylaws so that the GNSO can appropriately exercise the rights and responsibilities in the post-transition bylaws, things like the empowered community, the new review teams that are put together for what

we formerly knew as the Affirmation of Commitment reviews, IANA functions reviews, Customer Standing Committee, et cetera.

We've had eight calls. We – our longest call or our – well our latest call was yesterday and the drafting team will probably complete its report by Monday or Tuesday of next week, just in time for Council to decide whether it wants to accept that report and send it on to Staff for further development.

But this is a very controversial group because the CSG did not want to assume that Council – GNSO Council always speaks for the GNSO on all things related to the post-transition bylaws.

We wanted to keep alive the possibility that the – actually the stakeholder groups and constituencies inside of GNSO have structures of their own, officers of our own and can come up with views of our own and can express those directly to the empowered community.

There didn't need to be Council intervening on non-policy related matters. In that we were a minority so the other six members of the nine-member team wanted Council to speak for GNSO in all things.

And the next step we had was how does – how is it that Council votes? We attempted to say the Council could just vote based on the majority of Councilors, but again we were outvoted by those who wanted to retain the majority of each House.

And so that – that's locking into place this notion that when Council considers a non-policy related resolution that Council requires a majority of each, the Contract Party and Non-Contract Party House.

The report that I've drafted for this drafting team, and it was the first attachment, lays out all the different considerations that we had. And I note in many cases Steve Metalitz has been the best advocate for an alternate view, and we may or may not have a minority report to accompany the drafting team's report but there won't be any significant surprises here.

For the most part Council would speak to the GNSO on matters in the new bylaws. I'm happy to take any questions on that if anybody has any. Okay not seeing any Chris I'll go over to you to give the CSG report.

Christopher Wilson: Thanks Steve. Yes this is Chris. I'll be pinch-hitting for Cheryl today since she couldn't make our call. Just with regard to the CSG activities real quick, we have two calls scheduled for October 19 approximately two weeks from today.

The CSG ExCom is having a – one call with the rest of the Non-Contracting Party House of, you know, Executive Committee to discuss a few items, one of them being sort of the GNSO vice chair/chair operating procedures as well as take – talking a little bit about GNSO Board seat selection process and then finally discussing ICANN57 Hyderabad meeting plans including the NCPH meeting on Sunday, November 6 in the morning.

You know, with regard to the GNSO vice chair/chair procedures I think we're – there's still going to be fluid discussion about - trying to get further discussion about, you know, how to move forward, sort of thinking bigger picture about the – filling those roles and talking more amongst ourselves about how best to do that.

I know all – there's already a bit - consternation within the - I guess the CSG and the broader Non-Contracted Party House about the fact that there's no one

being – going to be - seemingly going to be put forward as an option other than James for Chair of the GNSO Council from the Non-Contracting Party House.

It seems like that – it's – it'll be James by default for better or worse but that's – I think there's still further sort of consternation about the fact that there isn't going to be someone else put up, and then obviously trying to get clarification on whether there's full support for Heather as Vice Chair.

And so they could've talked about that amongst the CSG ExCom and the rest of the Non-Contracting Party House folks, but on Nicole I'm thinking that perhaps also talking more about that in Hyderabad and just sort of talking about process going forward on that.

And the ExCom will also be having its own - CSG ExCom will – having its own call on the 19th to finalize the meeting schedule for Hyderabad. So, you know, maybe – and maybe Chantelle this would be a good time if you could put up that – the meeting document that you sent around to folks in the chat.

One issue that has come up and I guess is still sort of be – to be determined is the notion of Constituency Day and how that impacts obviously each constituency meetings but also the CSG meetings that are – that were sort of scheduled on and around those meetings.

There have been – there's been some confusion as to how Constituency Day is to be treated at this meeting. In particular the ICANN meetings team had thought it was a good idea and thought they were being responsive to the community to propose splitting the traditional Constituency Day into two mornings.

So instead of being over one day it would be over two separate mornings, two separate days and that was sort of the game plan. Unfortunately that decision wasn't communicated well if at all to – certainly to the GNSO Secretariat and by extension to us as stakeholder constituencies within the GNSO.

And so we had – we've been planning all of our meetings around the notion of one day Constituency Day at – per past practice and – but other S – GACs have – had not done that.

ALAC is an example of one that has – was under the auspices of a split Constituency Day - one of saying that there's still some ongoing discussion about how the Constituency Day is to be treated at this meeting.

And there's a – basically a poll out right now for meeting staff amongst the SOs and ACs as to what their preference is. I think for the most part other than NPOC, GNSO is pretty unified behind keeping it as a one day at least for this meeting because meetings have been scheduled and planned around that notion.

But it remains to be seen how that will play out and what that means for our schedule for Hyderabad but as you can see it's a tight schedule. We've got CSG meetings, you know, throughout the week.

I should say one conflict that we – unavoidable conflict I guess is that there will be the – we have the CSG-GAC lunch scheduled for Friday the 4th of November.

That unfortunately also conflicts with the broad ICANN business outreach lunch scheduled for that exact timeframe, so we'll need to have I think some BC folks.

We'll have to talk amongst ourselves about who can perhaps attend the broad business outreach lunch in lieu of attending the GAC lunch. But we'll have to – we'll talk more about that but I think we're – and sometimes unfortunately conflicts are inevitable especially this meeting because there is so much packed in to the schedule.

But otherwise I think right now we've got the schedule locked in pretty well barring unforeseen changes with regard to Constituency Day, et cetera. But, you know, hopefully you can take a look at the schedule now and you can see where a variety of CSG meetings are and how they fit in to the big schedule.

I think we should – basically wrapping up the CSG activities I think by Monday the 7th or if I can – I'm looking at it correctly. So for folks that are interested that's where we are on scheduling purposes.

So we'll have – and again we'll have two calls in a couple of weeks – CSG calls in a couple of weeks and hopefully have more to report just before our next BC call on the 20th. I see Susan and Phil. Susan you have your hand raised and then Phil.

Susan Kawaguchi: Thanks Chris. Back to the elections for chair of GNSO Council was there any discussion in the CSG meeting about Heather running for chair?

Christopher Wilson: There was not specifically and I think the discussion was keeping Heather as running for vice chair I think with the thought being that, you know, a year from now that maybe she would be put forward as chair then.

And I think it ties – to some extent it ties into a notion that I think Greg Shatan and others have thought about of making it more of a two year rotation

generally speaking for, you know, at least for vice chair but potentially I guess for chair and...

Susan Kawaguchi: Yes.

Christopher Wilson: ...vice chair. So I think that there was – no one has put forward the notion of putting Heather for – putting Heather up for chair and that's sort of where it is now and no other names have been – come forward from anybody as a possible chair candidate in addition to James.

And I should say I think there was also further discussion about, you know, the approach that should be taken during the election as to whether or not there should be a no – a vote for no, you know, no James vote rather than just voting for him.

And I think that the thought is that - at least initially that there would – it would not make sense to sort of vote against James and just go ahead and if there's no other candidate to vote for him...

Susan Kawaguchi: Yes.

Christopher Wilson: ...and move forward and not poison the well so to speak for next year. So I think that's where people are – that seems to be where the conversations are right now.

Susan Kawaguchi: Okay thanks.

Christopher Wilson: Yes. Phil?

Philip Corwin: Yes thanks Chris. Phil for the record. Yes again on the election I've had some communication with folks in the NCSG who I know personally. I think James' reelection is a fait accompli.

He's the only one nominated so far and he does have some support from some people in NCSG for personal and other reasons so I think that's just - he's going to serve a two year term and I think Heather is well regarded in the vice chair role and put her up.

I do think we should – the CSG should be looking to putting down a marker at this vote on the principle of rotation, and that it's just not acceptable to have a Council with two separate Houses and have someone from one of the Houses always being the chair.

It just doesn't look good and it doesn't engender trust so I think we need to think about a strategy to get that articulated when we take that vote. I'll also be frank.

Heather is doing a fine job as vice chair and I think there is an opportunity to build a dialog with the NCSG toward supporting this rotation principle, and looking toward trying to unite on someone from the Non-Contracted Party side next year.

But based on the conversations I've had it'll be very difficult if not impossible to ever get the NCSG to back someone from the IPC for chair. I think that is just a reality that's going to have to be dealt with at this point in time.

It may change down the road but I don't know that it can change in the next 12 months. But I think the vote – I think we should vote for James. We don't want another situation where we have a confrontation as we did in Dublin last

year, only to be followed a month later by confirming the candidate who was rejected but - so there is no point in voting against James. I don't know anyone who has objections to the job he has done as Chair but we need to start looking toward what we are going to do in 2017 and start laying the groundwork for that now. Thank you.

Christopher Wilson: Thanks Phil - any other questions or thoughts? I think that is all I have for the CSG Report for now so maybe if I - Steve I am going to go ahead to turn to you to wrap up the count and maybe talk a little bit about our conversation with you and Goran Marby.

Steve DelBianco: Sure Chris so this is Steve DelBianco. Goran Marby asked for a brief call, 15 minute call with BC leadership earlier this week. Chris and I attended the call when about 20 minutes occurred on Monday. David Olive was also on and Goran started by - I guess sharing some of his experience at that US Senate Hearing last month where he revealed that he wanted to say many things to Senator Cruz, Chairman Cruz, that he had to hold back on.

We talked a little bit about his testimony and then also mine on behalf of NetChoice and then he put forth the purpose of the call was a sort of a rebranding that he has in mind for how to represent ICANN to the world in the post transition environment.

The first slide he put up though still had the word, Internet Governance, in the title. Chris and I pointed out that that is exactly the wrong thing to say because ICANN doesn't do Internet Governance. It is banded to - coordinates the DNS and he agreed. They said they would take out Internet Governance.

He then tried to suggest that the way we will position ICANN is in the context of many other groups that handle, not only the DNS but other aspects of

Internet Governance and I don't think it was particularly compelling. He had a couple of slides but the intent is sensible to suggest that ICANN has a much more limited role in keeping with a more limited scope that we designed in the post transition bylaw and that limited role is to coordinate among a lot of other parties, from IETF to the registries and registrars, all these other parties that are out there and that is okay.

I told you earlier that we pointed out that we should try to shed the previous CEO's rhetoric on promoting the DNS industry and he agreed with that. I said within hours they changed at least one comment that was on the public comment page.

And then he put a slide up suggesting that ICANN has really three components. The organization itself of which he runs, the Board of Directors and the community and that is really we are okay with those three distinctions and that he indicated that he runs this organization solely to respond to requests from the community or the Board.

Chris and I pushed back a little bit on that and said that even if the community and Board took a vacation, ICANN, the organization still has to get up every morning and do its job. It has an ongoing operational role and a unique role in enforcing policies and enforcing contracts with registries and registrars and we hammed that home because that responsibility is not something that is upon the request of the community and Board. It is something that the ICANN organization should have in its DNA.

We also explained the BC's view on whether GNSO council always and everywhere speaks for the GNSO on all things in the post transition environment. I was glad that David Olive was well aware of the controversy in that draft (unintelligible) but it doesn't seem as if the CEO or the Board or

anyone else is going to be able to intervene in this. It is something we have to work within the GNSO.

And then Chris there was a follow-up I guess today that you circulated from Goran where he sent something around that you pushed out to the BC. Do you want to cover that as well?

Christopher Wilson: Yes, this is Chris. (Unintelligible) a blog from the other day so he Goran Marby sent around a - posted a blog just a couple of days ago announcing some changes to the - I guess organizational structure of the executive team within ICANN. I flagged my email for folks who may not have seen it. In particular importance I think to the BC was Marby's announcement that he has sort of created a new con - type of Contract Compliance Officer to take the place of Allen Grogan when Allen retires at the end of the year and that new person would report directly to Marby himself and would not report to Akram or the, you know, whoever heading up the GDD.

So that left an important development for the BC because I think we have always stressed the importance obviously generally speaking of contract compliance but also having that person report directly to the CEO is important as well.

And I think you mentioned, you know, that the hiring process in that regard I think is just beginning or ongoing. I think he is - soon they will be posting the job announcement for people to take a look at. I think they have already begun reaching out to people and thinking about possible candidates but there is no - I don't believe the hire is imminent in this regard but for those - I just got - ask people to look back in my email from a - maybe from yesterday on this and you can find a link to that blog.

Maybe Chantelle if you could post a link to the blog in the Chat, that would be helpful as well for folks to take a look at what Mr. Marby has just put out regarding changes to the organizational structure and so forth. But I think all in all positive news coming from him in this regard - any questions about that - thoughts? Okay, Steve I don't know if you want to mention anything lastly about the transition and so forth before we turn to Jimson?

Steve DelBianco: Yes, I think we all ought to be congratulated for finally after 18 years bringing to a close the transition of ICANN as an entity from direct oversight by US Government. Now no government has any bilateral arrangements with ICANN and I think we really have cemented into place the private sector leadership that we wanted all along.

The experience of the last couple of months truly confirms that we were on the right track to try to take government oversight out of the mix. Some of the rhetoric we heard in the United States Senate, particularly from Chairman Senator Ted Cruz explains why we need it - to get governments out of it because the rhetoric about turning over ICANN to the United Nations or Russia, China and Iran trying to establish permanent control over the Internet. That kind of rhetoric shows why governments really don't have a role in direct oversight of the DNS and despite all of that rhetoric we were able to get it done.

A lot of you know that we had to dodge two bullets, one was in the US Congress which could have delayed or deferred the transition in its budget but chose not to and then a day later four Attorney's General, four US States filed a lawsuit in Texas - a lawsuit that called for an injunction to stop the transition and I participated, along with several folks on this call and a number of trade associations to prepare an Amicus Brief in that case which was heard last Friday and the Judge denied the Motion to Block the Transition.

So that is why on Saturday morning, on October the 1st NTIA completed its role at simply terminating a contract, the IANA Contract and ICANN confirmed that all of the parts and mechanisms were in place for it to assume the role that NCI used to play in the clerical verification of the root zone changes that occurred starting Saturday morning.

So Chris it has been a long road and it has consumed the BC and the BC can gladly bask in the glow of knowing that the new accountability enhancements that were locked in the bylaws effective on October the 1st were first derived at the May meeting of the BC in 2014 and the BC's very first set of new accountability mechanisms, including blocking the bylaws, filling the board, bringing the affirmation of commitments into the bylaws, stress test 18, all of those things originated with the BC and all of those things ended up in the bylaws we have today - happy to take questions - Denise.

Denise Michel: Thank you Steve. I don't have a question on the transition but thank you for your exemplary work over the last two years on this.

Going back to the previous topic you raised and also wanted to thank you and Chris for participating in that meeting with the CEO on behalf of the BC. I am glad to hear that the new CEO is interested in reaching out to the community and coordinating more strongly. I think it is important though that he start at home to that end and we have discussed this before. Two individuals are not a substitute for interacting with the business constituency just like (unintelligible) where that doesn't speak for the whole GNSO community nor the counsel at times either.

So I would suggest an appropriate follow up might be to remind the CEO of that and ask for a business constituency meeting with him in Hyderabad or absent that a conference call with him. Thanks.

Oh, you know what I have more on topic since we were also talking about the blog. I have deep concerns about creating a new Complaint Officer - I forget the actual term they are using that reports to the General Counsel. There have been very serious concerns and even charges raised about the activities of the General Counsel's office. I would applaud the CEO for creating this new position but I have great concerns about having this position report through the - to the General Counsel, rather than the CEO. Perhaps that is something we can discuss further at our next meeting, thanks.

Christopher Wilson: This is Chris. Our thanks to these - for your comments - that was already the first comment I have, you know, and (unintelligible) you raised that concern as well but that CEO outreach to the broader business community and not just leadership and I have made that point to him a couple of times and I have received positive feedback and will continue to do that.

I am happy to reach out to David Olive and see if we can get him to pop in to a meeting, one of our meetings even for just a, you know, 15 minutes. Then we can do that so I will follow up with David again and see if we can get him.

If we can't get him at the ICANN meeting then we certainly can try to work a - work out an opportunity for him to speak to the broader community and then maybe when they - when he finalizes this new communications plan that he discussed with Steven and myself which is in - pretty much in beta form maybe that is an opportunity for him to come and speak to the BC and talk more about his vision if you will for how he sees ICANN and its mission so I

- just so you know that we have - I have raised it with him before and will continue to do so - so thank you for that.

And with your last comment on your - just to re-clarify for folks that didn't read the blog I have spoken particularly - in particular with the new sort of compliance officer and Denise is right to point out the results of how an ICANN Complaints Officer, separate position that a new position that will be filled internally at ICANN.

It is not clear if it is going to be someone from outside ICANN to take that role but - and Denise is right, that new position, that particular position reports to ICANN's General Counsel and it - this is an issue that we as a BC think is problematic and maybe we - and I think perhaps it could be, then we might want to think about, you know, whether that -we could put some input in there.

And think about if not the GC where would that position report to - would it be the ombudsmen, how would that - how would we ideally see that Complaints Officer fitting within the structure so maybe as we think about it some more and talk about that some more at our next call for those that are interested in that issue. We have - this is my ten cents.

Steve I don't know if you had anything else to add. I know I see Phil's hand up, yeah.

Steve DelBianco: Go ahead Phil.

Philip Corwin: Yes, thanks, Phil here. Just quickly, one - any improvement in compliance would be welcome. I know someone who recently put in a - filed a complaint in regards to a names collision with compliance and got back a form letter

about how they could file a UDRP and then it noted that the issue had been resolved so we still have these kind of games being paid - played where issues are not resolved but staff can claim they are.

The thing I really wanted to speak about is that one, you know, congratulations to Steve for all of his work and everybody else within the BC and the CSG. So many people contributed to creating the accountability plan and pointing out that retaining the remainder of US control would be counterproductive.

I do think it is going to dawn on the business community, particularly in the US shortly that the - while they could still go to members of congress and NTIA if they have complaints about something going on with ICANN the ability of the US to do anything about that is no more than the ability of any other GAC member other than ICANN being a US corporation though I don't envision congress passing bills just targeted to ICANN and that would be a bad development if it happened.

So I think this presents a challenge to the business community, particularly the US business community but also an opportunity for the BC to encourage businesses who have ICANN's concerns to get more involved in ICANN itself and to do so through the business constituency. Thank you.

Christopher Wilson: Thanks Phil, Steve did you want to add anything?

Steve DelBianco: That is good for me Chris, thank you.

Christopher Wilson: Thank you, all right, well let's move on. Jimson perhaps I could turn to you real fast and provide a little update from your side of things.

Jimson Olufuye: Well thank you very much Chris and greetings to all and warm greetings to Marie in Belgium.

Let me begin by really congratulating the - everyone again adding my voice to this commendation (unintelligible) Steve, Phil, Chris, everyone in BC done tremendous work in this and this (individual) milestone.

I am saying this because of my position in the developing world.

I can tell you that many in the developing countries have never believed that (it was going to work) because of hard - a lot of heated debates with many of my colleagues about the sincerity of the Business (Constituency) with (in regards) to the transition. So I am very happy that this finally become a great testimony so kudos to Steve and everyone.

Also, so Phil let us know that the (unintelligible) this (milestone) is being recorded. There are two (challenges) of September 30th we have these events at - in Geneva, the second stream or the second phase of the (CFGB) working group on a (Enhanced Cooperation) where the world government actually wanted to (take over) the work of ICANN eventually so we had our meeting September 30 and the (stakeholders) as you know, like Russia, they (are still) kind of very much interested in the control of the (DNS) community in United Nations, so that possibility remains more true.

The business (was well represented) of the (unintelligible) that (Marilyn) was there and were (unintelligible) within that position - ICANN (unintelligible) language because a (enhanced) corporation is not about highlighting the (enhanced) structure alone because it is a possibility. This is (unintelligible) gives that advice and then there is that concern with the private sector for the conversation continues but I just want to (update you on that).

Now to my job here - I would like to report but the – (renewal rate for membership is still good). I would like to recognize that (Excomm) approves - it (unintelligible) for members that (are yet to pay) to be in compliance so the opportunity (is still there for those who need) to do so and for this moment the (BC) balance is over \$170,000 so that is for information, \$170,000.

Secondly on the outreach - we are having this outreach next week (on Thursday) along with (the AfICTA summit) so the outreach is happening in Windhoek, Namibia. We have the number of members speaking with the BC Outreach Committee that is Andrew Mack who will be speaking (remotely) and then (Marilyn) would be (on the ground) should be speaking on the (BC session) and (unintelligible) be talking about (internet governance) as well (these are the topics) outside (of) the BC.

So (Pierre Dandjinou, the ICANN's Vice President of Stakeholder Engagement for Africa) will to be speaking - (Lawrence Olawale-Roberts) and (Arinola) will be here speaking as well.

So, the point is for us to continue to engage and reach out to the community. I believe with the transition that the (real) confidence in the business as a whole will (continue to) increase - will increase (and we need to sustain it) to outreach to the global community and this is why (unintelligible) Chris mentioned that we will be having this lunch outreach in (Hyderabad).

That is good. Our (Newsletter) is ready so thanks to (our Excomm) that members and (our members) have provided a very (unintelligible) or attitude. We just - (unintelligible) has been published on our Website (bizconst.org) so as a message to the global community.

In addition also we are looking at an outreach in Myanmar. We have some - we are close to our member (ASOCIO) so we will be having the conference - this conference in Myanmar in November to the arrangement that will involve the (Outreach) committee (will be there) maybe talk about what we do and the value of our work and the (unintelligible) and (unintelligible) parts of the business communities. So that is all from me for now but if there is something else maybe you can (respond to it) maybe under other the issue.

I just located - I had about the Compliance Officer and (Enforcement). We want ICANN to work more on (enforcement). What leverage does ICANN really have? This has (unintelligible) increase. What leverage does ICANN really have on the (enforcement) really? It (unintelligible) - has there been any successful (unintelligible) or things like that? So I will end here. Thank you.

Christopher Wilson: Thank Jimson for that report and thank you for your work on the Outreach and certainly on getting members - membership (dues in). I know there are a few outstanding members who have - who are in the process of finalizing payment and hopefully we can get that all taken care of very soon and have everybody paid up and ready to go for the next year.

For the last I guess few minutes let me go ahead and wrap up the call. First and foremost folks should have received on Monday from Chantelle the poll information for voting on the new revised charter. It was put out on Monday and the vote is open for two weeks so it will close on October 17.

Please if you haven't seen that please go look for that or mail Chantelle and she can send you the - I think send it to you again but hopefully I think we can get as - all members to vote on it. That would be wonderful and then we will be able to determine the final results in time for our next call on October 20th and so please do it for that.

So the vote is open through October 17th so you have got hopefully plenty - enough time to take a look at that and vote and of course just for clarification purposes each member has - should have one designated person to vote so not to double count voting but each member company should make sure or member organization should make sure they have one person voting rather than multiple people voting so - but please do that for the good - the good of (unintelligible).

And wrapping up quickly - again, I mentioned this on the last call there is a survey out there to the (At Large) community about regarding so of generally speaking about ICANN and so forth. That is due the 21st of October - I don't know Chantelle if you have a link to that again you can put that in the Chat, that will be great but please take a look at that and then just so - finally our next meeting is October 20.

It will be our last meeting before Hyderabad. We are going to have our next meeting - the next meeting after the 20th will be an in-person in Hyderabad so, you know, look forward to talking to everybody in a couple of weeks.

And of course if you have any questions or concerns please let me and the (Excomm) know between now and then but hopefully we have covered all the bases. Anything else for folks that hasn't been raised - anything - other issues or concerns? Jimson I see your hand raised - Jimson.

Jimson Olufuye: Yes, Chris, real quickly, yes (just to mention) that we (have a new member) (Sala Enterprises) from Sri Lanka, (who was our guest at ICANN56). Also, to let you know that the (integration with- the integration payment platform is now online for our website). The members can (pay) online on their own time (-in time for FY18). Thank you.

Christopher Wilson: Thanks Jimson. Thank you for letting us know that we have got a new member and that is wonderful from a - especially from a part of the world we want to continue to (unintelligible) so that is wonderful - that is great news.

Okay, anyone else have further thoughts, questions - concerns? Okay, great - if not look forward talking to you via email and certainly on the next call on the 20th. Thanks very much everybody.

END