

**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 Thursday August 3, 2017. On today's call we have Adetola Sogbesan, Arinola Akinyemi, Barbara Wanner, Chris Wilson, Christian Bope, Jay Sudowski, Jimson Olufuye, Kristina Olausson, Marilyn Cade, Philip Corwin, Paul Mitchell, Stephanie Duchesneau, Steve DelBianco, Susan Kawaguchi, and Tim Chen.

On the phone bridge we have Lawrence Olawale-Roberts and Marcus Eke. We have apologies - and we also have Denise Michel. We have apologies from Andy Abrams, Andrew Mack, Cheryl Miller, and Marie Pattullo. From staff we have myself, Chantelle Doerksen. I'd like to remind everyone to please state your name before speaking for the transcript. Thank you ever so much and over to you, Steve.

Steve DelBianco: This is Steve DelBianco. As your vice chair for policy coordination, I'll be pinch hitting for Andrew Mack to chair today's meeting. Andrew could not join.

The policy calendar was sent out yesterday. Chantelle, would you please load the PDF for today's policy calendar and we'll get right to it? We only have one item that's new in terms of postings since our last call. It's the first item on the list on there, which is that over the weekend, the 31st of July we filed a comment on the proposed draft framework for how registry operators are going to comply and respond to security threats.

And this is something that was developed over the course of two years as a result of Spec 11, Specification 11 in the new gTLD registry agreement, which itself was driven by the GAC's advice at the Beijing meeting in 2013. So this was a joint project between registrars, registries, and the GAC's Public Safety Working Group. And they've come up with a rather lightweight set of recommendations, best practices, best intentions.

And let me thank and acknowledge the work of Denise Michel, who drafted a brief BC comment that I think acknowledged the good work but suggested we needed greater specificity, a higher call to action, and in a very creative stroke, the idea of coming up with incentives to implement. And I think that Denise really hit on something we've said for years, which is when a registry operator is having a tough time, they come to ICANN and ask for relief from fees or costs of some kind, or burdens like insurance.

We'd like to stand that on its head and say that as an incentive to implement the best practices for security, we'd encourage ICANN to do any fee reductions in exchange for good behavior as opposed to fiscal problems that occur. So, Denise, thank you again for getting that in. I know you're on the phone line. Anything you wanted to add, Denise?

Denise Michel: No, I'm good. Thanks.

Steve DelBianco: Thank you again. There were only five comments filed on this and given the nature of where they're headed with their recommendations, I don't think we'll be successful at getting them to raise the bar to say they shall or will do these things, but I am pretty confident we'll get greater specificity, which was a key part of the comment, and I'm going to suggest that we push hard on the idea of creating incentives. Thanks again, Denise.

The current calendar of open public comments is very light. There's only one outstanding public comment right now. This is the first attachment to yesterday's policy calendar. So let me ask those of you who are online to pull that up. It's a draft that I prepared. It's only two pages long.

And it's a draft BC response to proposed changes to ICANN's bylaws and GNSO's operating procedures that are required for the GNSO to respond to its rights and responsibilities under the empowered community. That's something we designed through the three-year transition of the IANA and ICANN accountability transition. The draft comment itself will be filed on August the 10th. I sent over the weekend a draft outline, but yesterday with the policy calendar, I put some meat on those bones with a finished draft comment.

This would be an ideal time for members to weigh in with their views on that comment. Marilyn, thank you for responding over list and I think you emphasized the need for us to put a stake in the ground on GNSO versus the GNSO Policy Council. So, Marilyn, I think you'll find that that's what I did in the draft.

So I'm happy to take a queue now of anyone who wants to make suggestions or ask questions about the draft since we won't have another call before I file it. Go ahead, Stephanie.

Stephanie Duchesneau: Hi, Steve. This is Stephanie Duchesneau with Google. So mindful that I haven't been involved in the conversations happening within the BC on this over the past few months, I'm aware of some of the dialogue, I understand the sort of argument versus about what the council is supposed to represent, what the meaning of a sort of policy council versus performance at other

functions and the argument that the BC wants this to be shifted to just having it be the voice of the different stakeholder groups and constituencies.

But in my view there still has to be some mechanism to balance out the different views of the SGs and Cs. And what is the alternative? If we're saying that the GNSO is not the mechanisms, how would you - how are we envisioning that that would happen otherwise? I'm aware that in the current comment we're just sort of taking out that we previously put it on the record and it doesn't seem like that's moving forward. But I'm curious about whether we discussed what the alternative to sort of finding balance by way of the structures that were built into the council.

Steve DelBianco: Thanks, Stephanie.

Marilyn Cade: Steve, it's Marilyn.

Steve DelBianco: Yes, I'll let you go next. And, Stephanie, in the - I chaired the drafting team so when we prepared and presented this, once we lost the battle over whether it would be council or GNSO, we then moved to the question on how does it vote. And then at that point, the CSG laid on the table a voting scheme whereby we restored the double weighting of the contract parties so that there would be balance between contract and non-contract. So I think that addresses the first question you had.

And we also explored omitting the Nominating Committee vote with respect to these empowered communities since the Nominating Committee members were given those simply to break ties and were not accountable to any GNSO constituencies whatsoever. You can bet that that did not go over well with the NomCom members of the drafting team. So that didn't last long.

But our key point, Stephanie, was to eliminate the idea of requiring a majority of each house. By requiring a majority of each house, then actions of the empowered community could be blocked by a single vote, in many cases, the Nominating Committee rep, who would deny a majority for a half of the house that was split. If the registries and registrars disagreed, they wouldn't get a majority unless the Nominating Committee person voted. Same thing on our side of the house.

In the Non-Contract Party House, the commercial and non-commercial are often at odds and we end up with a Nominating Committee person that breaks the tie. So the CSG was arguing that we not have a split house vote at all and simply look at supermajorities and majorities of the weighted balanced voting instead of a split house with a majority of each. And we made those arguments pretty explicitly, Stephanie.

We actually included a table showing scenarios where the supermajority of the GNSO Council would be in favor of something and yet the majority of each house would block it. So one party would end up being able to block consensus. We laid it all out and did not carry the day. So I had described that in the middle of Page 2, and perhaps I'll add some meat to those bones and describe the weighted nature of it.

But it's sort of water under the bridge at this point since we did not have the votes on the drafting team to make this happen. We didn't have the votes at the council to get council to turn away, so we are now left with a set of thresholds and voting methods that we had a large hand in designing. We're not happy about the fact that - where they sit but they are I think completely appropriate for the exercise of the various powers in the empowered community.

So, Stephanie, I'll add a little clarity on Page 2 with respect in the weighted voting but the answer to your question is absolutely, yes. We laid out in some detail an alternative voting scheme. Anything else further on that, Stephanie?

Stephanie Duchesneau: No that's super helpful. Thank you for taking the time, and I appreciate everyone's patience as I get up to speed on this.

Steve DelBianco: Oh not at all. It's well worth repeating since I doubt many people remember what we did last fall. Marilyn, you're up.

Marilyn Cade: Thanks. Well first of all, Marilyn Cade. I'm going to just recall how important it is because I see so many new members and I want to say informally welcome to you. I just want to recall what we did when we set ICANN up. And - because I think sometimes people forget that there is a balance here that could go the wrong way, and if ICANN becomes a contracted party house or has too much duplication in the presence and the people in the Contracted Party House that duplicate the Non-Contracted Party House, we put ICANN and our trust shelter at risk and we put the contracted parties at risk.

We studied that extensively before we set ICANN up. One of the things about the policy council, and all you have to do is read the ICANN bylaws and understand that there is a limitation of the role of the GNSO Policy Council. The GNSO itself is much, much broader.

And I think, Steve, I want to applaud the work you've done. I think we need to keep pushing this idea about we have after all elected officers in each of the constituencies, in the SGs, we have elected officers in the ASO and in the ccNSO. I really prefer that we continue to push this issue even if we are a minority voice because we're trying to look out for the long-term health of ICANN and prevent it from being subject to competition authorities in Europe or in

the US, or Department of Justice or other places if it looks like ICANN is becoming a trade association for contracted parties.

Steve DelBianco: Thank you, Marilyn. Appreciate that clarification. In the first page of the draft comment, I lay out the part of the bylaws in Article 11 that describe the GNSO and the GNSO Council. And sure enough, it says that the GNSO Council is responsible for managing the policy development process but ICANN Legal staff agreed with the councilors on the drafting team that that was a indication but not a limitation. So they did not see that as a limitation.

And they cited as evidence the fact that council had routinely for years been taking votes on things that were not strictly policy development, things like review teams, nominations, budgets and the like. So I don't think we're going to win on any suggestion that the council is limited because it really isn't limited, it's simply empowered and the limitation's implied. And I know that we're not going to reverse this right now.

We did put the board on notice in our public comments that we're going to be very vigilant of how GNSO Council exercises GNSO's powers in the empowered community. And the first instance where this split house vote, the majority of each house, the first time that that frustrates the majority or supermajority of the GNSO, I think that's the time we have to ring the bell the loudest and say, see, we told you so that this structure might be appropriate for developing consensus policies but it's completely inappropriate for the GNSO to be part of the empowered community.

Any other comments? All right. Thanks everyone. I'll consider this - we have several days left before I have submit this on August the 10th so please do a reply all on the list if you have any changes you'd like to make.

Moving down the policy calendar, there aren't any other open public comments right now and, Chantelle, we don't have a scroll line on there. We might need to scroll because of the size of the page, please. The next item I'd like to bring to your attention is that in Johannesburg, ICANN launched a new task force and its job was to document actual uses of Whois.

And the intent, the CEO Göran believes that if we document the legitimate uses of Whois and we take them to European Data Protection regulators, the authorities, DPAs, that they might grant a blanket exception for the operation of Whois. And good on you. I hope he can pull that off. Göran claims to know so many of those regulators that he believes he'll be persuasive.

But at the same time, we're going to document all of these legitimate uses of Whois for another reason, and that is to be able to see whether we could comply with the GDPR since the GDPR permits legitimate uses, legitimate transfers of personally identifiable information, and we would claim that many of the uses of Whois are legitimate uses to protect consumers and to investigate and understand the technical or administrative operator of a website if in fact it's generating malware or denial or service attack.

So ICANN posted a matrix of all the responses and they've opened a public review period. It's not a formal public comment period and they claim it'll be open until late August. In the policy calendar I've included for you hyperlinks to that matrix. In that matrix you'll see comments from the BC that were assembled by Susan Kawaguchi, and Susan thank you for doing that. Also Ben Wallis over at Microsoft submitted their own comments, which have made their way into the matrix as well. And, Ben, thanks for sharing those with the BC as well.



What I'd like to do is to let Susan and to the extent that anyone else wants to weigh in on what if anything should the BC do in response to the matrix. It's not a public comment period to say whether we agree with the matrix, what ICANN is claiming is are there any other uses of Whois that should be added to the matrix since the intent right now is to be inclusive, not necessarily persuasive. I'll take a queue on that. Susan, if you're with us, anything that you can add with respect to that - the work of that task force? You've been on the calls and can you tell us how that's gone?

Susan Kawaguchi: Yes. We haven't had a call lately, so. They were waiting to get all the comments submitted, or all the use cases submitted and then comment. I have not reviewed that matrix yet but will. I submitted all the use cases that the EWG had come up with way back when, like 2015, and then - except the IP-related ones because Alex Deacon and I sort of shared the - that workload and so he submitted those on behalf of the IPC.

So I'll take another look to see if there's anything and if anybody comes up with a different use case that we missed, that would be helpful to note also. And then once we - the task force has all of the information they're looking for, then there's a discussion about how they're actually going to use this information. I don't think the exercise is a bad one. I'm really concerned about how they actually use this information and go to the data commissioners.

In the RDS Working Group we have been asking ccTLDs to tell us how they are complying with the GDPR, and Nominet recently submitted their comments to us. And they basically said that it was a legitimate interest to publish Whois data. Of course they don't publish an e-mail address.

Steve DelBianco: Right. But the GDPR would prevent them from even publishing...

Susan Kawaguchi: What was that? I'm sorry, I missed that.

Steve DelBianco: Yes. Would the GDPR also prevent the publication of a name without an e-mail address?

Susan Kawaguchi: In their view, no. It does not - they stated that they thought they'd complied with the GDPR. So, you know, we'll have to see how that holds but - and then we're expecting additional EU ccTLDs to respond also. So we'll see what type of consensus we get.

Steve DelBianco: Susan, this is Steve. Is there any effort on staff to consolidate the use cases?

Susan Kawaguchi: I'm sure there will be. I haven't been told that yet, but it makes sense that they would take some use cases and sort of group them at least. I'll check in with Becky Burr on that.

Steve DelBianco: Yes, Susan. And please do share with us any insights you learn. The BC's primary interest probably now is to understand whether we need to add records. But if we all identify records that are placed in there deliberately to make it seem as if Whois can be used to harm people, then it's possible that we offer a public comment about that use case suggesting that it's not a legitimate use of Whois, it's actually prevented by the Whois terms of use.

I've shared that all with you a little over a month ago, but the Whois terms of use prohibits mass commercial e-mail, like spamming new registrants to try to get them to use your services for hosting. I look at the queue. I have Marilyn. Is that an old hand or new? Moving on. Denise Michel, please. Go ahead.

Denise Michel: Thanks, Steve. Can you guys hear me?

Steve DelBianco: We do.

Denise Michel: Great. So I think this sort of cross-community group pulling together uses is a useful foundation for the ICANN community moving forward with grappling with the GDPR implementation and Whois. I'm concerned though that this effort that staff is facilitating doesn't appear to account for any of the relevant processes or fact patterns around data collection that will be so important to this conversation with regulators, things like consent of a data subject, et cetera.

So I'm concerned that it will if simply presented - if regulators are simply presented with use cases, it will present a limited data in a vacuum and it could further encourage regulation to identity violations and disrupt the public Whois system that we all rely so heavily on.

So this brings me back to your question, Steve, about whether there are actions or next steps for the BC and other constituencies, and I think from the important perspective of the Business Constituency, I think one of our important contributions to this effort at this point would be in addition to any comments or guidance people have on use cases to provide comments that take this up to 10,000 feet and provide a broader context for important elements that need to be there in carefully planned and executed conversation with the European regulators.

And I would also repeat my concern that if the idea here is for Göran to go to take this use case list and sit down with regulators, I think that is a very bad strategy for advancing the ICANN community's interest in this area. So I think the BC could also offer guidance in terms of sort of strategies and tactics. Many of our companies in the BC have had experience in dealing the European regulators.

Many of us in the BC have a much greater understanding of the Whois system than Göran. I think we have a lot of experience and knowledge to bring to bear here. So I would suggest that we do file comments or send a letter to Göran on this and outline some of the issues that we think need to be addressed and what we think a path to success is on this issue. Thanks.

Steve DelBianco: Thank you, Denise. Do we have any other volunteers who would join Denise at drafting sort of a general comment or letter that we could put in on this matrix? Susan, do you believe that comments of a general nature would be taken on board by the task force as it prepares its report for management in its discussions with the European data authorities?

Susan Kawaguchi: Yes, I think that would be valuable, and Denise and I have sort of talked this over. I'd be happy to work with Denise on this too and at the very least if we could use that comment to advocate on the GDPR task force when - in the next meeting.

It'd be interesting too to get the IPC's consensus on this and see, you know, what their view is. I was talking to a couple of members of the IPC and they had a little bit different take on it, in my opinion. So.

Steve DelBianco: And I understand the IPC is going to engage a law firm to opine on the GDPR in the next several weeks too.

Susan Kawaguchi: And the RDS Working Group has already done that.

Steve DelBianco: Okay. All right. So I have Susan, Denise, and Tim Chen so far who are interested in coming up with a general comment that provides a broader context. It's thought that this would be instructive to ICANN management if

they do decide to go and negotiate with European data authorities. Denise, I share your view that it could be a bad idea for Göran to go at this alone but he is determined to do so.

And at this point we want to make him as well equipped as he can be but at the same time we have a plan B, which is to document all legitimate uses in an effort to show that we actually are in compliance with GDPR, we don't need an exception. That's sort of the two aspects of this that are being arranged right now.

Hey, Stephanie, thank you for also adding your name. So this is great. We have four volunteers, and we will need to move relatively quickly on this. I'll help by starting you off with the collection of prior general comments we've made about Whois in the last year or two, we've done a lot on this, and see whether you think that would be helpful.

All right. Thank you very much. I have a couple other brief announcements. The fact is that the ICANN Accountability Transparency, or ATRT, has begun ATRT3. They haven't actually named all of the review team participants. They have 26 applicants. One of them is Adetola Sogbesan of the BC, Tola, and we don't yet know whether the Selection Committee, chaired by Susan, has decided about the GNSO's endorsees.

But we have a situation now where the chairs of the ACs and SOs have to get together and pick their 21 review team members. And so they may pick alternates from the GNSO to include Adetola. It's sort of out of Susan's hands on the Selection Committee at this point because it's at the chair level.

And I'll...

Susan Kawaguchi: Steve?

Steve DelBianco: Go ahead, Susan. Go ahead.

Susan Kawaguchi: Actually for the GNSO Council the Selection Standing Committee just received from the GNSO the I think it's nine candidates, or 11, I'll have to go back and look. I just got it yesterday. And so we will select seven of those and indicate our top three, just as we've done for the RDS Whois 2. And then it'll be James' job to go and try to push more of our candidates on the - on to the review team. So it is in the hands of the Selection Committee and probably won't - they're not asking us for a decision on this until late September, which I'm a little surprised at.

Steve DelBianco: Great. Thank you, Susan. So the opportunity there is to try to suggest that the CSG is really underrepresented in the 26 applicants, and I think that do your best to make an argument that Tola ought to be on that ATRT3. Thank you, Susan.

Susan Kawaguchi: Will do.

Steve DelBianco: Got it. Then another review team is the Security, Stability, and Resiliency. It's the second time around for this and we call it SSR2. Our own Denise Michel is co-chair of that review team, which has already convened and begun working. One of the reps on that review team had to resign, it was Emily Taylor, so that opening creates an opportunity for another BC member, Scott McCormick, who had been endorsed as one of the alternates by GNSO Council.

And the Standing Selection Committee will have an opportunity to make an appointment, I hope, from among those that are left. And if not, it goes to the

chairs of the ACs and SOs. And, Susan, do you have any clarification on what role your Selection Committee would play in picking which of the GNSO alternates gets Emily Taylor's slot?

Susan Kawaguchi: So James asked us to look at the four candidates, four through seven. Those were not ranked when we submitted those to the GNSO Council and three of which have responded to ICANN saying they're still interested, Scott being one of them, and thank you for that.

And so we will hopefully make a decision next week. We're scheduling a meeting and hopefully to get that back to James or to the Chair so that we can get that slot filled quickly. But then again, at minimum it's three, maybe it will be four candidates but those were all of the candidates that we looked at previously, so we're not opening it back up.

Steve DelBianco: For me to understand correctly, you might make the argument that GNSO could pick the person to take Emily's slot and if you don't succeed in that, we end up -- GNSO ends up throwing those four names into the mix and the chairs of the ACs and SOs would pick the person. There's a chance though that -- we ought to insist that it be a GNSO person, agreed?

Susan Kawaguchi: No, this is our slot because that was one of the top three -- one, two, or three. Emily was in that group so this is a GNSO slot and GNSO will replace this person. So there's no SO/AC involvement. It is just James informing them of the candidate.

Steve DelBianco: All right, fantastic. Thank you. Marilyn Cade asked a question about geographic diversity and that wouldn't be a factor in this replacement. It might well be a factor in getting Adetola selected for GNSO endorsement.

Susan is well aware that geographic, linguistic, diversity elements, and I hope that the selection committee will take that on board as well.

The chairs of the ACs and SOs are charged in the ICANN bylaws to consider diversity as among the factors they use when they vote on the composition of the final 21 people. Marilyn, did you want to add anything to that? We're a little tight on time.

Marilyn Cade: Thirty seconds. I think it's really important for us to look at a number of the nominees, frankly, are a little long in the tooth. They've been around too long -- Zhang Zuan, Wolfgang, Denny, Brian, Vonda. I think Sebastian. I think we might also want to think about whether we can promote some new blood kind of idea and happy to talk offline about that. I know Shreedeeep from Sri Lanka whom I worked on the (NRIs). I also of course know (Yop) and a few other of the people, but maybe we could think about a not just GO diversity but also wanting to have some new blood, new thinkers.

Steve DelBianco: Marilyn, let me encourage you to send an email to Susan with whatever rhetoric that you think would be useful. Susan shares the GNSO's standing selection committee. That doesn't influence the rest of the AC and SO chairs but it does influence the GNSO's selection to these review teams. Denise, you have your hand up.

Denise Michel: I'm sorry, it's old.

Steve DelBianco: Great, all right. Thank you. Let me turn to Channel 2, which is the GNSO Council. The Council itself hasn't had a -- the last meeting was the 13th of July. We've already covered on our previous BC call the motions that were approved there and there hasn't been a council meeting since. The next council meeting is at noon UTC on the 24th of August. That agenda has not



yet been published nor have motions. This morning, Phil Corwin circulated a potential change to split part of a working group that's looking at the new GTLD subsequent procedures, to split it up into multiple tracks.

With that, I would ask whether Susan and Phil have anything you'd like to add at the upcoming council meeting.

Susan Kawaguchi: I'm not sure that Phil has audio or microphone. I did not see that email. I haven't checked emails yet this morning. But no, other than what you've reported in the policy calendar, I think, that about covers it.

Steve DelBianco: Any questions for our councilors, Susan and Phil? Okay, let's move onto the commercial stakeholders group report. Barbara, you're our liaison to the CSG and in the policy calendar, I did include a discussion of the intersessional topics. Sorry, not the intersessional but the ICANN 60 topics and I understand you're going to lead us through that, as well as the discussion of intersessional. Go ahead, Barbara.

Barbara Wanner: Why don't I start first with the intersessional? Basically, there has not been much discussion yet within the CSG concerning the substance and what topics and so forth that will be the focus of the intersessional. Right now, the discussions have focused primarily on more logistical decisions.

There has been an expression of interest in holding the intersessional immediately following a GNSO Council meeting in January to better enable participation of GNSO Councilors. There has also been expression of keen interest in holding the intersessional in Los Angeles, which is where the GNSO Council strategy meeting will be held, not only to piggyback on that meeting, but also to take advantage of senior staff being available.

BC has expressed our keen interest in having senior staff participate in person at any intersessional meeting. That element was not delivered to our satisfaction in Iceland. So that's kind of where things stand at this point. The BC has agreed that we cannot provide ICANN with a list of delegates at this time because we don't know who our BC officers would be.

We have to wait until the election outcome later this year, but last year I believe we sent seven people to participate in the seven people, all of the members of the Ex Com, in particular, plus I believe Lawrence also participated.

So that's kind of where things stand now with the intersessional. We're really focused on scheduling, location, to enable the participation of senior ICANN staff, and to better enable participation by all of the ICANN community. In terms of planning for...

Steve DelBianco: Barbara, would you take a question/

Barbara Wanner: Sure.

Steve DelBianco: Thank you, Barbara. With respect to the intersessional, having attended all of the intersessionals, I thought the most recent one was the best one, the one in Iceland. We had the most engaging discussion. We don't always agree with our non-contract party house but it was a good discussion. But it did suffer from being so far from ICANN management and staff.

The dial-in presence of Goran was really unsatisfactory and I would echo what Marilyn said earlier is that we ought to try, whenever possible, to hold these meetings in conjunction with where ICANN management and staff is,

and that's not always Los Angeles. We could end up trying to piggy back on the GDD meetings that are held around the world each year.

We do have to balance this with one issue though. If immigration and Visa considerations get in the way, there will be objections to holding it in Los Angeles if there are members of the non-commercial stakeholders group cannot attend. ICANN has never failed to get a waiver from OFAC for providing travel support. So it's not the money part but it might be the immigration part and we'll need to keep an eye on that and at least be sensitive to the fact that members of not just the non-commercial -- there's members of the BC who may come from countries that might find it difficult to travel to the USA.

That's all I was going to add on that. Any other comments from people on the call regarding the intersessional? Okay, hearing none, go ahead, Barbara. Move onto ICANN 60. It's in the policy calendar at the bottom of Page 2.

Barbara Wanner: Okay, Steve, I will take those issues concerning Visa considerations back to CSG discussions about the intersessional and as I said, there's no clarity yet as to where it would be scheduled, just with a premium placed on the availability of ICANN staff.

In terms of planning for ICANN 60, again, at this point, we're primarily discussing the planning call that was held I guess last week or whenever, primarily focused on walking through topics that have been suggested for cross-community sessions. The BC advocated strongly for having another cross-community session that focused on -- that followed up the focus on the GDPR and its implications for ICANN at ICANN 59. We received support from our fellow CSG constituents on that.

We were also asked to participate in a poll to rank what we would feel would be the top three or four cross-community sessions and the ranking that the BC Ex Com advocated was of course to rank our GDPR proposal first, followed by operating standards for specific reviews, followed by community applications in the new GTLD program, followed reporting of DNS abuse, and then finally, the jurisdiction. I would say the two topics that received the most discussion and were the most controversial in its planning call concern the jurisdictional issue as well as updating progress and approach for the work of the CCWG accountability.

In both instances, there was a concern that it was duplicative. Greg Shatan, who is one of the co-rapporteurs of the jurisdictions subgroup also was concerned that if they did not yet have a product for public comment yet that that might be awkward in terms of the timing. So it's unclear how those two topics will fair but we've given it our best shot in terms of promoting the session on the GDPR. Thank you.

Steve DelBianco: Thank you, Barbara. It's Steve again. We had a question from Stephanie about...

Lawrence Olawale-Roberts: This is Lawrence. I'd like to jump in. Sorry, I'm on the (phone).

Steve DelBianco: Thank you, Lawrence. There's a queue. I have a quick question. Stephanie asked Barbara whether DPA authorities would be present if we did a cross-community session on the GDPR. We have in the past.

Barbara Wanner: And again, it's my understanding that it's to be the BC's preference that unlike IPF workshops that these cross-community sessions not be driven by the proposer, that the planning and so forth be more multi-stakeholder if you will.

So I guess following that example that we would invite one of the data protection authorities to participate.

Steve DelBianco: Thank you, Barbara. I would agree completely. It was very helpful to have the authority who spoke to us while we were in Johannesburg. We have now have a quick little queue, Marilyn Cade and then Lawrence. Marilyn, go ahead.

Marilyn Cade: Sorry, my comment was about the intersessional, Steve, and I want to quickly go back to it. Sorry, I didn't get in line early enough. Thank you so much, Barbara, for the readout. I just want to report that I think we need to be more insistent than we were last time on the location and participants.

I'm not going to -- this is being transcribed. I know it's private but frankly, we were kind of held up by a person who is not even any longer allowed to attend the ICANN meetings for Iceland as a choice, and that cost us in our access to senior staff, but also face-to-face with the CEO and the Board Members. So I'm just going to ask that we be very, very insistent and not apologize for it.

As to the issue, Steve, very quickly about Visas. Sometimes that's a problem but sometimes the fact that there is no mission or no consulate in a country where the IPC members, BC members, IFP members are is actually as big a problem as getting a Visa waiver. And I just think we should -- we've been successful in the past in getting people to a Washington, D.C. intersessional and to an LA intersessional and that gave us great access, including some Board Members. So I would actually prioritize that in the CSG engagement with our colleagues.

Steve DelBianco: Thank you, Marilyn. Lawrence?

Lawrence Olawale-Roberts: This is Lawrence for the record. My intervention (have to do with) the intersessional also. I do recall that there happens to be some line actions for the CSG. For example, there was this case where we had to quickly work out (the) modalities for the board seats.

My thinking is it might be necessary to, based on the bylaws that we operate at the moment, it might be necessary to look at actions that we might need to carry out as CSG, and maybe start the process way ahead of time so that we don't fall short of -- we don't have this difficulty of timing and working through a process -- just trying to get a process to get the action done quickly.

I know that we succeeded at filling the board seats as CSG but then there was also the talk of a process that should lead to this subsequently. Is there any action with regard to this?

Barbara Wanner: Yes, I can address that. Within the CSG, Wolf-Ulrich is sort of taking the lead in terms of reaching out to the NCSG about this and beginning a dialogue with them so we don't have this problem -- so we don't face this problem in the future. So at this point, we're in the very beginning stages but we're just trying to get the wheels in motion and a conversation started.

Steve DelBianco: Thank you, Barbara. Much appreciate. Thank you, Lawrence. Jimson, we're concluding with the policy and council and CSG so we're over to you for admin, finance, and elections.

Jimson Olufuye: Okay, this is Jimson. Can you hear me?

Steve DelBianco: We do.

Jimson Olufuye: Thank you. Let me begin first with respect to finance. I'd like to thank all members that have paid their dues, those who have yet to do, and if it happens that we're having an issue, please do let me know so that that can be handled.

Then with respect to operations, as you are aware, Philip Corwin of the Internet Commerce Association is the only candidate so far nominated for the GNSO Councilor position. Also, only Jay Sudowski for i2Coalition and Cheryl Miller of Verizon have been nominated for the NomCom small business and large business seats respectively.

So I'd like to encourage members to nominate for this position and (review) the time commitment for those positions as well. Once again, this is the (recap) of the timeline. We are still in nomination period and the nomination period is closed by next Monday, August 7, by midnight. And after that, we welcome candidate statements and those will be (sent) directly to the list from Tuesday, the 8th of August and that will close by Tuesday, the 15th of August.

Our candidates call on August 16th by 4:00 p.m. Universal Time. By that time, you need to send in your questions to Chantelle, who is the election officer, so that those questions can be (repeated) during the call. And then the election is (over by) August the 25th, that's a Friday.

Let me also use the opportunity to let us know that the officer elections will come up in November based on the date on our policy, system policy. So members are to expect (notification) in mid-October, should expect notification for officer's election mid-October.

We do know that (we print our) newsletter, we publish newsletter the BC newsletter at every ICANN meeting. So we are preparing one for ICANN60.

In this regard, I would like to invite short articles from members for the next addition of the BC Newsletter.

So it will cover maybe your experiences in ICANN meetings or (policy areas) areas that you are interested in or the work we have been doing. So deadline for this is 22nd of August, Tuesday, 22nd of August. We plan to actually translate all the articles to Arabic because we want our hosts to be at home so that we are language compliant as well.

Lastly, I would like to welcome new members on behalf of all of us, I'd like to welcome Searchem Network Incorporated and is represented by John Colascione and also Network Software Development from the Democratic Republic of Congo, and Christian is here with all the CEO so they would also like to welcome (Maggie, now of Facebook) and you are all welcome. So (Billy) cannot be online. We announced (Billy) of (Assemble) joined us recently at the last meeting.

So I don't know if there is anyone of you on the call that want to introduce yourselves briefly and then maybe I can take questions on other issues that we've already discussed. Thank you.

Steve DelBianco: Thank you, Jimson. Members of the BC, do any of you have questions for Jimson regarding the elections? Again, the opening of nominations is upon us. We have an opportunity for folks to nominate for the two nominating committee seats as well as our two councilor -- sorry -- our one councilor seat. That is the open right now and we'll have a candidate call on Wednesday, the 16th of August, with the nomination period closes on the 7th of August.

Seeing no questions, we go to all other business. I want to quickly iterate that we have new larger committees in the BC for things like the credentials



committee, the group that evaluates applications from folks who want to become members of the BC. It's a very lightweight, easy to administer role and it's an opportunity to contribute to the BC as well as to get to know the new members who come in and know a lot more about how the BC works.

We have room for five volunteers on the credentials committee and we're eager to have additional members of the BC at large get involved. It is only a few hours a month and it only comes up when a new member has applied to the BC. The finance committee meets somewhat more frequently and it's ably chaired by Jimson, and the finance committee has a bit of business at the period of the year when we approve the budget. But other than that, it's a very easy role as well. So please, BC members who can, please do apply for that.

I did want to turn to Marilyn who put something on the agenda for all other business, but I see, Jimson, your hand is up. Please go ahead.

Jimson Olufuye: Thank you, this is Jimson. Just to underscore what you mentioned, yes, would like members to really come up and get to have this (feeling). If you are not doing it, you're not regularly know it. So when you are involved in one thing or the other than you really know indeed how BC operates, how it's run. So I would like to recognize Lawrence. Lawrence has offered to (serve on the Credentials Committee) and as Steve said (on Finance) whoever still wants to, the representative can (be in) position or we can have an election.

Then on the finance, yes, we appreciate new members. So to join us (unintelligible) right now, so (unintelligible). Thank you very much, Steve.

Steve DelBianco: Thank you, Jimson. Marilyn, you had an item of new business. Please go ahead.

Marilyn Cade: Let me do this quickly in case Billy or any of our -- Christian or others want to make introductory comments about themselves. Several years ago, and I do this very, very quickly, but several years ago, there was so much tension between the Board and the staff of ICANN that we were referred to as the cross-constituency and that was not a positive comment about us.

At that time, I created a breakfast with the Board and for several years, we organized, as the BC, this predates the CSG, we always included the ISPs and IPC, but we organized a breakfast with the senior staff and the Board. And it was a really remarkable shift and the understanding of senior staff and the Board about the business constituency.

Margie, actually, as a member of the staff, has attended some of those breakfasts. Then we lost that opportunity because the Board decided not to -- under Crocker and Fadi -- decided not to continue to meet with us. We've gone on to hold our breakfast with the GAC and with others.

I would like to propose that for the AGMs, ICANN 60, that the BC reinvigorate the idea of a Board senior staff breakfast -- I say that -- or lunch -- I say that versus a cocktail hour, which were sometimes offered because we don't actually get to do any policy positioning or real identity building at a social event.

So I want to put that on the agenda. I think it would be really good use of our time. I'm happy to help to try to coordinate and work with others, but I'd like us to kind of try to go back to a face-to-face time, over breakfast, so it does not replace our hour or whatever with the Board talking about policy issues. But it could help us to -- we're going to have three new board members as well as the existing Board, if we could do the incoming Board members and the senior staff, I think that would be a really great opportunity for us.

Steve DelBianco: Thank you, Marilyn. Barbara, as our CSG liaison, I'm hoping that you can take that on board and discuss it with the rest of the CSG Ex Com as well. Thank you, Marilyn.

Barbara Wanner: Sure, yes, I certainly will raise that at our next CSG call. Just to play devil's advocate, and I understand what you're saying, Marilyn, and I think it would be of value to us. But do you think the Board and senior staff could come back and say, "But why do we need a separate (meeting) when we already have a -- when we usually always have a meeting with you? Wouldn't that be duplicative?" I'm just being devil's advocate. That's all.

Marilyn Cade: Barbara, why don't I email you offline with some of the history. That might be helpful.

Steve DelBianco: Perfect idea, Marilyn. Get some rhetoric.

Barbara Wanner: Thank you.

Steve DelBianco: Thank you. If there's no other business, I will thank all of you for attending the BC call. Our next call is set up for this same time on Thursday, the 17th of August. Everyone, enjoy the next two weeks and we'll talk to you then. Thanks all.

END