ICANN

Moderator: Chantelle Doerksen
May 25, 2017
10:00am CT

Coordinator: Excuse me. The recording has started.

Chantelle Doerksen: Good morning. Good afternoon. Good evening. Welcome to the BC Members Call on May 25, 2017.

On today's call, we have Jimson Olufuye, Lawrence Olawale-Roberts, Andrew Mack, Beth Allegretti, Cecilia Smith, Hibah Hussain, Jay Sudowski Mark W. Datysgeld, Paul Mitchell, Steve DelBianco, and Tom Chen. We have apologies from Philip Corwin, Andy Abrams, John Berard, and Denise Michel. 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 we also have Barbara Wanner on the line. Sorry. Thank you ever so much and over to you, Andrew.

Andrew Mack: Great. Thank you very much, Chantelle. Thank you everyone who is on the call. And a special word of thanks to the BC as this is my first chairing of a meeting as the new BC Chair. It's a great honor for me. I appreciate all the support and all the nice notes that people have sent me. My goal is to be as good a servant of the BC and as good a leader of the BC as I have seen in recent years and to continue to work in lock step with the great management team and the great support team that we have. So, thank you all for that.

As part of that I know that everybody's got busy times and I also know that everybody has -- at least everyone in the US -- is looking forward to a long weekend. So, I'm going to see if we can't be as efficient as we can beyond this particular call, dive right into the issues that we've got. We've got a pretty full policy calendar. We've got some things to discuss about Johannesburg that's coming up.

So without any further ado, thank you very much and Steve let's dive into the policy calendar and see what we can get done quickly.

Steve DelBianco: Thanks, Andy. Congratulations. You…

Andrew Mack: Thank you.

Steve DelBianco: …did say it was a long weekend and I'm glad it's a long weekend because boy do I have a lot of work to do. Okay, thanks everyone. You have the policy calendar in front of you. I'm only going to review three of the items we posted since our last call.

On May 22 earlier this week, we filed a response on the questionnaire that circulated by a PDP working group in the GNSO on procedures for subsequent rounds of new GTLDs. And they call that in the vernacular of ICANN the subsequent procedures PDP. And it's really an organization that was pushed, in initiative that was pushed by registries and registrars at the GNSO and the BC is a participant.

And I am so grateful for Susan, Cecilia, Andy Abrams, Isabel, Andrew Mack, and Lawrence for contributing to the BC responses that we submitted earlier this week. They are very substantial responses. It was a challenge for me to

reconcile an edit, since each of you had a somewhat different perspective. And I reconciled what I felt was the consensus positions of the BC.

I would have preferred to have circulated with multiple days of review period for all of you to see whether I achieved the consensus finding that I set out to discover. However, folks were late in getting their initial comments into the document and whenever that happens, we compress the time that our colleagues can have to review.

So, I am so grateful for people that contributed, but please try to contribute early when I first circulate the call for volunteer contributions.

The second one is on the 19th of May -- last Friday -- we commented on the draft report of the review team of the review team for whether the new GLTD program promoted competition, consumer trust, and consumer choice. We had drafters Susan Kawaguchi and Tim Chen who kicked us off. And then we had edits -- Waudo, Andrew Mack, Ellen Blackler and myself. I think we put in as strong a comment as we could on a very substantial document. So, thank you for all of you who helped.

And then on the 11th of May, which was our last call, we did a comment -- a very brief one -- endorsing the proposed change to the ICANN bylaws by which a different ICANN board committee would here reconsideration requests. They come in from the community.

We thought that was very noncontroversial even though we took the opportunity to comment on how the charter for that new board committee should keep its scope very tightly focused.

Now, the BC has two experiences with reconsideration requests. We had filed one at the beginning of the transition objecting to ICANN's decision to impose a top-down organizational structure on the way we were going to design new accountability measures for ICANN. We prevailed superbly in that one.

And then afterwards, the BC joined the noncommercial stakeholders group on a reconsideration request where we objected to ICANN's GDD negotiators imposing the uniform rapid suspension or URS whenever they were negotiating the renewal of legacy TLD contracts. So the BC went on position on saying we support URS because it's an RPM that was never developed through the GNSO in a bottom-up process. It's not a consensus policy so it was inappropriate, we said for ICANN to try to impose it unilaterally in a contract renegotiation.

I expanded on that because it factors into one of the items on our list of comments that we have to submit in the next couple of days.

So, if you scroll down on your policy calendar, the first item in there for the comments that are currently outstanding -- this is under channel two, item one -- is we need to file comments on a cross community working group who's made recommendations of improving the AC SO accountability. And this is all part of work stream two arising out of the ICANN IANA transition.

I was rapporteur on this group and incorporated not only a lot of BS practices in the best practices, but kept all of you informed over the course of several months while we developed that. So, there's nothing in these recommendations that was surprising to the BP.

However, I want to try to get formal approval today on this call to the four-part comment I'd like to submit. And this comment is due the 26th of May which is tomorrow.

Chantelle if you don't mind, would you please just load that first attachment from my email. For those of you who have my policy calendar from yesterday, could you just open the first attachment, which is really a copy of the email that I circulated to all of you over the weekend?

So I have a four-part rationale for the BC to endorse the draft recommendations. This is the time for you to sound off on whether you endorse this or not because it gets submitted tomorrow. I didn't hear any replies on the email list in the BC.

So, the first one is that we endorse the view, that ACs and SOs -- and that includes groups like the BC -- we are accountable to whatever part of the internet community we were created to represent. And we are not accountable to the other ACs and SOs or some broader public interest. We are in fact designed in the ICANN bylaws to represent the interests that we are designated for.

So, for instance, the BC represents business users and registrants. That means we don't represent non-business users. We don't represent contract parties. We don't represent law enforcement or government.

So fundamental conclusion -- I don't see any objections to that. Please raise your hand if you have any comments. We'll take them in turn.

The second is that there are three tracks in our recommendations. The first one is coming up with 25 best practices. They should look familiar to BC members because many of them came from the BC.

Number three is that we supported the track two recommendations on this thing call an accountability round table. This was suggested early on by one of the academic advisors to the CCWG who said there's something called a mutual accountability round table where the leaders of ACs and SOs are accountable to each other in sort of a public meeting. And we got a lot of pushback on that for the reasons I discussed up on number one.

So it is being proposed as only an option. It would be floated once a year and the chairs of the ACs and SOs would have the opportunity to a majority could say yes, let's have that 90-minute session at the ICANN meeting. Or, let's not do it at all. And I think we should support that recommendation.

And then finally, there was an idea that the independent review process by which we hold ICANN accountable to the community and the bylaws, there was a question about whether that should be available so that somebody could use it to challenge the GNSO, to challenge the GAC, to challenge the BC through an independent review process, which is an independent panel of arbitrators that's extremely complex and expensive and there are no bylaws they would look to to interpret whether the action was in violation of those bylaws.

We feel this is a completely inappropriate use of the IRP and are recommending against it.

All right. I'll take a queue right now. Any comments on these proposed responses? If I don't see any hands, I will take it as endorsement. You guys are a lively bunch today. Okay. Thanks. Go ahead, Andrew.

Andrew Mack: Okay. You had asked for comments. I'm just going to ask a clarifying question. In terms of the accountability - I'm in support of all of what you're proposing. It all sounds very strong. The question is in terms of the accountability round table, can you clarify what the accountability round table would actually do?

Steve DelBianco: Yes. That was in the draft report. It was suggestion by an academic who claimed…

Andrew Mack: Yes.

Steve DelBianco: …that the chairs of the ACs and SOs, moderated by somebody, would get up and talk about what they learned in terms of their accountability over the past year and that each would challenge the other on whether they were truly accountable. So, I would say sort of a mutual discussion about accountability not only to the parties you represent but to each other.

And that really rubbed a lot of members of our drafting team the wrong way because we feel that the BC is accountable to business users and registrants. We are not accountable to the CCNSO or the GAC.

Andrew Mack: Understood. Okay. Thank you.

Steve DelBianco: So, all along, Andy, all along it was really just a conversation. Okay. Thanks, everyone. I'll take that as endorsement and I will submit that tomorrow. It's a very brief comment.

Number two on here I know that Nivaldo and Mark Datysgeld worked on this. And I know that we have Mark on the phone. So Mark I'm going to turn to you in a moment.

If you're on the policy calendar everyone -- thank you for putting it back, Chantelle -- please scroll down under channel one to the second item under open public comments. This is the second item under open public comments. It's the proposed renewal and revisions for the dot net registry contract. It's the dot net registry contract.

I want to thank Nivaldo and Mark for volunteering on that. And we've gone back and forth with an initial draft with the two of them. There are four points that we've been talking about for about four weeks with respect to this renewal.

The first is that ICANN did a review of the contractual compliance for dot net and they found that Verisign was in substantial compliance with all the contractual requirements.

Second, the renewal did not change the fees that are passed along to ICANN for every registration of a dot net name. Earlier, there was some rumors that ICANN might adjust those fees or Verisign might request an adjustment. Didn't happen. There's no change in the fees. The revenue to ICANN is unchanged.

C, it does not in this renewal implement the uniform rapid suspension. Now, you recall I just covered that earlier because that was one of the reconsideration requests. The BC has thus far firmly opposed the imposition of URS in a contract renewal unless and until we have a bottom-up review of

that process. That review is ongoing right now in the RPNs that are being reviewed in GNSO.

If we end up supporting a consensus policy about URS, then it doesn't have to be negotiated through contracts because consensus policies have to be followed by all contract parties regardless of whether or not it's in the contract.

And then D, the renewal is retaining caps on the annual increases in prices for a dot net domain name. Those caps have been there for well over a decade. And I believe the current price for a dot net domain name is about $10 wholesale -- somewhere along the lines of where a com is. And those are only allowed to be increased by as much as 10% a year throughout the term of the renewal.

So, I want to turn to Mark to offer any color on that and then we will need to get BC reaction because this comment is due the 30th of May. I'll be able to send an email reaction for last call. This is an opportunity to discuss with your colleagues. Mark, to you first. Mark, I'm not hearing you.

In conversations over the past couple of days with Mark, he and Nivaldo took a look at the URS issue and said the BC is generally in support of strong rights protection mechanisms or RPMs. Why don't we ask ICANN or why don't we object to the fact that URS wasn't included?

And that made it an opportunity for me to go back to Mark and Nivaldo and explain that thus far, the BC did not want URS imposed. And it's true -- RPMs are very important. We are very anxious to see RPMs expanded and complied with, but not vis this method.

Now, the BC can reverse its positon, but it didn't want to do so casually. I thought that we would want to have a full discussion on that.

I also want to give full disclosure -- net choice is a trade association that I run. As members - many of which are BC members but we also have among our members Verisign. So, I personally am trying to tee this up to the BC but I am not pushing for a particular point of view.

So, let's take a queue. Mark? I'm trying to pick up what you're going after in the chat.

Andrew Mack: Mark is there any way we can get you on the phone? The chat's coming through fairly slowly.

Steve DelBianco: Andrew, let me ask you this way -- we have a very small turnout on the call. So I wouldn't want to reverse a firmly held BC position casually. We have a couple of days left. I can circulate it via email.

Andrew Mack: Yes.

Steve DelBianco: But let me just ask -- are the members on the call right now who would prefer that we reverse course and encourage ICANN to impose policies like URS that haven't been through GNSO policy development? Anybody feels that way, indicate it now and I'll be able allow you to - just raise your hand and we'll put you into the queue. Okay, I don't see any hands up so I will circulate a last call with the ABCD for item two. And particularly want to invite Mark and Nivaldo to weigh in on that as well. Thank you.

Let me go to the third one. There's a revised ICANN procedure for handling WHOIS conflicts privacy law. This topic has exploded, largely because of

what's going on with the European Union and the generalized data protection regulation or GDPR.

We have many members of BC who are spinning up on this and getting up to speed on what the implications. Ironically it's the GDPR could force some registrars and tech registries to stop revealing WHOIS data on residents of Europe. And that's certainly got everyone's attention. It was a major topic at the board discussion with the contract parties two weeks ago.

Now, I want to thank Cheryl Miller and Denise Michel, who volunteered to draft a BC comment on this. Cheryl is right now in a meeting of the IGF or Internet Governance Forum USA and told me before the call that she has sent the draft over to Denise. So, the two of them will get that circulated. They don't close until the 12th of June so we'll have time.

Are there other volunteers on this call who would like to join Cheryl and Denise on comment number three? Tim Chen, thank you. I will do a quick email to the two of them and add you to that. Thank you, Tim.

All right. Next one. Number four -- it's a draft framework of interpretation for human rights. You recall I discussed earlier that work stream two of the ICANN and IANA transition launched multiple projects. The SO/AC accountability was one. Here's another one.

It's a framework of interpretation so that going forward when ICANN is about to make a policy decision, an enforcement decision, how will it interpret its commitment to respect internationally recognized human rights? The BC was very concerned that human rights could be cherry picked, where a particular human right might be favored over other ones. The rights of creators, for

instance, versus the right of fair use. This is going to create a lot of concern if things get tilted one way or the other, so this framework is important.

Now, we had many BC members who were observers in the working group. And I've listed their names here on the screen. But we still need a volunteer to draft the BC comments on this framework. I don't expect it to be a very long comment. You will be able to read the recommendation of the group and simply reveal whether we endorse or don't support. And we can even offer comments for modifications.

So let me pause and look for volunteers -- particularly among those of you who are observers of that group. That would be Denise Michel, Ellen Blackler, Phil Corwin. Andrew Mack, Hibah, Marilyn, and myself. Any volunteers? People that are experienced with human rights. Andrew Mack, your hand is up.

Andrew Mack: Yes, Steve I was a participant in that group. I'm happy to share the duties with other people. I've got a couple of things I'm working on for the BC as you know and trying to get up to speed. So, I'd love to have other participants.

Steve DelBianco: Thank you, Andrew.

Andrew Mack: Sure.

Steve DelBianco: Hibah, thank you so much. Thank you, Hibah. So I'll circulate a note to Andrew and Hibah, but I'll CC the entire business constituency and getting you cranked up on that. They don't close until the 16th of July. All right. Thank you.

We have one more. That is the release of geographical names and six dot brand TLDs. This is item five on the policy calendar channel one. Andy Abrams of Google I want to thank Andy again for drafting a BC comment. It's the second attachment to the policy calendar. It is exactly consistent with the BC position in nine previous registry attempts to add flexibility on geo names at the second level in brand TLDs.

This is due the 22th of June. I'll circulate a last call but I don't expect any objections to what Andy has drafted.

And then the last one is not due until July 10th. I'll cover that in a future call. And let me just mention before I go channel two is that ICANN is trying to arrange the next bylaws required accountability and transparency review. And this is a review of ICANN's accountability and transparency.

There have been two of these in the past and they're known as the ATRT the Accountability and Transparency Review Team.

Now, the third one is called ATRT three and currently there are only ten volunteers. These review teams can take up to 21 people. And many of you know, the last couple of review teams for WHOIS, the review team for the new GTLD program, security stability and resiliency those review teams we had way more than 21 people interested. Less than half that have signed up right now. That deadline for that signup is currently the 2nd of June.

Which members are interested in joining the ATRT because we can answer some questions about that. We have no BC members yet who've indicated interest in being on that team.

Thank you, Cecilia. I'll note that you and Tim are going to help Cheryl and Denise on the WHOIS. Thank you.

Okay I'm finished then with channel one. So, before I move on, I understand Mark Datysgeld is now online. Mark, please go ahead. All right. This is with respect to dot net, right?

Mark Datysgeld: Can you hear me now, Steve?

Steve DelBianco: We do.

Andrew Mack: Yes, we can hear you.

Mark Datysgeld: Thank you. Yes, I'd like to comment on the renew of the dot net registry. The point that's took as most relevant is not implementing the URS. I in a previous consensus with the (C states) it's something that will go through the GNSO.

But point for our perspective of developing countries and of small business, the URS is a very cost effective alternative to the other mechanisms that are already in place. And it is somewhat concerning that it is not being implemented as part of the renewals and even though they are now a mandatory part of the new (unintelligible) of these.

So we would just like to state that as far as our perspective goes, this is a very discussion that we do need to take into consideration moving forward. And as the consensus is reached on the ongoing draft team, it would be really interesting at this point as how this would be beneficial towards members of developing countries and to small businesses, because it is indeed more cost effective, more something faster, and more goes down. That would be our comment.

Steve DelBianco: Mark thank you for that. On item C where we note that it does not implement the URS. Let me invite you. We'll work together over the weekend to really expand that point. We should reiterate that the BC did not ICANN to unilaterally impose an RPM that had never been through GNSO development.

However, let's expand that entire point. Express wholehearted support RPMs like the URD which are particularly cost effective for developing economies and small businesses around the world, and encourage the completion of the GNSO PDP on URS because once that's completed Mark every contract party has to implement it immediately. They don't have to wait for the next renewal. Dot com, dot net, dot org -- they all have to implement URS if we make it a consensus policy.

And I think we could copy the triple X comments and Mobi comments that we filed as well as the comments on Travel Cat and Pro where we express support for RPMs like URS but not as something that's unilaterally opposed in a renewal. How does that sound?

Mark Datysgeld: That seems like a very good compromise. Thank you.

Steve DelBianco: Thank you. Andy Mack?

Andrew Mack: Yes, Steve. I was just going to say the same thing. I think that's an elegant solution that acknowledges what Mark is talking about but at the same time keeps us with strong existing policy and creates one policy framework for all, which I think makes the most sense. So, I'm endorsing that perspective.

Mark Datysgeld: Thanks.

Steve DelBianco: Outstanding. Thank you. Thanks, everyone.

The next section on channel two here is council. And the previous council meeting was the 18th of May. What I attached for all of you was a link to the transcript, the agenda, and the three resolutions that they came up with in council.

We don't have any counselors on today's call. Both Susan Kawaguchi and Phil Corwin are attending an INTA meeting in Barcelona. Probably having a great time, right? And I think what I'll do quickly then is just summarize what we have on here, is that the council passed a motion acknowledging that the non-contract party house -- that's us -- elected Matthew Shears for Board seat 14 and they passed that nomination onto ICANN's board. And Matthew will take that seat later this year.

It was a motion to approve funding for this CCWG accountability work stream two. And finally, a motion to adopt the GNSO review of the GAC's communication from Copenhagen.

Their next meeting in council isn't until Johannesburg and we don't have an agenda for that. We won't have it until the 19th of June. That's all I have on council. Anyone else want to add something with respect to what council is doing?

Barbara Wanner I'd be happy to turn it over to you if you wish to comment on CSG matters.

Barbara Wanner: Thank you, Steve and I do apologize. I'm under hampered conditions this morning. I'm having computer problems.

But just to say that we will have our next CSG call on the 31st of May. That same day, we will also have an MSFI update for the CSG so I'm happy to report on that in our next BC call.

I believe in terms of the CSG's agenda for ICANN 59 they've been able to make room for a meeting with Jamie and Bryan and the new consumer protection person. So hopefully that will be useful for everyone who will be there.

Also too on the CSG call, I will remind everybody about out interest in greater clarity from the CSG as how people want to proceed in terms of moving that forward.

Also, just a reminder to those of you who will be on the ground in Johannesburg that in our more recent CSG call, we were reminded that Rinalia will no longer sort of head the board responsibility for organizational issues. This GNSO issue would come under that. So that we should find a way either informally or if there is room in a BC meeting or a CSG meeting in Johannesburg to include Leon Sanchez just to bring him up to speed on our interest in shaping the terms of reference for that review.

So that's all I'll say today. Thank you.

Steve DelBianco: Barbara hey it's Steve. I noted in the chat that there's a link to the latest block schedule for ICANN 59 in the policy calendar. And I also…

Barbara Wanner: Okay.

Steve DelBianco: …attached some of the notes that you had circulated on a previous call. With respect to your comment about Leon Sanchez he was one of the three co-chairs of the 2-1/2-year project over the cross community working group…

Barbara Wanner: Right.

Steve DelBianco: …to the ICANN and IANA transition.

Barbara Wanner: Right.

Steve DelBianco: I got to work with him extensively. His day job is an intellectual property lawyer in Mexico. Very business-focused. All of his clients are business oriented. I think he's going to be an outstanding board member with a common-sense business approach and I think it's a brilliant idea to have him come meet with us.

Barbara Wanner: Okay. I'm sorry, Steve. I can't see your chat. But once I'm up and running again, I'll - maybe I'll give you a buzz about that, about how best to proceed. Thanks.

Steve DelBianco: Fantastic. Thanks. If there are no further questions, I want to turn it back over to the chair for the remainder of the call.

Andrew Mack: Great. Thanks very much, Steve. Excellent work. That's just - it sounds like it's moving ahead very nicely. And thank you again Mark for your contributions in and for your increased interest. That's excellent.

So, we're now going to - we've gone through item number four. we're going to go to number five with is operations of finance report. I'm going to turn the

microphone over to Jimson for invoices, outreach, and other outreach events. Jimson? Are you there? Jimson, can you hear us?

Jimson Olufuye: Yes, yes. Yes, this is Jimson. Good morning/good afternoon/good evening everyone. And again, I say congratulations to Andrew; welcome aboard.

Andrew Mack: Thank you.

Jimson Olufuye: Well, first time for most, we got to invoices. Invoices were dispersed May !st. And I'd like to thank members for their responsiveness.

A good number of members used the payment platform. And we would like to get your feedback (in regards to that). If there is anything good or not, we would like to raise it so we can take care of that.

With respect to ICANN59 Outreach Event, the Outreach Committee has finalized arrangements for the BC Outreach in Joburg. In collaboration with Chris Mondini, and the Global Stakeholder Engagement Team

Pierre Dandjinou with the African Engagement team, and also AfICTA a member; and then the ITA -- the Information Technology Association of South Africa, and the Institute of IT Professionals of South Africa.

The event is set for June 25 from 1:00pm and at Hilton Sandton. Chantelle sent the draft program to everyone so work on feedback.

The BC Outreach Forum will be supporting up to four individuals for travelers of whom a number of them are members, and some of them have never seen the ICANN event at work. So it's an opportunity for them to be a part of our meeting at ICANN59 and also the Outreach.

There are speakers that have agreed to attend the event, so (Unintelligible), Chris, and the local regional leaders who are expected to be there.

So the Outreach is in line with our outreach strategy to include new members and create awareness about BC and ICANN. So we're looking forward to about 40 guests at the event -- mostly local business leaders that are members of the IT Association that it is our business level of the Internet.

So we'd like to inform members that are attending the Joburg meeting to participate at the event. As I said, it will be at the Hotel Sandton, the Hilton.

There are other outreach events -- like the one that took place in Uganda – and Arinola said it was quite successful. So we have some feedback concerning the follow-up for membership and also for continuing engagement at that forum. From all the reports, we are looking forward to about five membership leads at that event.

And there is another outreach mission at the last meeting planned for Nairobi during the week of the African Internet Summit. Waudo are engaging there as well.

So this will support our commitment to outreach and engaging our constituency in Internet business users -- more readily in Africa.

Well, now to FY18 Budget Proposal. As I said, you can expect it by the end of the month -- June 1. So the Finance Committee is reviewing this and during next week to be made available for comment or review and input.

So that is all for me for now. Thank you, Andrew, back to you.

Andrew Mack: Fantastic. Jimson, thank you as always for the excellent work that you do, and especially for the work that you're doing on the Outreach Event.

For those of you who will be in Johannesburg and will be there on the 25th, this event is happening the day before the formal ICANN Meeting is scheduled to start.

We've put a lot of effort into reaching out because this is going to be our big ability to reach people in Joburg -- in Africa -- while a number of the BC leaders are going to be in one place.

A number of BC luminaries have agreed to participate, and thank you for that and thank you for Steve and for others who have agreed to speak at the event. So if you're going to be there, please tell us so that we can try to work you in in some way.

I also wanted to throw some appreciation for ICANN. Chris Mondini has agreed to help us with some of the cost of this so that the BC is leveraging some ICANN funds -- which I think was a good compromise given everything. And many thanks again to the Outreach Committee.

In the interest of trying to get us to the next one, I want to go to our agenda. And we've got a couple of things that are left.

You know the election results, thank you all very much. Thank you all very much for that.

In terms of other new business, the other big item is the NomCom and specifically the large business seat for NomCom since we now have an

opening for that. And I know that there has been some discussion about that and some outreach done around it.

And Steve, would you like to talk to us a little bit about where we stand with that? This is a seat that specifically been reserved, as I understand, for a large business per our practice.

Steve DelBianco: Thank you Andrew; this is Steve DelBianco.

We have two seats on the Nominating Committee at ICANN -- which picks eight of the Board seats and many other leadership positions in the ICANN structure -- both in the GNSO and at the Board level.

One of those is a large Business seat and one is a small Business seat, and we're governed on that in the ICANN bylaws.

In the Chat, I've pasted Section 8iii where the BC gets two delegates; one representing small business users and one representing large business users.

Now there is nothing in our charter about what is a large business and small business, so personally, I think we rely on commonsense everyday definitions. But I don't think we have flexibility in that regard.

I'll turn in a minute to Paul Mitchell who did serve as our Large Business Rep -- from Microsoft -- to talk about the work that's remaining for this particular cycle of the Nominating Committee because for some personal health issues, Paul has had to resign prior to the Joburg meeting.

But we understand from Jay Sadowski and Paul that there is roughly four to five hours a week -- between now and Joburg, and then for most of the Joburg

meeting, there are full day meetings of the Nominating Committee to finish their selection of nominees.

So ICANN will provide travel reimbursement -- lodging and airfare in per diem -- for the BC's replacement for Paul Mitchell for the large business seat.

But we need to move quickly. We had one nomination; Waudo nominated Marilyn Cade. And then on the 17th of May, Marilyn did not accept the nomination. She said that she has obligations for the Mentoring and Pilot Program and Chair-coaching Programs. And to fulfill the commitments that she has made, she would have to miss at least one or two days of the ICANN59 NomCom meetings.

So that means at this point, we don't actually have a nominee from the BC to step into the shows of Paul Mitchell.

I am aware that Cheryl Miller of Verizon -- certainly a large business -- is considering and trying to get approval for whether she could fulfill that role and go to Joburg.

I'm aware of at least one other company, but I don't have permission to discuss her number.

But we've got to move on this fairly quickly, and I thought I would tease that up there just to see if we can get some who are interested.

Paul, I'd love to turn to you if you want to add any color to the work that's remaining.

Paul Mitchell: Sure. At this point, what the group has done is essentially gone through all the initial candidates, weeded out of the vast majority of them, and we've gone on and sent a collection of candidates for further background validation by an outside firm.

The next step to do before the ICANN59 is a deep dive. So the NomCom has been divided into deep-dive teams where each is a team of two people. Each team gets a few of the candidates to basically do reference checking on, you know, individually and collect that.

All of the sort of initial slating of the candidates is already done, so that 's the whole reviewing of the hundred plus resumes, and reading and ranking and discussing them is over with at this point.

But between now and Joburg, there would be for this person, the opportunity/obligation to do a little bit of background checking on several candidates. And then at Joburg, it will be basically interviewing candidates during the meeting, and then finally, selecting the final placement.

Personally, I have actually found it -- up to this point in time -- a really interesting process from the perspective of trying to understand how the Nominating Committee is, in fact, trying to represent all the different interests of the constituency -- the different constituencies for ICANN -- and at the same time, also work to ensure that the Board -- when it finally be constituted with new members -- actually brings new skills into the organization -- especially those that are perhaps more needed now that, you know, post-transition. (Unintelligible) the need to place someone on the PTI Board as well.

So I can recommend it as an actually an interesting look into sort of the plumbing of ICANN. And there has been - I've had the opportunity to have a little bit of influence on at least some of the process. I think anybody who steps into this role actually has the potential to do that, and certainly has an opportunity to make the case for candidates that have the kind of skills and background and knowledge that would be relevant from the Business Constituency perspective. Whether you're a large company or a large constituent or a small constituent, there's an overlap there.

And I'd be happy to, you know, walk through for whoever. If anybody decides to this, I'd be happy to kind of walk through what's been done and, you know, sort of where I'm dropping off -- if that would be helpful to people.

Andrew Mack: Paul, this is Andrew. First of all, on behalf of the BC, thank you so much for your service. And, you know, our heart goes with you if you need to drop off. We are very, very grateful for the amount of time that you put in.

I'd like to see if there's anybody on the call now who has any questions at all since we got the rep here to be able to ask questions -- to get more information. Paul is a fantastic resource.

Is there anyone on the call who would like to know more? And this includes - even if this is something you couldn't do but you think you want to get this out to our membership.

Okay, I'm not seeing any hands. Steve, please.

Steve DelBianco: Thanks Andy. All I wanted to mention is if we don't have a large business -- under anybody's commonsense definition -- to step up to this role, I am fully

in favor of opening it up to any BC member, and hope that we don't get accused of violating the ICANN bylaws by not picking a large business.

We could suggest it if we can find a small business that could do it, that we would qualify our nomination by suggesting that our large business members have agreed to have this person represent them.

So if, for instance, if Marilyn could see her way clear to free up those days and do the interviewing, then perhaps we could make that happen.

But I would suggest to you, we don't want to leave it blank; we don't want to leave that empty. And we ought to be flexible if that's what it takes to fill that seat. Thank you.

Andrew Mack: I think that's a very, very apt comment, Steve.

Look, everyone, this is a real position of influence. This is a way in which the BC and the Business Community more broadly can really have a significant impact on ICANN.

It's a short period of time. We recognize that it's a very compressed period of time. But, you know, in the same way that I think we're all looking to try to get new volunteers and to get BC's voice to be heard as much as is possible, I think this is a great opportunity.

And the last thing we'd want to do is to leave the chair empty. I'm sure that -- just to Steve's earlier -point -- I'm sure that we could find a way to comply whether it's a large business or a small business acting on behalf of larger businesses.

So by all means, everyone on the call, think about people in the BC who you think might be appropriate, and let's get that thing going because we have a very short period of time. Our worst case, in my opinion, is to leave that seat blank.

Fair enough? So is there anyone else who has any additional other business?

Chantelle, I see that we have down our next meeting planned for June 8. Is that correct?

Chantelle Doerksen: Hi Andrew, that's correct. That's two Thursdays from now.

Andrew Mack: Okay, great. Let's - I may be out of the country so I may be - but I'll try to dial in from where I am. That sounds great.

I'm not seeing any other additional hands. Any - if there's no other business, I think we can declare victory on this one and give you back eight minutes of your day.

Thanks to everyone who has been on the call. Thanks to Steve and to Jimson for the excellent work. And thank you all again.

Steve DelBianco: Jay's hand's up; Jay's hand's up.

Andrew Mack: Oh Jay, please go ahead.

Jay Sadowski: Yes, so this is Jay Sadowski. You know, I really just want to reiterate what everyone else has said about the NomCom position. It's really in the most critical phase of the process right now. And, you know, it's really important, in my opinion, for us to find someone to fill that second seat.

There's already kind of an interesting history. Some people feel that the BC should only have one seat. So leaving it vacant really makes a stronger case for those people who want to limit the amount of power that we have in the NomCom.

And yes, I mean there's a lot of work between now and Joburg, and your time definitely in Joburg would largely be committed to NomCom. But once Joburg is done, the time commitment goes pretty much down to zero.

So, you know, at this point, maybe, there's a month -- five weeks -- worth of actual work left, and you get to be involved in a pretty cool process, and it's all where the most interesting part of the process is. We're starting the deep-dive interviews, so.

Andrew Mack: Great, thank you Jay. And you'll be available also for any questions about this process, right Jay?

Jay Sadowsky: Absolutely.

Andrew Mack: Okay, so I think we're all very much in agreement. Let's not let this opportunity go to waste, and let's certainly not be showing the rest of the community that we're unable to fill our seat. I would think that would be amiss.

I'm going to try it again. Anybody else - Jay, I see your hand is still up. Anybody else who would like to top that last comment?

Okay, so we've got some great things to follow-up on and we look forward to - everybody take a look at when you're going to maybe getting into Joburg --

if you are -- and get in touch with Jimson and myself about potentially participating in our Outreach Event.

Thank you all very much for the call. And, you know, we'll be speaking with you soon.

I think that's it Chantelle. Thank you very much.

Chantelle Doerksen: Thanks everyone. Operator, you may now stop the recording. Please remember to disconnect all remaining lines and enjoy the rest of your day.

Andrew Mack: Cheers.

END