ICANN

Moderator: Chantelle Doerksen
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10:00 am CT

Chantelle Doerksen: Hello everyone. Welcome to the BC Members call on Thursday, March 29, 2018. In the interest of time there will be no roll call as we have quite a few participants and attendance will be taken via the Zoom conference room.

If you're only on the audio bridge please let yourselves be known.

((Crosstalk))

Denise Michel: This is Denise.

Chantelle Doerksen: Thank you everyone.

Margie Milam: This is Margie Milam.

Chantelle Doerksen: Hi Margie, thank you. And I will be updating the phone bridge as we go. I would like to remind all participants to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this I will turn it over to Claudia to begin. Over to you, Claudia.

Claudia Selli: Yes. Thank you very much Chantelle. It's Claudia Selli and I wanted to thank everybody for joining the conference call. We found these temporary solutions for today's call and I hope that we can restore the system soon.

I wanted as well to thank everybody for the great contributions to - during the ICANN Puerto Rico and for all the effort and work that has gone yet to be seen so thank you very much to everybody.

And in the interest of time I will leave the floor to Steve for the policy calendar. Steve, over to you if you can hear me.

Steve DelBianco: Claudia can you hear me?

Claudia Selli: Yes.

Steve DelBianco: Fantastic. Thanks everyone. On your screens, for those of you dialed in using Zoom you should be able to see the policy calendar PDF. For those of you that are dialed in or don't have Zoom up I sent it around yesterday afternoon as an attachment and in an email. If anyone needs it, let me know in the chat and I'll resend it.

I only have one thing to bring up on the channel one which is the previous posts to the ICANN public comment process. Since while we were meeting in San Juan we submitted on the 11th of March a comment on the proposed FY19 budget.

We were three days late on that but received assurances that it would be considered by staff. However, Xavier had told us that they have to somehow demote comments that come in after the deadline even for good reason and

not give them quite the exact same consideration that comments filed on time are to receive.

That was a concern to me since staff admitted that they were traveling over the weekend and hadn't even looked at comments on Friday but would wait until Sunday or Monday.

So with the assistance of Chantelle and the rest of the Excomm we will make sure that our comments are fully considered by staff, our comments on the budget. And if they're not, find a way to bring that to management's attention. But thanks to Jimson, Denise, Marilyn, and others who helped with that.

I'm now going to scroll to the currently open public comment periods. There are seven open. I don't have to go through them all in significant detail right now.

The first is a plan to restart the Key Signing Key, or KSK, for The Root that ICANN publishes. Those comments close 2nd of April and so we won't have another call before then but we do have several more days between now and then.

This is because back in the fall of 2017 ICANN postponed the planned rollover of this key and then they sought comments on acceptable criteria to restart. And since then there's been more questions about whether there might be unintended consequences of the new Key rollout. At the same time there's definitely a need to put this Key out there or DNSSEC security could be endangered.

So I want to do a shout out to Denise, Michelle, and thank you Denise for drafting a BC comment. And we first circulated that to the whole BC on the

13th of March, plenty of time for review. And then on the 27th of March Stephanie Duchesneau of Google circulated an alternative draft comment as opposed to sort of marking up the one that Denise had circulated.

The good news is that these comments are not miles apart but only inches apart and both Denise and Stephanie promised last night in an email to me that they would work together to align and coordinate those two approaches, keeping everything that each had said but trying to find a way to meld them. And I'll assist in that effort over the next day.

So I hope to get another draft to all of the BC members probably by close of business today if not early Friday morning. And then we'll have a chance to see the combined.

But I don't want to delay anybody's attention to this issue. The first two attachments in the policy calendar I emailed yesterday contained both Denise and Stephanie's drafts. Please look at those. The Key Signing Key is a vital aspect of ICANN's management of The Root server for purposes of security and stability.

So by all means look at those. If you have comments, reply all so that Denise, Stephanie and I can work them in.

I'm unable to see hands up in the Zoom room unless there's something I'm missing. And therefore, somebody should put into the chat if they want to make an intervention.

I'll pause there. Any questions on the KSK comment?

I'm not seeing anything in the chat so I'll proceed.

Denise and Stephanie, thank you again for all your effort on this.

The second is a draft procedure for community GTLDs who want to broaden the eligibility of registrants from the contract they'd earlier signed and the proposal they had put in to ICANN.

This is also due the 2nd of April.

Faisal Shah had volunteered to draft initial BC comment and he did so based on some input from Andrew Mack, Marilyn, and Waudo. I had then put a number of edits together on attachment three to the policy calendar. It would be ideal if we could finalize this today.

I'm going to try to bring it up on the screen right now. Wish me luck here. One moment please. I'm watching the chat as well if there are any comments on this.

Okay here we go. All right. Can anybody see the draft comment on your screen in Zoom? Anyone? Just give me a single person and then I'll know it's working.

Woman 2: Yes it is.

Steve DelBianco: Fantastic. Thank you.

So in this comment we -- I'm scrolling to the part of it I wanted to bring your attention to -- is that we bring up the idea that the BC believes there's instances where a community register operator could have a legitimate need to change the eligibility for its registrant community.

And I bring up as an example the dot bank and dot insurance community TLDs wanted to simply add eligibility for regulated bank and insurance holding companies last year.

ICANN at that time denied the request. Apparently there was no process to do that and it was the folks at dot bank and dot insurance, the FTLD company that had proposed late last summer to come up with a standardized and transparent process to evaluate community TLD change requests.

We go on in this draft to talk about requests that might be well beyond something like adding the bank and insurance holding companies. And the example I cited was from our October comments on dot museum.

Now dot museum wasn't a community applicant in the 2012 round. It is a carryover from the sponsored TLD rounds of a decade earlier.

So many of you may remember that last October the BC had significant issues with dot museum's proposal because they said that anybody who is interested in museum or a bona fide museum user could register names in dot museum. You know, we didn't have a problem with that per se but on principle we said well then it's not a community TLD anymore. It's an open TLD if anyone who says I'm interested in museums can register a dot museum domain name. And there'd be no way to verify any of that.

So I simply reiterated in our comment that we had a lot of concern about that.

But here's how it ties in. Bad news here. Earlier in March ICANN's board went ahead and granted dot museum's requested change despite the public comments from us and others that raised the concern.

And they did so by having dot museum adopt a brand new registry agreement based on the base registry agreement and it includes specification 12. So you would think that in the future if dot museum wanted to do something like this again they would have to go through this rigorous process that we're commenting on.

But we are very concerned that the ICANN process will only apply when a community is seeking to make a change in their initial term in the registry agreement.

So here's the key phrase, initial term.

So anybody who signed a new registry agreement for a first term of five years could after five years do anything they wanted to the community registrant qualifications without even having to go through an approval.

So Andrew Mack brought this up yesterday in an email. I believe that with the consent of the rest of the folks in the BC that the BC should oppose using this process only for the initial term of the registry agreement. But in fact as long as you're a community TLD you should go through this process.

We go on to make a lot of comments about the process including the idea of being sure that the community registry operator has to not only consult with the affected community -- those who had registered domain names -- but document that they have indicated their consent to the change. And that pretty much summarizes the rest of what's in there.

So I'll take a queue now for anybody that would like to speak to this issue and anyone who would object to this idea that the BC will say that this should

apply to all periods of time that a community registry is operating not just the first few years they're on their initial agreement.

So Chantelle, I'll seek your assistance in determining whether hands are up or people have asked for the floor. Is there an easier way to do that, Chantelle?

Chantelle Doerksen: Hi Steve, that sounds like a great approach. I'm monitoring the Zoom chat.

Steve DelBianco: Any objections… to the draft that I circulated and that's on the screen?

All right. Hearing none, I will make the change that I just discussed, the one that Andrew Mack brought up and I will send it to everyone after this call so you'll still have four more days to comment on that.

Now I have to close that document and reopen the policy calendar. And that didn't work. It did work. Okay. You're all seeing the policy calendar. Thank you.

Next up is number three. We raised the concern that certain groups that nominate people to the ICANN board do not have a integrity screen and that would include the GNSO for the board seat - the two board seats the GNSO puts up.

ICANN has proposed, the board has proposed that they'll come with a new process by which each of the ACs and SOs have to do a screening for board members' integrity.

Thank you to BC members Cheryl Miller, Zahid, and Jay because you're all in a Nom Com and then Waudo and Arinola also agreed to help. That

comment's not due for another three weeks so I'll circulate something when it comes in.

We - number four is a draft plan by the SSAC, the Security Stability Advisory Committee, because they're going to reexamine the name collisions issue for new TLDs and they're going to do it in a very open process where they're going to have multiple phases of study and they're going to solicit public comments from the rest of us as they move from phase to phase.

That's a new process for the SSAC. And I believe we should applaud the process. And that's all this comment is about. It's not about the substance of whether collisions should occur, should be blocked but whether the process that SSAC is using, the project plan makes sense.

So I'll stop here and ask for a volunteer. Is there anyone in the BC, particularly those of you related to companies that want to launch new TLDs that could collide with terms. Think of corp, mail, and home as three that were prevalent in the previous round.

Do we have any volunteers that would help to draft a BC comment on number four?

Stephanie. Thank you very much. Anyone else? Stephanie, thank you. I will circulate a setup email to you that includes the prior BC comments on SSAC proclamations as well as collisions. Okay, thank you.

Number five. This is an important one. It's ICANN's strategy to replenish the reserve fund. Now the board has approved the notion that there'd be a 12-month minimum for operating expenses and that was the BC position. We

said it might perhaps need to go as high as 17 months but we were comfortable with 12 months.

The board has approved that so the question now is how quickly and from what sources would the funds come about to restore $70 million to the operating reserve.

ICANN's proposal is a five-year where some of the money comes from the auction proceeds, some comes from an operating surplus which means ICANN would have to manage to have revenues in excess of expenses. They have to control expenses to throw off a reserve contribution.

They look at using leftover funds from the new GTLD. And there's an unmet need to get there in five years. So we have volunteers from the BC. We're going to draft a comment. John Berard stepped up, Jimson, Waudo and I, and that drafting team has had multiple back and forths on email to try to figure out how we want to position this.

And I think one of the fundamental questions is how much can be taken from the reserve - of the auction proceeds to put in the reserve fund. ICANN's proposal came up with a completely arbitrary number by saying this is what we spent on the transition and therefore that amount could come from the auction proceeds.

But upon examination there is no logic to that number at all. There's only this question about how much should come from the auction proceeds. And there might be some limitations on what can come from the auction proceeds since the auction proceeds are designated for charitable use that would not, you would think, include offsetting ICANN's operational contributions to the reserve fund.

So we should have a draft ready in the next week or so. There's plenty of time. It doesn't close until the 25th. Are there any other comments from BC members or volunteers who want to help on the drafting?

Marilyn Cade I'll add you to that. I actually thought you already were added to it. I just haven't seen you on the email trail. I'll add you. Anyone else?

Jimson Olufuye: Steve?

Steve DelBianco: Okay thank you. I only have two…

Jimson Olufuye: This is Jimson.

Steve DelBianco: Yes go ahead please. Go ahead Jimson.

Jimson Olufuye: Yes. It's well to your point in terms of maybe the logic of drawing from the reserve funds, these funds pending on the IANA. But basically, currently I think the link is that special budget action can be implemented. And (unintelligible) and the reserve physically is used for such important unbudgeted expenditure lines like that. So I don't know perhaps I might be wrong but I'm thinking that really if such important expenditure was implemented using the reserve fund then it makes sense that the reserve fund should be replenished by that measure.

Community (unintelligible) are we sure (unintelligible) $35 million but next year (and we take their word for it) then this can be I think it makes sense to replenish the reserve, ($35,000 or originally move it from) reserve.

And also I (unintelligible) to paper, is the duration. I cannot support five years (period) for replenishment. But my thinking is that in a fast paced, moving world, you know, with technology and innovation is happening, and (anything can be destructed) so I think a shorter replenishment (period could be more profitable) maybe three years-- tops. Okay. So (as soon as) possible. We also have the challenge of (new gTLD rounds coming up) (which) is not in the budget of ICANN FY 19 and (also the implementation of Workstream 2) (unintelligible) . Thank you.

Steve DelBianco: Thank you Jimson, thank you Jimson, and since you're part of the drafters I am anxiously awaiting how you would connect the rationale of the reserve fund to the charitable purposes that ICANN has said are to be used for the auction proceeds.

So we have to be able to justify replenishment of the reserve. I'm not saying it's not a worthy thing to do but how does it fit in with the charitable purposes that have been declared for the auction proceeds. That's the first thing.

And the second is that by you saying three years is better than five, we would all agree. Let's just all agree with that. But Jimson we can't recommend three years unless we can say where the money would come from. And ICANN is not likely to generate operating reserves sufficient to get to $70 million over three years. So again I'm looking forward to your email where you describe where $70 million would come from in three years.

And that's the part we have to evaluate. We can't simply say let's go to three years instead of five if we can't say where the money would come from.

All right. Thank you. I will next say that there are two more open public comments. A bylaws revision over the new voting thresholds in GNSO for

the empowered community. We'll need some help on that one. I guess I should take the lead on that since I manage that working group in GNSO so I'll start and do the draft for number six.

And then nominating committee is one of those ICANN groups that every five years the board has to conduct an independent review of its purpose and effectiveness including recommendations on whether to modify its structure or processes to improve its effectiveness.

The BC has three current members and there are some on the phone who have also been on part of the Nom Com before. We need to draft a comment from the BC's perspective of this Nominating Committee review and recommendations. Are there any volunteers that I can look to now?

Marilyn, when I tell you the word charitable purposes I'm referring not just to what you drafted but what ICANN's lawyers said in the public documents filed in the dot web lawsuit. ICANN is claiming that charitable is part of it.

Lawrence, thank you for volunteering on number seven. Barbara Wanner thank you for number six, helping on that. Any others?

Okay. I have - that's about - before I turn it over to Susan and to Marie I wanted to point out that there's been a lot happening on GDPR compliance for WHOIS. I have circulated to each of you on the BC a couple of emails recently on iterative changes to this accreditation model that would allow accredited users to have access to the full WHOIS once a standard public WHOIS has been changed.

The BC has not gone through a detailed review of every detail in that process and it would take us a couple of weeks to do so and that would mean that the draft would have to slow down and stop changing every 48 hours.

So at this point -- and this is something we agreed to when we were in San Juan -- the BC is agreeing to the advancement of a proposal for accreditation so that it becomes a consideration of ICANN, the contract party house, and the DPAs in Europe.

When they begin to react to that, that is to say the contract parties ICANN and the DPAs react to the proposal, I think we will try to freeze a proposal and have the BC weigh in in particular on the details.

But none of that should stop BC members from weighing in now on elements of this proposed accreditation model. And I circulate new ones frequently. I'm grateful that five BC members have commented on it in the last five days and three of our changes were reflected in the last draft that Fred Felman circulated yesterday.

Not all our changes are in there and so the BC will continue to comment on that and hope that that moves ahead. There's a bigger game at play, though, and that is that ICANN is meeting with DPAs. They met yesterday in Brussels and when you read the letters that ICANN has sent to the DPAs their primary objective is to get a written assurance that there'll be a forbearance on enforcement for some period of time.

And that is one of the reasons that ICANN put together a timeline for how quickly contract parties in the community are moving on developing an interim model.

I don't have any word from how things went in Brussels yesterday. Is there anyone on the BC call that has information on how ICANN's meeting with DPAs went yesterday?

Okay. As soon as we learn I will circulate to the BC the current status of things. I'll remind all of you that I try to maintain a Google Doc with the current status of GDPR and WHOIS with all the key documents and links.

And there's a link to that right at the bottom of the page on this screen.

Chris Wilson asked were Fred's recent edits circulated to the full BC list? On Tuesday evening I circulated a draft that came from Fred and Fred I believe that you have circulated a brand new one last night. And if that's the case I will circulate that to the BC as well.

Stephanie says with respect to the timeline, the version that we circulated was a draft and it wasn't supposed to be shared and that's exactly true, and I don't want to fault Statton for sharing it. Apparently he thought it was okay to share it.

And that timeline Stephanie was used almost expressly to try to get a period of forbearance from the DPAs. It didn't have a lot of substance in it. It was mostly about how long would it take to get things implemented.

I see that Susan would speak to RDS. Alex Deacon PDP leadership. Okay so let me scroll down. There is a whole channel open for counsel and that includes this RDS PDP working group so that Alex Deacon can speak to that.

So up on the policy calendar on the screen, okay…

Margie Milam: Hey Steve, it's Margie. Can I get in the queue? I'm sorry I'm not online right now.

Steve DelBianco: Go ahead Margie.

Margie Milam: This is regarding GDPR. So we've got the draft that Fred circulated and we just discussed. But my question is should there be a BC comment to the board regarding the GAC communique?

I find it a bit striking that - and problematic that you're on sensitive material over to the DPAs without updating the model in any way related to the comments received in San Juan and in particular the GAC communique. And so it strikes me that this is now not just a staff issue but a board issue because the GAC communique is consensus advised and I think it would make sense for the BC to ask the board to move quickly in analyzing the GAC communique and updating the model.

Steve DelBianco: Any other BC members want to comment on Margie's proposal which I think is a BC letter. There's no public comment out but a BC letter indicating that GAC advice - I guess we should call it the advice more than the communique.

The advice portion from San Juan called for changes to the interim model that are consistent with prior BC positions and we are anxious for the board to take action on that GAC consensus advice. I think that's the essence of what Margie is saying.

Margie, we need to give BC members who aren't on the call an opportunity to review that, so can I count on you to give me a first draft of the letter, the email…

Margie Milam: Yes.

Steve DelBianco: And…

Margie Milam: Thank you.

Steve DelBianco: …I'll work with you on that and circulate it but we'll need to give the BC members a few days for review. Okay?

Margie Milam: Okay, great.

Steve DelBianco: Thank you Margie.

                  So Fred Felman let me just to clarify, I had circulated the Tuesday version already so I don't really need to circulate a red line to get people confused with that. If anybody wants the red line ask Fred or I and we'll circulate that too.

Fred Felman: The red line was …

Steve DelBianco: Fred I think you…

Fred Felman: …just sent to… I gave you the red line just so the people could see the changes between versions and a lot of people had asked for that, so I - that's the reason I sent it out.

Steve DelBianco: And I appreciate that. Fred what would be your estimate for the next revision we would expect to see on the accreditation log?

Fred Felman: I'd expect to see a revision on next Wednesday after the close of the comment period that we've given people to submit comments, which ends on Tuesday.

Steve DelBianco: Fred I will then circulate the red line and the clean with a reminder to everyone to submit comments. And earlier I had asked the comments to go to the email address you set up, the 3am email address as well as to the BC-private so that our BC members would all see it there. So I'll send a red line plus a reminder for next Wednesday's deadline.

And Fred a few of us in the BC felt that the criteria for eligibility of IP owners should be something stronger than just having a good standing membership with something like INTA. And I've asked you a couple of times on that. You seemed to indicate that that was just an oversight. It would be corrected. Is that something we can look forward to a fix, then?

Fred Felman: That's something you can look forward to a fix on for sure. We've asked the IPC to help us establish more stringent criteria for property concerns. And just to clarify, the close of the comment period is on Tuesday at noon Pacific. And it will be probably very late in the day or very early in the morning on Wednesday night you'll see a new revision.

Steve DelBianco: Great. Thank you, Fred for all the credible work you're putting into this. Denise, Margie, folks from Microsoft, Tim Chen, Susan Kawaguchi, and others, it's a great effort. It'd be better for ICANN to pay a little more attention to work on the accreditation model. But as I said, it's my sense that they are completely focused on getting a forbearance timeline. And the contract parties have only really just recently turned to look at the accreditation model.

I was talking to the contract party on Monday who said that they were so focused on responding to the cookbook and giving ICANN the timeline that they wanted, that they hadn't done subsequent review yet of our accreditation model. I was disappointed to hear that but encouraged to know that they were turning to it this week.

Anyone else have anything to add on GDPR and Whois? Okay. Turn it over to Susan and Marie on channel two for counsel. Susan and Marie?

Marie Pattullo: This is Marie. I was hoping Susan was going to lead on this. So I will keep talking until Susan turns up. Can you hear me okay?

Steve DelBianco: Perfectly.

Marie Pattullo: Okay. You've all seen or attended the last meeting we had, which had no consensus items, nothing adopted, no votes.

The main one, the main item on that agenda it's already been mentioned in the chat by Tim which is discussions about the future of the (RDF PDP) working group and how or how not that might go forward.

Now, seeing as we've got Alex on the call, I think it's better that he talks about this so you consult him property. But what I can tell you briefly is that there have been voices for (HB) put on hold pending GDPR that Susan pointed out that was patently ridiculous and it should not be put on hold. And then we had a certain member of the NCSG (Hugh) lanced very publicly from the group until she found out that the board and the leadership of counsel would be talking about this. And suddenly, she wants to be involved in that discussion.

But with your agreement Steve I pass this one over to Alex.

Steve DelBianco: Alex Deacon, are you on the line?

Alex Deacon: I am. Can everyone hear me okay?

Steve DelBianco: We do.

Alex Deacon: Yes. So just real quick without using loaded words like pause or taking a break, I think with the work happening around the interim model, focus shifted within the PDP, the RDS PDP working group away from the PDP and onto you know, being involved in discussion around the interim model.

We did see some resignations and so the leadership team did cancel this week's meeting and perhaps next. I don't remember exactly. As we kind of understand better from not only the GNSO counsel but from the rest of ICANN about how to best leverage the resources of the PDP while we're both working through an interim model and also kind of trying to figure out exactly how a more long-term PDP would fit into the new dynamics that we see.

And so there are going to be a few meetings set up over the next few days to determine what the next steps are. And maybe what I can do is take an action real quick to better summarize what's happening and what the timeframe is and what we hope to accomplish between now and tomorrow. Hopefully that's helpful.

Steve DelBianco: Alex, it's Steve. I want to support what Marie said is that it's patently ridiculous to shut down the one PDP whose job it is to come up with consensus policy on directory services. The reason that the interim model is called interim is because it's only supposed to be there until the community

completes the policy work that is our main job. So it is patently ridiculous to suspend a PDP whose job it is to develop the policy to replace the interim.

((Crosstalk))

Alex Deacon: Yes, and I don't think that's what's being proposed, Steve. But I think people are just trying to wrap their heads around all the moving pieces. As you know, there's a lot happening all at once.

Steve DelBianco: Okay. Chantelle, are you managing the queue?

Susan Kawaguchi: This is Susan. I'd like to get in the queue if you can hear me.

Steve DelBianco: As far as I know, you're the only one in it. Go ahead, Susan.

Susan Kawaguchi: Okay. So Alex, I have a quick question. You know, there was a council member that said she would like to participate in that board discussion about the RDF working group. And I was wondering what your point of view and, you know, maybe you can speak to the leadership team of the working group or not. I'm not sure.

But, you know, the leadership team as everyone knows is comprised of a representative from each of the GNSO stakeholder groups. So do you feel it would be appropriate to allow other counselors to sort of have double representation for their group?

Alex Deacon: Yes, thanks Susan. It's Alex. No, I don't think we do think it's appropriate. I think we already have David Cake right representing the NCSG. I hadn't seen - I think that email from Stephanie went to the council list so I haven't seen if there was any reply to her.

But based on discussions that we've had on the RDS leadership list, I think we all agree that any discussions that happen between the leadership and the council or others would happen with the existing set of leaders and we wouldn't add additional folks to it.

Susan Kawaguchi: Okay. That's reassuring to hear. I'm sorry. I couldn't get off mute earlier. I just finally figured it out. Thanks for the help everyone.

Steve DelBianco: Susan and Marie anything further on council? We don't even have an agenda or anything for your next meeting because it doesn't occur until the 26th of April.

Susan Kawaguchi: Right.

Steve DelBianco: Any questions for our counselors? Alex on a point of personal, I do hope we'll find a way to keep you in the BC and reengage you at ICANN as you find your way to the next big challenge. Any company would be lucky to have you. And I'm sorry that MPAA is no longer going to have you working on the ICANN matters. Thanks for everything you've done, Alex. And a superb BC member.

Alex Deacon: Thanks, Steve. I'll send a note to the list just to kind of explaining what's going on. But just real quick my last day with the MPAA is actually tomorrow, so I've been working on a transition to others at the MPAA. And I do hope that I show up again some other capacity in the BC in the near future and I appreciate the kind words, Steve. Thanks.

Steve DelBianco: Thank you, Alex. Barbara Wanner, turn it over to you for channel three on commercial stakeholders group.

Barbara Wanner: Thank you and can everybody hear me okay?

Steve DelBianco: We do.

Barbara Wanner: Okay, great. Because I'm on the phone and the Zoom so just to be safe. I provided everybody with a CSG meeting report from ICANN 61. If you did not receive it or misplaced it or whatever, I'm more than happy to send you another copy. Just send me an email through BC private.

One item that was not included in that report were discussions that Steve and I on behalf of the BC and then our counterparts in the ISPCP and the IPC had with the noncontracted party house on the 15th concerning the selection of worksheet number 14. Steve attached the red line markup of what those discussions covered.

I would say probably the most concerning element when we initially went into those talks was NCSG's insistence that the non-com appointee actually have not only a role in the process but a vote. And we pushed back hard on that and were able to get the NCSG to agree that the non-com appointee could have a consultative role -- serve as an advisor.

Another element that was a little puzzling and we struggled with was the NCSG's insistence of having a formal vote. We walked them through probably a couple of times what we learned from our meeting with the contracted party house about how they select their representative. And my takeaway from that was that it was very consultative and all things considered, rather informal -- that the reach a consensus, they find a candidate, and move on. The NCSG was adamant about their being a vote.

So in I guess it's point number three where we emphasize that the candidate be based on a consensus reached with the noncommercial stakeholders group and the CSG. We then included point number four for consideration by you and the other CSG constituencies about this vote issue.

Personally, I feel it's a bit redundant. Steve, I'd appreciate your take on this as well.

Steve DelBianco: Barb, it's Steve. I think you represented it correctly and it's a formal vote. And there are only two votes. There's the CSG vote and the NCSG vote. And each of s would come up with our own methods of determining what the vote would be. And the candidate would get both of those two votes or we go back to the drawing board for another candidate.

Barbara, that represents exactly what it was our members wanted us to do since NCSG had earlier thought that the votes would be done by counselors. And they want to be counselors voting to include a non-com appointee, which meant we would ordinarily be outnumbered by seven to six.

So I think we were successful at convincing them that we should follow the contract party house model. There will not be a formal council vote but rather the CSG and the NCSG simply have to agree and each cast their one vote for a single candidate for that candidate to be advanced. So I think it's a good plan.

Any comments from BC members?

Barbara Wanner: You know, as I say in this comment, this election number four just really formalizes the consensus building process under number three. But initially when they raised this idea of including the non-com appointee, we were told it

was to create balance which all made us scratch our heads because it seemed to create an imbalance in their favor.

So, you know, I'm pleased that we were able to get them off a more formal role and clout for the non-com appointee.

Steve DelBianco: Amen to that. Anything else Barbara for CSG? (Leigha's) on.

Barbara Wanner: No, not now. So we can move on.

Steve DelBianco: Barbara, an issue that you and I have worked is on the screen right now. It's the minority report…

Barbara Wanner: Yes.

Steve DelBianco: …on work stream two for transparency. The BC has on two prior occasions approved a public comment saying that ICANN's legal team needs to be more transparent and forthcoming about information that's requested in an independent review process or another proceeding like a document discovery process.

ICANN legal had objected saying that they wanted more discretion to simply say you can't have this document and they're going to assert privilege in a legal sense and not reveal a document.

So what you have on the screen and what I attached to the policy calendar is three points that the BC is being asked to sign on to in a letter. And there are letters directing ICANN and its attorneys and its agents that they have to have a contemplated reason to assert privilege or otherwise withhold disclosure. And that the mere fact of disclosure could assist a claimant or a potential

claimant should not in itself be considered a sufficient reason to withhold a document citing attorney client privilege.

And then finally, when ICANN is considering whether to make a disclosure that was requested to an IRP, that ICANN has to regard the purposes of the IRP as set out in the bylaws and consider those purposes and not just ICANN's organizational objectives.

As your policy calendar, Barbara and I have been through this and it mashed with two prior BC comments on asking for greater transparency from ICANN legal and an IRP.

Are there any objections to BC signing onto this letter? Currently the ISPs have agreed to sign on, all of NCSG has agreed, and the IPC should get us an answer by tomorrow morning. The goal was to send this over the weekend as part of work stream two. Any objections? Thank you very much. That's it. Back over to you, Claudia for the rest of the meeting.

Claudia Selli: Thank you very much Steve and actually on point five on the agenda I will take just very few minutes interest of the time. But there was the ICANN 61 BC meeting. I think the majority of the people on the call participated into the Puerto Rico meeting.

But, we had meetings with you know, on the strategical initiative and identification of the trends in ICANN with Theresa Swinehart. So she explains the process that they are adopting in ICANN to identify new trends and they are doing these with a different communities.

And they are proposing as well to have a meeting with the BC, so we have this open question to reflect on eventually for Panama because the time that

they are looking for -- 60 to 90-minute session with white boarding in order for the BC members to be split in groups -- it's a lot of time. So we will have to see whether we can accommodate that to the agenda or how to fit into this process in a different way because this was also one of the questions raised.

We had the meeting with finance where, you know, they described throughout the ICANN meeting and also through different communities really the challenges that ICANN is adding on the budgetary cuts.

And so Steve has already explained our what we proposed as the BC during Puerto Rico and we made those comments to the board during our meeting to the board as well. We had the meeting with the auction proceed and then of course there was a lot of focus on GDPR and with registry.

I mean, we have time to reflect also on how maybe to change because we had a lot of meeting with a lot of slide presentations. So certainly for the future we might want to reduce probably the speaker and also the presentation because I found that really the Q&A and fashion was probably the most interesting part of the dialogue with the people that we had the meeting with.

I don't know if there are comments on the queue or questions or anything, but otherwise I will lead the floor to Jimson. I see Barbara. No? Or am I wrong.

((Crosstalk))

Claudia Selli: Yes.

Marilyn Cade: Very quickly because I want to hear from Jimson. It's Marilyn. I just wanted to ask. I think it's really important for the BC to have input into the strategic plan and maybe there is a couple of options. One would be they come to us

and we gather and one group could be in Washington DC. Another could be in Europe. It's partial. I don't want to propose that because it eliminates our developing country participants. Or maybe we could ask them to do an evening event the day before the event Claudia.

This is a huge amount of time but I think it's really important because otherwise the strategic plan doesn't include our views. So just a couple of ideas. And then I pass it back to you and to Jimson.

Claudia Selli: Thank you, Marilyn. It is something certainly we can reflect on. If there are no other comments, Jimson I will leave the floor to you.

Jimson Oulfuye: Okay. Thank you very much, Claudia. This is Jimson Oulfuye speaking. Well, let me begin with an answer report. We prepared for our FY19 budget (is on the way). And the finance committee would appreciate input from all of our other committees -- the credentials committee with (Outreach) budget, we would like to have your input, please. And any other advice that will come concerning the budget situation process.

As I indicated in San Juan, (the BC) has a quite heavy account balance which (can) be drawn down to special interventions. Some of these proposals on the (activity) group -- one like having a program that would support the one to two members to participate in all the three ICANN meetings in FY19. The criteria for that some of which may include demonstrated financial needs and two, demonstrated commitment (for) the BC policy work.

This would be in addition to support for the BC (fourth) officer to attend ICANN meetings, which members approved the other time. And also to make a note that the FY19 invoicing round (will start May 1st) (Unintelligible). And then it will get invoices for FY19 your inbox by May 1st.

Now to operations -- the article is called (unintelligible) Claudia sent out an RSP backup setting for the BC. And in completion of the submission to you on February 15, 2018 we received one (quarter). (Excomm has) reviewed the proposal. The meeting on March (10) 2018 to provide the cloud backup service for BC for a deal of three years (unintelligible) and enable us to work on satisfactory cloud performance.

Backup service, as what it's called when we work the backup of our online documents (in the website, in Memberclicks, and include hosting and maintenance) of the URL. It will be a discounted global (unintelligible). Our Chair will be providing more details to members going forward.

A new version of the (Meet the BC brochure) is being put together. The (brochure) will be a compendium profile of current and new BC members. I want to appreciate Chantelle, she's working very hard on this. And we'll be getting you some information on what to do shortly. So we hope this could be ready for the Panama meeting or Barcelona.

So the idea of the BC virtual so that (the general public may be) aware of the diversity and the membership of the BC.

Also, information for meeting of BC what members call an ex-com are being compiled and the Secretariat and are limited to members who are present (and log-in on the backend) of our website. So this will be for member's research and references.

And information will be coming to you shortly (with details about CROP) and the leadership development program. So this (was made as a) budget request but we still have FY18 that needs to be used by June 30th. So proper to note

(for outreach). So what we have on this now is any region -- that will be Europe or that will be in the North America or any other continent in the ICANN reach.

So in the budget development too for potential (leaders), not currently BC members, but for those to join the BC. So this project will be providing (information shortly).

And on new membership, want to (time) the chair committee has been working very hard. There are five new members or potential new members they're working on to encourage and to tidy that up as soon as possible.

And I would like to again (appreciate) Alex Deacon as he'll be leaving us. We hope it won't be for too long before we connect again. In the meantime, would like to welcome happily Neil Fried, who will be replacing him.

So on this note, it's back to you Claudia. Thank you.

Claudia Selli: Thank you very much, Jimson. And well just to say that in the next few days that we'll be sending out information on couple of points that we have with one crop funding. And so we have two regional spots available so we'll send out this information. Watch this out so that you can eventually apply to that. I will be sending out all the starting information to you.

I don't have any other points, but the next meeting will be held on the 12 of April. So unless there are other comments or other questions from members, I would adjourn the meeting and wish everybody a nice and wonderful break if you're taking any. And we'll speak soon.

END